EUROPEAN PERSPECTIVES

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International Scientific Journal on European Perspectives

EUROPEAN PERSPECTIVES

contents

BOOK REVIEWS

Letter from the Editor

It was exactly a decade ago that this Journal came into being. The decision was taken with an ambition to contribute to the development of the Western Balkans on its path towards the European integrations.

Our first number coincided with the twentieth anniversary of the end of the Cold War and was also a special issue on this topic. Additionally, 2009 was the year when the Lisbon Treaty came into being. It transformed the EU into an international organization with legal personality, what also served as the legal background for the establishment of the European External Action Service. We are glad that our authors reflected on a variety of these topics.

Hence, also in this issue we dwell on topics related to aspects that mark this era.

The first article focuses on the aftermath of Brexit, discussing it through the Principle Agency Dilemma. The author claims the Referendum has had an important influence on the future development of the EU. The paper concludes that the Principle Agency Dilemma has a significant impact on U.K policy-makers and focuses on the need of ending social media disinformation campaign and using innovative methods to end the gridlock. *Intriguing*.

Our second contribution discusses the empowerment of women in the Western Balkans between law and tradition with the special emphasis on their participation in the labour market and the enforcement of their right to property. Traditional customs and beliefs that are common to a large part of the region influence decisively slow path of reforms. They are necessary to push the economic development and independence of women. *Persuasive*.

The third paper brings to our attention geocriticism, the new approach in the study of literature, in particular novels. Geocriticism has been coined by Bertrand Westphal and aims to revert the historic perspective of reading literature by inviting readers to focus on the spatiality of the text. The author takes into the focus of her study novel

on diplomacy Rainbow beyond the Soul, the first part of the Slovene diplomatic trilogy. *Innovative*.

The fourth article deals with the migrant and refugee crisis that struck Europe almost five years ago. It is Greece that is hit mostly, not only in the territorial sense, while the crisis has been handled to a large extent by the EU with consequences to all its member states. The article touches also on the major issue of migrant and refugee minors, as they represent a high percentage of the total and they increase the complexity of the crisis. *Captivating*.

The fifth paper dwells on positioning of small states in the era of globalization. The author argues that small states can and do survive as well as function well in this context. This, however, does not go by itself, bur demands carefully thoughtful and target oriented policy approach. States that let themselves go otherwise could easily be left behind in this structurally demanding, but opportunities rich global frame. *Realistic*.

The last piece of examination keeps its eye on the European integration process thirty years after the end of the Cold War. This integrating achievement and trend is understood as a structural output of the activities of key international governmental organizations (the EU, NATO, the OSCE and the Council of Europe). It is a European diplomatic, political and historical innovation with thirty years of an intensive structural rise. *Comprehensive*.

The first book review elaborates on the presidentialisation of political parties in the Western Balkans (an edited volume), and the second one explains fight over freedom in international discourse, focusing on moments of self-determination. And the recent Guest View contemplates three decades since the fall of the Berlin War, what offered multilayered consequences and challenges for the Western Balkans.

A careful reader will again notice our bellow *intonation*: Slovenia is preparing for its second Presidency of the EU Council, having in mind the Congress of Ljubljana that took place two centuries ago. Diplomacy still rests on tradition. See you in spring.

Ljubljana, October 2019   M. J.

From the Congress of Ljubljana 1821 to the Presidency of the EU Council 2021

Now it's Time to Finish the Business
Acad. Mirko Pejanović

Now it's Time to Finish the Business

Acad. Mirko Pejanović[1]

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The kind invitation to prepare a Guest View for the current issue of the international scientific journal European Perspectives presents a special pleasure and privilege for me. In the following few pages I will try my best to offer my humble contribution to this perspective.

Here I stem from the fact that among countries of the region Bosnia and Herzegovina is going through specific social and historical circumstances, while implementing its EU membership ambition. There was a war going on between 1992–1995 with unprecedented sufferings and genocide in Srebrenica in 1995. Process of forming democratic institutions advances with difficulties and there is a shortage of democratic, economic and administrative capacity for establishing of European standards. Therefore it is necessary to offer BiH help from the EU institutions through the EU Special Representative as well as within the frame of the EU's responsibility in implementing the Dayton Peace Accords and building peace. The faster and the better approach is speeding up the integration in the EU and NATO.

There are at least three reasons how I understand my input to this issue of the European Perspectives.

The first one is, of course, the journal's jubilee – it started with its important and noble mission exactly a decade ago. The anniversary not only coincides with other important in this year, but also reflects the understanding of time and of its needs. With its new publisher – the International Institute for Middle East and Balkan Studies – the journal has stepped in the next period of its existence. It should be the

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1   Acad. Mirko Pejanović, PhD, Member of the Academy of Sciences and Arts of Bosnia and Herzegovina, Professor Emeritus, University of Sarajevo and member of the Presidency of Bosnia and Herzegovina during the war.

decade of further advanced policy thought and advice, of an upgraded and broadened author's community, and of a direct, scientifically sharp and thoughtful contemplation. There is never enough of it and there is always a variety of ways and approaches to do it.

The second one is the fact that the respected journal discusses topics, which are directly linked to our region. And we are in a desperate need of everything that would bring us closer to the Euro Atlantic integration area, what also means ordering our societies in the way to we live better. We need policy advice to know what to take into account and to follow, and we need policy experience to know what not to follow and why not. We want to learn from others and share experiences and views. I've been following this journal throughout these years and became convinced of the usefulness of articles and book reviews for what we need, our civil society and academic community in particular, but also our political elites. Along with this also goes the fact that the journal particularly offers its pages to young, promising and not established authors from the region, as well as from elsewhere. It has never been easy for young authors to receive a place in journal, since the majority of them tend to favour well-known names. But without having an opportunity nobody becomes a name.

And the third one is the thirtieth anniversary of the end of the Cold War that we are witnessing nowadays. The year of 1989 marks a special turning point in our political history. Much has been written and contemplated about it, so one would hardly see any special need to focus on it. But in spite of this, break even points like the 1989 presents, have to be discussed and researched on and on. And observing if from our point of view, how we in the Western Balkans perceive it is never without reasoning.

Thirty years ago we shared a dream of Europe free and whole. Socialism and communist ideology disappeared, Germany was united, and we felt historical change. It was the time of expectations, hope, and enthusiasm. And then with the dissolution of Yugoslavia – much contrary to the dissolution of the Soviet Union and not to speak about the Czechoslovakia – a war broke out in the Balkans. It was the result of highly irresponsible political leaders, driven by nationalism, extremism and absolute absence of human touch with what at the end of the day no discussion was possible. No solution was possible otherwise

with arms, what at the end proved to be no solution as well. We will never get to know who all had interest in cruelties that were going on, but we know that local politicians could have prevented it. They could have agreed on reconstituting of the former state, they could have reached a peaceful consent on dissolution. But they did not, and basically we know why. Instead, as the 20th century began with the two Balkan Wars, it also ended in the same way. We who witnessed it, we know what we speak about. We also know and remember what was the stream of events and how did the international community react: slow, hesitant, and naive. Hadn't it been for the US President Clinton and the consequent intervention of NATO, the agony could have lasted. It would have been neither the first one nor the last one.

I am pointing out this with one and only ambition: to present that roughly three decades in between would be enough time to consolidate affairs. Had I've been asked this as a member of the BiH War Presidency, I would have bet on it.

To simplify: We witnessed four enlargements of the NATO Alliance during these three decades. The first one took place in 1999 by three new members, the Czech Republic, Hungary and Poland. The second one was achieved five years later in 2004 with seven new members, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovenia and Slovakia. Four years later in 2008 this was the case with Albania and Croatia, and only a decade later with the next one, by Montenegro. We are all carefully following the ratification proces for the North Macedonia as the next, thirtieth member in due course.

Additionally, we also observed four enlargements of the EU in the same period. The first one took place in 1995 by three new members, Austria, Finland and Sweden. Almost a decade later in 2004 the second one was on the agenda with ten new members, the Czech Republic, Hungary, Cyprus, Estonia, Latvia, Lithuania, Malta, Poland, Slovenia and Slovakia. Only three years later in 2007 two new members joined, Bulgaria and Romania, and then in 2013 also Croatia.

Looking at the Western Balkans through the prism of this evidence, the conclusion is twofold clear: there exist a small number of the Western Balkan countries that still are not formally members of NATO and the EU, and at the same time they all have some form of institutional cooperation with both organizations. As far as NATO is

concerned, Bosnia and Herzegovina, Kosovo and Serbia participate in its Partnership for Peace Programme, with a remark that Serbia is not interested in the membership. And with a regard to the EU, Montenegro and Serbia are already in the negotiating track, whereas Albania and North Macedonia as candidates expect soon the date to start the negotiation proces, and while Bosnia and Herzegovina, and Kosovo concluded the Stabilization and Association Agreement with the EU.

So the nexus of the region is connected, but in a standstill. Integration network that includes the non-members hasn't brought enough results and performed much dynamics for the core of the region, to its grey zone. It is rather loose with no significant progress recently. We remain surrounded with the EU and NATO, we are in the middle of the circle, but we are not in.

It is not my ambition to dwell on why it is like this, who should do more and what. But one issue is obvious again: as it was clear thirty years ago that the Wall has to be torn down, it is apparent now that it is high time to finish the business. This is for my understanding the most important message from the *Annus Mirabilis* and from its current anniversary.

There are three issues that countries of the region can do in a coordinated manner to improve their wellbeing and hence the relation with the EU.

Firstly, they shall upgrade their infrastructure. Commuting, logistic and transportation routes and traffic, this is the backbone of cooperation and better life. Travelling around the region is still a nightmare. It is so because road connections are outdated, overcrowded and not functional. Also border services have to be updated with introduction of modern technologies, applications and networks that will link together services of the countries in the region. Also the overall digitalization of the region lacks much behind.

Secondly, economic cooperation has to be enhanced. Countries of the region have to upgrade mutual cooperation and their bilateral exchange has to grow. One of the main rules in each economy is doing business with neighbouring countries and with those from the closest region. This is closely related to the improvement of transportation

and commuting. It is not a vicious circle as it might look at first glance. Very pragmatic, operational and target oriented. This is not the area of high politics, but of daily life. Everybody is in a needed of this.

Thirdly, young population has to be brought in the focus. This should become a commandment. Educational possibilities and employment opportunities for young people directly relate to the previous two points. During at least throughout the last decade we witness a strong trend of young people leaving the region. They do not see perspective, they are unsatisfied with the overall living conditions, they see how easy it is to change some things for better that nobody is changing them, and they do not care and think about it. They just want to have a decent life where they can show what they are capable of. In our close and distant vicinity there are countries that know how to do it and they do it. Therefore, it could be done here as well, in our region. Of course we need the economic recovery, but above all we need a psychological Marshall Plan.

These are all practical issues that do not relate to politics and differences as well to open questions among the countries. It is rather easy to upgrade the quality of these services and activities, without losing much time. It will influence daily life, improve relations and change the atmosphere. We all need positive mood and examples, which show that development is possible and things achievable and doable.

Altogether, in these days the thirtieth anniversary of the end of the Cold War is the name of the day. But its *mantra* will be achieved if we all manage to focus on steps that bring us forward. We all know what to do, so there is no need to lose time for high talking. Countries of the region share the ambition for the EU membership and want to advance along that road. The EU wants to bring our countries closer and in. With the new composition in Brussels and with the new negotiation methodology on the screen it is time to move on.

Hence, I call upon the new European institutions, the Parliament, the Commission, and the Council in particular, to finish the business. And this business is the enlargement with the countries of the Western Balkans. The enlargement is the solution also now as it had been in the past. All preconditions for the higher integration speed are available. You have to motivate and push us, and we have to respond. And we will. If we do not, nobody will be ready to understand it and young

population will go. Optimism, devotion and improvement have to be within a reach and not a watered down utopia.

Victor Hugo, who before 170 years evoked for the first time the idea of the united Europe, would agree with us. The Western Balkans used to be the region with the stigma of the periphery, where wars were starting – now it's time to recognize creativity, vitality, and dynamics and move on. Thirthy years after the end of the Cold War and a decade after the Treaty of Lisbon, we have to do so. Integration dynamics in a form of the negotiation process, be it already in deeds or be it in intensifying for it, has to embrace the region and take it forward.

Sarajevo, October 2019

articles

Examining the Aftermath of the Brexit Referendum Through the Principle-Agency Dilemma

Filip Kokotović[1]

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ABSTRACT

There have been few topics that are more detrimental to the further development of the European Union than the decision of the electorate of the United Kingdom to leave. The discussion has largely shifted to how the future of the relationship between the EU and UK will develop. Recognizing that the existing literature covers this topic in sufficient depth, this paper aims to implement elements of the Principle Agency Dilemma when examining key decisions by U.K. policy-makers. The methodological approach of the paper is based on qualitative research methods, including critical analysis of existing theories, case studies, and a detailed review of the existing literature. The paper concludes that the Principle Agency Dilemma has a significant impact on U.K policy-makers and focuses on the need of ending social media disinformation campaign and using innovative methods to end the gridlock. An example of such a measure could be the ranked voting system as used in some U.S. states including in Maine. The paper further takes note of measures that could be used to decrease the democratic deficit caused by the 2016 Brexit Referendum.

KEY WORDS: Brexit; Principle Agency Dilemma; public policy; moral hazard; democratic deficit.

POVZETEK

Malo je bilo bolj pomembnih tem za bodoč razvoj Evropske unije, kot je bila odločitev volivcev v Združenem kraljestvu za izstop. Razprave so se predvsem premaknile v smer, kako se bo v prihodnje razvijal odnos med EU in Združenim Kraljestvom. Upoštevaje, da je na to temo že veliko literature, skuša ta članek z uporabo elementov t.im. Principle Agency Dilemma proučiti ključne odločitve oblikovalcev politike v Združenem kraljestvu. Metodološki pristop temelji na kvantitativnih raziskovalnih metodah, vključno s kritično analizo obstoječih teorij, študij primera in podrobnega pregleda obstoječe literature. Članek ugotavlja, da ima Principle Agency Dilemma pomemben vpliv na britanske oblikovalce politike in se osredotoča na potrebo po prenehanju dezinformacijske kampanje preko socialnih medijev ter na uporabo inovativnih metod, da se konča pat pozicija. Primer takega pristopa bi lahko bil rangirni volilni sistem, kot je v uporabi v nekaterih zveznih državah v ZDA, vključno v Maine. Članek tudi navaja ukrepe, s katerimi bi lahko zmanjšali demokratični deficit, pozročen z referendumom 2016 o Brexitu.

KLJUČNE BESEDE: Brexit, Principle Agency Dilemma, javna politika, moralni hazard, demokratični deficit.

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Introdcution

The Brexit Referendum, originally held in 2016, has had a profound impact on the political environment of both the European Union[2] and on the political landscape of the United Kingdom[3]. The existing literature provides a significant and expansive overview of the implications of Brexit and attempts to make relevant predictions on how it may shift the future of developing public policies and (Gamble, 2018; Kilkey, 2017). There are numerous concerns on how the relationship between the EU and the UK will develop in the future and whether or not this is an element that will completely reshape the direction of politics in Europe (Gamble, 2018). As the existing literature already covers these concerns in detail, the goal of this paper will be to cover a more narrow aspect of the Brexit debate. Without focusing on the future relationship with the EU or how this will impact the political and economic future of Brexit, this paper will aim to assess the role of the Principle Agency dilemma in the Brexit decision-making process. The relevance of this research is to provide a relevant contribution to understanding the internal political environment in which UK policy-makers are acting and to raise awareness of the dangers of such elements of morally hazard behaviour that have become increasingly frequent in the modern political environment.

In order to do so, the paper will be divided into the following sections, of which the first will aim to explore the genesis of the Principle Agency Dilemma and other relevant theoretical approaches and discuss how it is relevant to modern politics. The second section of the paper will aim to determine the impact of the Principle Agency dilemma on the Brexit process with special emphasis to certain relevant determining factors such as the decision of a majority of the Parliament of the UK to vote against the Withdrawal Agreement endorsed by Prime Minister Theresa May. The third section will examine relevant policy recommendations that could be used to minimize the role of the Principle Agency dilemma in the political system of the UK. This section will also aim to implement some of these possible policy recommendations on the Brexit negotiating process. The final section of the paper will consider all of the possible policy alternatives, as well as the arguments mentioned in the discussion, to recommend possible policy solutions and ideas where future research should be focused on.

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2   Further in the text: EU.

3   Further in the text: UK.

Through the process of implementing such a structure, the paper will be based on a qualitative research framework. Aside from examining the Principle-Agency dilemma, the paper will also examine selected relevant parts of the institutionalist, protectionist and neofunctional arguments related to the Brexit process. The paper will examine the relevant Brexit events and conduct a detailed case study of the most relevant factors, while conducting a detailed literature review to develop the key policy recommendations of the paper. The paper hypothesizes that the Brexit process has been influenced by the Principle-Agency dilemma where all of the political actors in the UK have been unable to detach the future of the Brexit negotiating process from their own previously-stated arguments concerning the Brexit referendum.

The principle-agency dilemma

There are two basic principles of the Principle Agency Dilemma as defined by Waterman and Meier (1998) are that there are conflicting interests between the principle and the agent and that there is an asymmetrical level of knowledge where the agent has more knowledge than the principle. While Waterman and Meier (1998) questioned the legitimacy of these basic principles, they can be applied to the Brexit debate as it was clear that Members of Parliament as agents knew far more than citizens who were making decisions concerning the Brexit referendum and when they voted in the snap election called by Prime Minister Theresa May. There have been numerous elements that have contributed to the development of the Principle Agency Dilemma, such as the element emphasized by Miller (2005, p.203), where he places additional emphasis on the negotiation of administrative procedures.

The basic elements of the Principle Agency Dilemma are also explored in Ross (1973, p.134) who explained that the issue of Principle Agency can occur in any relationship where there is a contractual arrangement, such as the relationship between the politicians of a nation-state and the citizens that are governed. Another element relevant to the Principle Agency Dilemma is that principles can use economic means, such as paying larger wages to politicians, in an attempt to mitigate the damages of the Principle Agency Dilemma (Kivistö, 2008). This political and economic issue derives from the fact that elected officials may select to place their personal gain ahead of the interest of the constituents or citizens whom they are through a social contract expected to follow (Ross, 1973).

There have been alternative views and discussions concerning the Principle Agency Dilemma. Posner (2001) views the Principle Agency Dilemma through a viewpoint in the United States where the heads of the executive and legislative branch are the principles, while the federal agencies are agents. Posner (2001) primarily discusses the need of objective cost analysis as minimizing the risk of moral hazard throughout the Principle Agency Dilemma. Another view and one adopted by the paper that conforms to that of Posner (2001) is that citizens can be the principles while the agents are all elected officials. As emphasized by Saam (2007), there are some basic hypotheses of the Principle Agency theory that are not intuitively logical. For example, the assumption that principles have far more power, while agents benefit from the asymmetry of information may not always be correct (Saam, 2007). Such an assumption can be applied to the political process in the UK where, in theory, voters have powers as principles who have the power to decide on elected officials, while the same elected officials can have more information on relevant political processes and long-term events.

A problem identified by Posner (2001) can also be applied to the case of Brexit, as Posner (2001, p.1140) identifies that one of the elements where the Principle Agency Dilemma may cause a problem is that even when the principle and the agent have similar goals, strategic thinking and different specific interests may lead to results that are not compatible with the interests of both sides. This can be seen in the case of the 2016 Brexit referendum, where citizens were asked to evaluate whether they wanted to remain or leave the EU and many authors have questioned the validity of the debate (Forss and Magro, 2017). The ''simplistic narrative'' as defined by Forss and Magro (2017) questions to which degree citizens were capable of making qualified choices as principles that are providing directives to Members of Parliaments as agents. The questionable validity of such a debate and the reliability of the information provided by both sides of the argument contributes to the democratic deficit of the entire process.

The lack of understanding on how to proceed in this issue and in how to proceed in Brexit negotiations has caused authors such as Gee and Young (2017) to label the issue of Brexit as a constitutional crisis. The lack of clarity provided by the basic legal structure of the UK contributes to the overall inability of the political system to devise a coherent set of policies that would set to implement a set of policies that are

clearly, at least in the short-term, detrimental to the economic interests of the country (Gee and Young, 2017, p.131). There is ample precedent for using the Principle Agency Dilemma as a basis for analysing particular public policies (Lagerkvist, 2012; Rauchhaus, 2009; Braun, 1993). The ability to apply the model can be done on different public policies and on different political systems, including the social media sector in China as was conducted by Lagerkvist (2012). Considering all of the actions of the Members of the UK Parliament through the view of the Principle Agency Dilemma can enhance problems concerning moral hazard in not only the UK, but in most parliamentary democracies.

Such a view is comparable to several models in political science, particularly with Rational Choice theory as outlined by Petracca (1991). While the Principle Agency Dilemma primarily focuses on the problems in following public interest, most proponents of Rational Choice Theory stress the viewpoint that those in positions of power are likely to try to use political power to maximize their own self-interest (Petracca, 1991, p.289). As explained by Boudon (2003), the primary shortcoming of Rational Choice Theory is the rather limited definition of rationality, while the idea of self-interest as advocated by Petracca (1991) is actually a concept that is constantly evolving. Another argument that can be made is that the differences of self-interest and socially-acceptable behaviour are constantly being tested and society has undergone significant shifts since the definitions provided by Petracca (1991).

As can be seen from the previously mentioned example and other authors that have dealt with Rationale Choice Theory, it is usually used to explore a particular political phenomenon related to populism or when the basic principles of the Principle Agency Dilemma are not being conformed to (North, 1990; Wang, 1996; Snidal, 2012; Huber and Dion, 2002; Hix, 2007). The basic principle in the Principle Agency Dilemma is that, regardless of the perceived value of not implementing a decision that favours the personal interests of the agent, he should attempt to make the best possible decision for his constituents (Ross, 1973). As can be seen in Hix (2007, p. 131), Euroscepticism can be perceived as a rational decision to minimize the interest of a growing bureaucracy, a move to maintain power by the state that also conforms to the perception of voters in defending the traditions of a particular nation-state. This is, on the other hand, not an element that is visible in the Brexit debate, as will be explored in the following section of this paper.

Discussing principle-agency dilemma in the context of Brexit negotiations

Rather than being defined through affiliation towards a political party, campaigning for either remain or leave has been perceived as a defining trait for politicians in the UK in the aftermath of the referendum. The decision to leave the EU was passed along lines that divided the society by demographics, geographical areas and transcended the usual divides of the political system of the UK.[4] Largely due to these reasons, it has taken the UK a long time to establish a clear negotiating position and it has been difficult to understand the shifting positions of the government due to the fact that the referendum only provided a very binary option. In the absence of clear guidelines, there have been several events where political parties have developed public policies that reflected their own priorities in the aftermath of Brexit.

One of the defining moments of the Brexit debate and one that should have been taken far more seriously, in the context of Principle Agency, was the 2017 Parliamentary Election. During that time, the political parties offered a clear sense of what they believed was the best course of action in terms of how close the future relationship with the EU was supposed to be. It was a critical moment of reflection that was slightly complicated by the fact that the Labour leader, Jeremy Corbin, focused almost exclusively on domestic priorities such as the National Health Service, while largely ignoring the overall impact of Brexit and promising to negotiate a soft departure from the EU that would not endanger the future economic prospects of the UK (Allen, 2018). During such a moment when the divide present in the referendum seemed to persist in the 2017 election and neither of the large parties could independently form a majority, the UK Prime Minister Theresa May focused on implementing the Brexit results in a manner that would not further divide the Conservative Party and that would ensure that the Democratic Unionist Party (DUP) party continued to support its policies in Parliament (Heath and Goodwin, 2017). The way a large part of the negotiating framework was framed was so that it reflected some of the electoral priorities of the Conservative Party and the key promises of the Leave Campaign.

A relevant element mention by Allen (2018) was that it was not clear what Brexit was supposed to mean nor what the phrase ''Brexit means

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4   More details can be found in the following: https://www.theguardian.com/commentisfree/2019/oct/22/remain-identity-survive-brexit-young-generation .

Brexit" meant in terms of practical diplomatic negotiations. The red lines set by the UK government were in contradiction to the economic realities that the EU was that the closest trading partner of the UK and that any increase in trade barriers would likely lead to economic losses for both sides. Many of the principle goals, including a decrease in net migration, rejecting the authority of the European Court of Justice and ensuring that the UK left both the European Single Market and the European Union Customs Union were adopted from the Leave Campaign despite the fact that voters never explicitly expressed preferences for such goals nor did they provide the Conservative Party with a majority in Parliament in the 2017 Parliamentary Election to provide full democratic legitimacy to such policy proposals. As emphasized by Sampson (2017), the costs of Brexit due to the increasing trade barriers between the UK and its primary trading partners can be between 1 and 10 percent of the county's GDP per capita income. This conforms to most of the existing literature concerning the topic and Sampson's (2017) view clearly illustrates that there is no empiric support that Brexit may enhance any of the critical macroeconomic indicators relevant to the economic growth of the UK.

Despite this fact, Prime Minister Theresa May and the Conservative Party pursued the red lines as a basis for approaching negotiations in a time when the political scene was increasingly polarized and many politicians feared a backlash in case there was any questioning of the 2016 Brexit Referendum result. As a result, the Prime Minister faced difficulties transforming such inputs, that were largely based on the domestic policies of the UK, into practical negotiating outcomes that could be accomplished in negotiating with the EU. This was shaped not only by the domestic political arena of the UK but also by their past experiences in negotiating with the EU where the EU would allow for concessions in return for U.K. support for the European project. Rather than acting on the anger and resolve of the electorate that politicians, acting as the agents in this scenario, largely helped fuel, it was necessary to develop a more stable negotiating framework and find a balanced approach to the Brexit negotiations.

Despite such worrisome trends, conforming to some of the most cynical ideas concerning the Principle Agent Dilemma as presented by Saam (2007), most of the political parties in the UK have participated or supported implementing Brexit in some form. This is one of the elements that should be explored through the viewpoint of the

Principle Agent Dilemma. There have been numerous constituencies where the issue of Brexit has gone beyond party lines and Labour Members of Parliament (MPs) have endorsed Brexit in some form.[5] It is difficult to make a credible argument that political parties are endorsing Brexit in order to execute the decision of the electorate when such a large number of voters has been misled on the issue.[6] Bastos and Mercea (2019) emphasize that, aside from voters being potentially mislead, that there was also a chance of planned disinformation from outside forces as almost 14,000 highly polarizing users stopped being active in the aftermath of the 2016 Brexit Referendum. Many of them were suspected to be bots that were meant to encourage hyper-partisanship and to increase non-constructive debates on social media in the public (Bastos and Mercea, 2019). This is another issue that many democracies are dealing with as it seems increasingly difficult for voters on opposite side of the political spectrum to agree on the specifics of factual evidence.

Regardless of all of these issues, British MPs had several opportunities to help enact the referendum results. In accordance with standard democratic practices, if they supported such a practice and believed that it was in the interest of the public, there were at least four attempts to help enact Brexit. The issue there derived not only from the Principle Agency Dilemma, but the problem recognized by Allen (2018) in emphasizing the vague nature of the phrase ''Brexit means Brexit''. As leaving the EU was an abstract concept for many, the Leave Campaign never had to fully describe a plausible alternative to a UK after leaving the EU. There was no realistic vision described by the Leave Campaign nor did the vision set out by Prime Minister Theresa May help her in winning a Parliamentary majority in the 2017 UK Parliamentary Election, meaning that many MPs had their own personal version of what form of Brexit was the best for the UK and largely acted on these visions.

This can best be seen by the group of Eurosceptic MPs known as the European Research Group (ERG), most of whom did not support any kind of version of the EU Withdrawal Bill negotiated by Prime Minister May, as they believed that the bill did not go far enough in ensuring that the UK had enough flexibility in determining its future trading

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5   More details can be found in the following: https://www.bbc.com/news/uk-politics-48027580.

6   Some of the information can be found in the following: https://www.independent.co.uk/news/uk/politics/final-say-brexit-referendum-lies-boris-johnson-leave-campaign-remain-a8466751.html.

relationships.[7] This is one of the points during the process where a new referendum would perhaps have been most beneficial as it would have shown the preference of the electorate on what kind of future relationship they wanted the UK to negotiate with the EU. Another problem is that understanding such an issue in a climate as polarized as identified by Bastos and Mercea (2019) would have made any such referendum very difficult to carry out. It is clear why many in the Conservative Party argued for a new relationship with the EU that would significantly curb migration, despite the danger of ending free movement could do the economy of the UK.

It can be detected that the hypothesis originally supported by O'Rourke and Taylor (2006) concerning protectionism has a clear connection to the Brexit debate. Their key hypothesis can be summarized as: Democratization will lead to more liberal trade policies in countries where workers stand to gain from free trade; and to more protectionist policies in countries where workers will benefit from the imposition of tariffs and quotas. According to standard Heckscher-Ohlin theory, therefore, democratization will boost support for free trade in labour-abundant countries, and lower it in labour-scarce economies. (O'Rourke and Taylor, 2006, p.3).

While the UK is in no way a labour-scarce country, the way the Leave Campaign portrayed the main problems of the UK emphasized the need for change and focused on primarily protectionist arguments. Despite the frequent repetition of these protectionist arguments and the supposed necessity of quickly exiting the EU, a majority of MPs rejected the deal three times prior to Prime Minister Boris Johnson's Withdrawal Bill passing into the second reading stage. The reason why the Withdrawal Bill was not supported is connected to both the Principle Agency Dilemma and to a minor degree to institutional theory. Regardless of the fact that the internal fighting within the Conservative Party was one of the key motivators for seeking the 2016 Brexit Referendum, institutions such as political parties still have a role to play in maintaining social order. As such, a number of MPs left the Conservative Party or voted against motions that prevented a no deal Brexit from being a feasible scenario. The practical outcome of such votes, including the passing of the

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7   A brief overview of the bill can be found here: https://www.theguardian.com/politics/2018/nov/14/theresa-mays-brexit-deal-everything-you-need-to-know.

Letwin Amendment[8], shows that some elements of British domestic politics still conform to institutional theory more than the Principle Agency Dilemma. In preventing a no-deal outcome, these MPs sought to preserve order even at the expense of their own positions within the Conservative Party.

On the other hand, in voting for an election, many Conservative MPs showed behaviour that completely conformed to the more cynical aspects of the Principle Agency Dilemma. Despite the fact that there was a possible majority for a deal to negotiate an orderly exit from the EU, a majority of MPs decided to hold an election because they saw it as a favourable moment to face the opposing party. The main rationale provided by many Conservative Party MPs was that Parliament was obstructing Brexit.[9] In case the political parties wanted to debate only that singular issue, a new referendum would have been a far more effective way of focusing the attention of the public on such an issue and it would have provided the opportunity for both sides to outline the case for defining the future relationship of the EU. Aside from the detailed analysis of the problems that led to the inability to resolve the Brexit gridlock, this paper also examines relevant policy recommendations.

PRACTICAL PROBLEMS AND POLICY SOLUTIONS

A significant problem that can be seen in the Brexit process is the lacking regulation on how a withdrawing member-state[10] such as the UK can proceed in the negotiations. Rosamond (2016, p.866) already provided strong argumentation that the main causes of a lacking functional mechanism for leaving the EU was the necessity of community -building. The other relevant argument was the prevalence of institutionalist and neofunctional thinking in the EU where ''institutional designs tend to outlive the imperatives that gave rise to them'' (Rosamond, 2016, p.866). The case outlined by Rosamond (2016) can be seen in the Brexit process as the outdated use of Article 50 of the Treaty on EU clearly did not provide an adequate time frame for a country that

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8   More details can be found on the following: https://www.theguardian.com/politics/2019/oct/19/what-does-the-letwin-amendment-mean-for-brexit-timetable-boris-johnson .

9   These events included some unprecedent efforts including the political party in power effectively calling a motion of no confidence in its own government in multiple instances. Despite losing that vote, it continued to believe that it had the necessary democratic mandate to rule. More details can be found in the following: https://www.bbc.com/news/uk-politics-49004486 .

10   The term ''withdrawing member-state'' refers to a member-state of the EU has, through its own Constitutionally-determined processes, decided to leave the EU.

had serious grievances with the EU to have an option of leaving the EU with a negotiated trade agreement or a draft of one. Taking into consideration the length and difficulty of negotiating relevant multilateral legislation, providing a two-year period after the withdrawing member-state has notified the EU of the desire to leave the EU.

A counter-argument can be observed to these claims, as Article 50 does not provide any mechanism of determining at what exact point the government of the withdrawing member-state decides to notify the EU. An argument could be made that contradicts the view of Rosamond (2016) whose basic argument is that the limited definitions provided are a self-defence mechanism of the EU bureaucracy in an attempt to preserve the institutional framework of the organization. The EU at no point defines at which point the withdrawing member-state has to notify the EU, meaning that the withdrawing member-state could have identified the final aims in its negotiation with the EU, decided on several possible courses of action and it could have held another referendum to determine another or even several possible options in order to express the democratic preference of voters. An example of a system that allows for several possible options is the ranked-preference system used in state-wide elections in Maine in the 2018 American Elections that was used to elected the legislative representatives of that state to the 116th United States Congress, as well as the local elements of government in Maine.[11]

Much like the system of binary options of two principle political parties may frustrate voters in elections in the United States, it is feasible that the binary option of ''leave'' and ''remain'' might be insufficient to determine the will of the UK electorate. Through a several-stage process where the electorate makes a qualified decision on the options that include leaving with a deal that includes benefits such a custom union, leaving with a deal that only builds on World Trade Organization benefits without a custom union, leaving without a deal, remaining in the EU and other possible options could help minimize the contradictory issue of a democratic deficit caused by the referendum. While this would be a long process that may not be suitable for the current political climate of the UK due to the exhaustion of the electorate with the topic of exiting the EU, this would be a process that would lead to an outcome that had a clear majority of voters behind it.

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11   Further details on the relevance of this process can be found in the following: https://www.nytimes.com/elections/results/maine-house-district-2 .

While it may seem contradictory that a referendum can create a democratic deficit and there are some political cultures where referendums clearly contribute to the quality of the political discourse, several political systems such as the UK and other examples show that political parties can interpret the will of a relative majority of voters to pass legislation or take significant actions in the interest of the political party or special interests. This is perhaps the very essence of the Principle Agency Dilemma as individuals within the Conservative Party are behaving in the interest of maintaining the political relevance of their party instead of addressing the interests of their constituents. By applying the referendum result in a manner that is consistent with their own beliefs or personal interests, certain politicians within the UK are breaching the basic requirements as stressed by the Principle Agency Dilemma.

The use of referendums can be highly misleading as they are easily characterized as ''the will of the people''. Such phrases are highly common, yet they do not take several relevant factors into account. The will of the people is most often not a persistent attitude towards a particular problem and it takes away the right of the citizens to change their mind about a particular issue. If such a logic could be followed, then it is unclear why the referendum was required as the UK had already held a referendum on EU membership in 1975 and an overwhelming majority of 67% of the vote supported the UK remaining in the European Community. This emphasizes that referendums, much like elections, only capture the particular preference of the electorate at a given moment and it is up to politicians to interpret the results of these referendums.

Most of the solutions that are devised to resolve the Principle-Agency Dilemma, as summarized by Saam (2007), would likely not be beneficial in the case of the current political climate of the UK. Some of the general theoretical proposals are reward systems, monitoring systems, screening, and vertical integration (Saam, 2007, p.828). As described by Saam (2007), the use of reward systems may not be beneficial in the case of Brexit as it focuses on aligning the interests of the principle and the agent. As the electorate is highly divided in the case of Brexit, it is not even fully possible to determine what the interests of the electorate are. Monitoring systems also may not be effective as the government needs to be able to maintain sensitive negotiations and it has shown reluctance in revealing sensitive information concerning no-deal preparations. As discussed by Saam (2007, p.828), perfect monitoring is

not possible in most circumstances and the case of Brexit is even more complex than most elements of the Principle Agency Dilemma.

As another possible theoretical solution, vertical integration can be considered. As perceived by Saam (2007), vertical integration is focused on the concept that agents need to comply with the instructions of principles and the agent should face sanctions in case he does not follow these instructions. Much like the case of monitoring systems, the unique characteristics of the Brexit case make it possible for different members of the political class to claim that they are following the principles of vertical integration by claiming to follow the will of the electorate in regards to the Brexit referendum. Screening is not particularly effective as a method of testing potential agents as the screening process as defined by Saam (2007) is effectively conducted more by political parties than voters. Aside from requesting certain pre-qualifying criteria from politicians interested in running for some political office, very little can be done in conducting effective screening measures due to the difference between how politicians can represent themselves to voters and their actual opinions and motivation. As emphasized by Nelson (1987), when considering such criteria in the US, many of these criteria are slightly arbitrary and the inclusion of additional qualifications or criteria would not necessarily have a positive impact on most political systems.

Most developed political systems have limited screening in regards to formal quotas and pre-qualifying criteria. The only notable exceptions are required quotas for gender representation that are present in numerous European political systems and that can help ensure better representation of women in the legislative and executive branch of government (Krook and Norris, 2014; Weeks and Baldez, 2015). Even in this area, many authors have begun to believe that it is necessary to move beyond quotas in ensuring that the system provides fair opportunities for candidates regardless of gender or race (Krook and Noris, 2014). Any additional criteria for political office can often be misrepresented as elitist in case the required qualification is a higher education degree. There has been an extensive debate in numerous countries whether such a form of screening can even be introduced by the government's respective legislative bodies as emphasized by Tillman (2016). To summarize, most of the policy recommendations identified by the existing literature seem to be inapplicable to the specific political climate of the UK.

Conclusion

The 2016 Brexit Referendum largely defined the agenda for many Western democracies and showed that a new wave of populism was present in the UK. It also showed the potential for organized disinformation through social media to cause increased polarization in a political system. As a result, the referendum result has left a large portion of the electorate disillusioned with politics which would be the principle goal of any seeking to disrupt the political system of the United Kingdom. The paper has found numerous elements in the aftermath of the Brexit process where the Principle Agency Dilemma can be observed. Perhaps most notably, even after there seemed to be a working majority to enact Brexit, the decision by the Conservative Party to call an election seems to largely conform to the more cynical propositions of the Principle Agency Dilemma. As many of these aspects derive from populist and protectionist arguments, future research should also be focused on how these elements have once again become a significant aspect of the modern political discourse.

While the paper recognizes that most of the traditional methods of dealing with the Principle Agency Dilemma may be ineffective in dealing with the aftermath of the Brexit referendum, the paper recommends a ranked progressive referendum process as a possible policy alternative. Despite the fact that it may contribute to the increased polarization of the political environment in the UK, it would effectively provide U.K. elected officials, acting as the agents, with a clear verdict from the electorate, acting as the principle in this scenario. Despite the fact that such a debate may place a short-term strain on the faith of a part of the electorate in U.K. politics, this may be the most effective approach to providing a democratic solution to the topic.

References

Allen, N., 2018. 'Brexit means Brexit': Theresa May and post-referendum British politics. *British Politics*, 13(1): pp. 105-120.

Baston, M.T. & D. Mercea, 2019. The Brexit Botnet and User-Generated Hyperpartisan News. *Social Science Computer Review*, 37(1): pp. 38-54.

Braun, D., 1993. Who Governs Intermediary Agencies? Principal-Agent Relations in Research Policy-Making. *Journal of Public Policy,* 13(2): pp. 135-162.

Boudon, R., 2003. Beyond Rational Choice Theory. *Annual Review of Sociology*, 29: pp. 1-21.

Forrs, K. & L. Magro, 2017. Facts or Feelings, Facts and Feelings? The Post-Democracy Narrative in the Brexit Debate. *European Policy Analysis,* 2(2): pp. 12-17.

Gamble, A., 2018. Taking back control: the political implications of Brexit. *Journal of European Public Policy*, 8: pp. 1215-1232.

Gee, G. & A.L. Young., 2016. Regaining Sovereignty? Brexit, the UK Parliament and the Common Law. *European Public Law*, 22(1): pp. 131–147.

Heath, O. & M. Goodwin., 2017. The 2017 General Election, Brexit and the Return to Two-Party Politics: An Aggregate-Level Analysis of the Result. *The Political Quarterly*, 88(3): pp. 345-358.

Huber, E. & M. Dion, 2002. Revolution or Contribution? Rational Choice Approaches in the Study of Latin American Politics. *Latin American Politics and Society*, 44(3): pp. 1-28.

Kilkey, M., 2017. Conditioning Family-life at the Intersection of Migration and Welfare: The Implications for 'Brexit Families'. *Journal of Social Policies*, 46(4): pp. 797-814.

Kivistö, J., 2008. An assessment of agency theory as a framework for the government–university relationship. *Journal of Higher Education Policy and Management*, 30(4): pp. 339-350.

Krook, M.L. & P. Norris, 2014. Beyond quotas: strategies to promote gender equality in elected office. *Political Studies*, 62(1): pp. 2-20.

Lagerkvist, J., 2012. Principal-Agent Dilemma in China's Social Media Sector? The Party-State and Industry Real-Name Registration Waltz. *International Journal of Communication*, 6: pp. 2628-2646.

Miller, G.J., 2005. The Political Evolution of Principal-Agent Models. *Annual Review of Political Science,* 8: pp. 203-225.

Nelson, M., 1987. Constitutional Qualifications for President. *Presidential Studies Quarterly,* 17(2): pp. 383-399.

North, D., 1990. *Institutions, institutional change and economic performance.* Cambridge, UK: Cambridge University Press.

O'Rourke, K.H. & A.M. Taylor, 2006. Democracy and Protectionism. *NBER Working Paper*, no. 12250, National Bureau of Economic Research. Available from: https://www.nber.org/papers/w12250.pdf , accessed 25th of November, 2019.

Petracca, M.P., 1991. The Rational Choice Approach to Politics: A Challenge to Democratic Theory. *The Review of Politics*, 53(2): pp. 289-319.

Posner, E.A., 2001. Controlling Agencies with Cost-Benefit Analysis: A Positive Political Theory Perspective. *The University of Chicago Law Review*, 68(4): pp. 1137-2001.

Rauchhaus, R.W., 2009. Principal-Agent Problems in Humanitarian Intervention: Moral Hazards, Adverse Selection, and the Commitment Dilemma. *International Studies Quarterly*, 53(4): pp. 871-884.

Rosamond, B., 2016. Brexit and the Problem of European Disintegration. *Journal of Contemporary European Research*, 12(4): pp. 864-871.

Ross, S.A., 1973. The economic theory of agency: The principal's problem. *The American Economic Review*, 63(3): pp. 134-139.

Saam, N.J., 2007. Asymmetry in information versus asymmetry in power: Implicit assumptions of agency theory? *The Journal of Socio-Economics*, 36(6): pp. 825-840.

Sampson, T., 2017. Brexit: The Economics of International Disintegration. *Journal of Economic Perspectives*, 31(4): pp. 163-184.

Snidal, D., 2012. Rational Choice and International Relations. In Carlsnaes, W. (Ed.) *Handbook of International Relations*. London, UK: SAGE, pp. 85-111.

Tillman, S.B., 2016. Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualifications. *British Journal of American Studies*,5: pp. 95-121.

Wang, K.H., 1996. Presidential Responses to Foreign Policy Crises: Rational Choice and Domestic Politics. *Journal of Conflict Resolution*, 40(1): pp. 68-97.

Waterman, R.W. & K.J. Meier., 1998. Principal-Agent Models: An Expansion? *Journal of Public Administration Research and Theory*, 8(2): pp. 173-202.

Weeks, A.C. & L. Baldez, 2015. Quotas and qualifications: the impact of gender quota laws on the qualifications of legislators in the Italian parliament. *European Political Science Review*, 7(1): pp. 119-144.

https://www.independent.co.uk/news/uk/politics/final-say-brexit-referendum-lies-boris-johnson-leave-campaign-remain-a8466751.html (accessed 4th of September, 2019).

https://www.theguardian.com/politics/2018/nov/14/theresa-mays-brexit-deal-everything-you-need-to-know (accessed 5th of October, 2019).

https://www.nytimes.com/elections/results/maine-house-district-2 (accessed 2nd of September, 2019).

https://www.theguardian.com/commentisfree/2019/oct/22/remain-identity-survive-brexit-yo-

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ung-generation (accessed 30th of October, 2019).

https://www.bbc.com/news/uk-politics-48027580 (accessed 7th of November, 2019).

https://www.theguardian.com/politics/2019/oct/19/what-does-the-letwin-amendment-mean-for-brexit-timetable-boris-johnson (accessed 30th of November, 2019).

https://www.bbc.com/news/uk-politics-49004486 (accessed 30th of November, 2019).

Economic Empowerment of Women in the Western Balkans: Where the Law and Tradition Collide

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ABSTRACT

Economic empowerment of women in the countries of the Western Balkan can be explored from the aspects of their participation in the labour market and the enforcement of their right to property. Whereas the countries legislatively comply with the international battle against gender inequality, their legal regulations do not fully reflect in practice. The reasons for this lie in traditional customs and beliefs common to a large part of the region that are embedded in its societies.

There is a clear collision of legal norms and customs which stands in a way of economic empowerment of women and, in relation to that, in a way of economic development of the region. The article describes the struggle of women to achieve economic independence and explores some venues through which the countries tackle the issues of poor law enforcement.

KEY WORDS: Economic empowerment, gender equality, right to property, labour market, tradition.

POVZETEK

Ekonomska moč žensk v državah Zahodnega Balkana se odraža v prisotnosti žensk na trgu dela in v možnosti uresničevanja njihovih pravic do lastnine. Države v regiji sicer usklajujejo svoje zakonodaje s pravnimi normami in načeli, ki jih mednarodna skupnost sprejema v boju proti neenakemu obravnavanju spolov. Kljub temu pa zakonske norme nimajo prave učinkovitosti v praksi. Prebivalci Zahodnega Balkana še vedno v veliki meri sledijo tradicionalnim normam in običajem, ki so močno vpeti v tamkajšnjo družbo.

Zakoni in tradicionalne norme si nasprotujejo v taki meri, da slednje preprečujejo zakonskim normam krepitev ekonomske moči žensk in stojijo na poti gospodarskemu razvoju držav. Članek predstavi razloge za obstoj problematike šibkejšega ekonomskega položaja žensk v družbah Zahodnega Balkana in navaja nekatere ukrepe, ki jih države in mednarodna skupnost izvajajo z namenom zagotoviti učinkovitejšo implementacijo zakonov.

KLJUČNE BESEDE: Gospodarska moč, enakovrednost spolov, pravica do lastnine, trg dela, običaji.

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Introduction

"[A]chieving gender equality and empowering women and girls is the unfinished business of our time, and the greatest human rights challenge in our world." A. Guterres (UN Women 2018).

Significance of gender equality has been increasingly discussed and addressed in international political and legal spheres. Gender equality is a fundamental human right and the fifth of the 17 goals of the United Nations Sustainable Development Goals. For the purpose of establishing sustainable economies and to benefit the societies at large, the UN considers it necessary for the countries to adopt actions which will provide women and girls with *"[e]qual access to education, health care, decent work, and representation in political and economic decision-making processes"* (UN Sustainable Development Goals). The discrepancies have been notably present in the sphere of economic empowerment of men and women. In this respect, they have been common to societies across the world, regardless of the countries' levels of development. In the labour markets, gender gaps have persisted in regard to levels of employment, salaries, leadership positions, etc. Beside the participation in the labour market, an important part of economic empowerment of women constitutes also their ownership of land and property, the entitlement to which is generally guaranteed in the legal frameworks of the countries.

Indeed, the primary obligation to ensure equality between men and women lies with the states' authorities and the Western Balkan countries accordingly follow the gender equality principles set by the international community. They all provide constitutional guarantees for equal treatment of men and women before the law and prohibit discrimination between them.[2] Unfortunately, implementation of legal norms tends to be unsuccessful in practice and it seems that they are often subverted by traditional social norms (EP Study 2019).

The existence of gender gaps in economic empowerment of men and women in European societies is far from an exceptional phenomenon. However, the gaps tend to be especially large in the countries of the Western Balkan. According to the World Bank reports from 2018, gen-

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2   Article II (4) of the Constitution of Bosnia and Herzegovina, Article 21 of Constitution of Serbia, Article 9 of the Constitution of North Macedonia, Article 18 (2) of Constitution of Albania, Article 24 of the Kosovo Constitution, Article 18 of Constitution of Montenegro; Article 3 of the Constitution of the Republic of Croatia.

der gaps in the labour market are the cause of an average of 18 per cent of their gross domestic product (EP Briefing 2018). The right of women to inherit property is even more important in relation to improvement of their economic status due to high rates of unemployment.

Nonetheless, in practice, women do not exercise their rights to property to the same extent as men do. Despite the extensive legal framework on equal rights of both genders, women in Western Balkans still own significantly less properties than men. In 2017, only 15-39 per cent of women in the region of Western Balkans were reported to be registered as owners or co-owners of land (FAO 2017). Properties and land are usually owned by the oldest male of the household and transferred to male descendants. This is in line with the traditional belief and the purpose to ensure that the property will stay in the family. Accordingly, women are often entitled to land rights only through their male family members and can consequently loose this entitlement in cases of divorce, widowhood or other forms of separation from their spouses. Absence of formal ownership rights limits women in legal management of the land and thus their economic independence. Without registered ownership, women cannot participate in the property sales and rental markets, they cannot take a mortgage and are consequently very limited in making their own financial decisions (FAO 2017; Petričević 2012).

The aim of this article is to highlight the issue of gender inequality in the region of Western Balkans, notably in regard to the participation in the labour market and ownership of land and property, which pertains to the common traditions embedded in the countries' respective societies.

Methodology

The article is based on the documents prepared by Committees of the European Parliament and of the European Commission, which address women's rights and economic status of the Western Balkan's countries. References are made also to the relevant legislation of the concerned countries. For the purposes of the analysis of the implementation of laws in practice, the article takes into consideration also information from regional statistical offices, academic papers, and media reports.

Collision of laws and traditions

Countries of the Western Balkans are all, except Croatia,[3] in different stages of the process of accession to the membership in the European Union. Whereas Montenegro and Serbia already entered the phase of EU accession negotiations, North Macedonia and Albania still await the start of the accession talks. Nevertheless, all these countries hold a status of official candidate countries for the EU membership. On the other hand, Bosnia and Herzegovina and Kosovo currently still hold status of potential candidates for the membership (CSF Brief 2018; EC 2016; EC Enlargement).

Majority of these countries are successors of the Socialist Federal Republic of Yugoslavia ('SFRY'), which explicitly guaranteed gender equality in its Constitution from 1946. Additionally, in the time of its existence, SFRY introduced equal property rights for men and women in regard to inheritance and co-ownership of marital property (Joireman, 2015). Even though, the society in Western Balkans has been traditionally patriarchal, the socialist system guaranteed women rights and freedoms which enabled them to participate in the labour market. Accordingly, the full-time employment rate of women in Yugoslavia exceeded 40 per cent (Simić, 2015). However, after the dissolution of Yugoslavia, consequent fall of socialism and Balkan wars, the economic status of women deteriorated (Irvine and Sutlović, 2015).

Nowadays, the legal frameworks of the Western Balkan countries continue to safeguard the equal treatment of men and women before the law. In accordance with their interest of joining the European Union, the countries pursue with harmonising their legislation with the EU regulations and principles. Nonetheless, the laws often collide with cultural norms and traditional beliefs in their respective societies, especially in the rural areas.[4]

Moreover, due to common ethnicities, religious beliefs and language backgrounds in the region, it is a natural consequence that the countries also share many social behaviours. Although customary and religious laws do not have any legal value, the countries face difficulties in implementation and enforcement of the legal gender equality provisions in practice (EP Study 2019). As a result, especially due to the lack

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3   Croatia is a member of the European Union since 2013.

4   RTS (news article 2019), Žene na selu – žrtve predrasuda i patrijarhalnog mentaliteta.

of respect for their right to property, women are often economically weaker and more dependent on their families and spouses than men.

Participation of women in the labour market

The region of Western Balkans is generally confronted with high unemployment rates and significant gaps in wages of men and women. On top of that, the records show particularly low participation of women in the labour market. The lowest gender gap in the employment market, in comparison to the rest of the region, exists in Serbia and the highest in Kosovo, where only 17 per cent of women participate in the labour market (WB 2019).

Indeed, this contradicts the past efforts of socialism to increase the participation of women in the labour market by introducing several benefits, for example state provided childcare services. Nevertheless, unpaid labour, such as care-giving and domestic chores, is still considered to fall within female responsibilities. In fact, the patriarchal structure of the society turned out to be embedded in the private sphere to the extent which indicates that it might not be easily influenced by the regime (Hadžiristić, 2016; Miller and Ruth, 2007).

According to some views, the traditional gender norms in former Yugoslavian countries entrenched during the 1990s wars. The reason for that were a rise in military roles of men in the conflict and consequently enhanced masculine roles resulting in men's privilege and control (Hadžiristić, 2016). In line with this, gender inequality in the labour market emerges from the patriarchal family structures, religious beliefs, cultural factors, pay differences between men and women and difficulties that women face with the access to paid labour. Further, the existence of inequality has been attributed also to the lack of affordable services, the work of which consequently fall within the family responsibilities of women, especially in a form of care for children and elderly (Eurostat 2017; EC Serbia 2019; WB 2019).

Accordingly, 2019 INSTAT report on women and men in Albania indicated that the number of employed women engaged in unpaid family work reached 23 per cent (EC Albania 2019). Moreover, on top of the generally low employment rate, in Bosnia and Herzegovina only 33 per cent of women participate in the labour market. Even when employed, it is estimated that for the same position, they earn only

75-85 per cent of the salaries of men. The responsibility for providing protection against discrimination in Bosnian and Herzegovina lies on the institution of the Human Rights Ombudsman, which reportedly deals with cases of employment-related discrimination, notably regarding pregnant women having their employment contracts cancelled or not extended (EC BiH 2019).

An extremely low employment rate is present also in Kosovo and in Montenegro, where the employment rates for women are only 12.3 per cent and 57 per cent respectively. In this respect, the European Commission issued an opinion that women are limited in participation in the labour market particularly due to the flawed existent system of maternal and paternal leaves, difficult access to child care, and lack of flexible work arrangements (EC Kosovo 2019; EC Montenegro 2019).

Similarly, in North Macedonia the employment rate of women in 2018 amounted to 41.5 per cent. It would take a much more extensive research to suggest that the low participation in the labour market resulted from discriminatory behaviour of the employers. Nonetheless, discrimination in employment is certainly present, as the Ombudsman's Annual Report stated that the Office dealt with 16 cases of complaints related to this issue (EC Macedonia 2019).

Regardless of the reasons for the low rates of employment of women in the region, it shall be borne in mind that economic inactivity and working in unpaid family jobs do not affect only economic independence of women due to absence of income, social benefits and pension, but also put them in a vulnerable position in regard to lack of health services coverage (UN Women 2018).

RIGHT TO PROPERTY

The ownership of property shall be considered as another aspect of the economic empowerment of women. Especially in situations of their inactivity in the labour markets, their assets carry even more importance in regard to their economic independence.

The right to property is one of the fundamental human rights.[5] Private

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5   The right to property is enshrined in the Universal Declaration of Human Rights and in Article 1 of Protocol No. I to the European Convention on Human Rights.; Acknowledging women equal rights to land and property is enshrined also in Goal 5 of the UN 2030 Goals for the Sustainable Development (See UN Sustainable Development Goals).

ownership creates economic security for individuals, and contributes to the economic growth and democracy in the society. Hence, denial of property rights largely affects economic independence of individuals. If the property is not registered to their names, they cannot personally profit from property related transactions or investments, nor do they have any say in them (EP Study 2019; Joireman 2015, 64th session of CEDAW 2016).

Media from the region often report about cases where women have to fight for their share of joint property acquired by both spouses during their marriage. Not only men, but also women tend to disagree that divorce/separation of partners should result in a division of the shared property between partners. It is also reported as a common belief amongst both genders that women shall renounce their legal rights to inherit property.[6]

Depriving women of registering as co-owners of the properties not only prevents them from disposing of the property in the economic market but also from disposing of it in a testament and passing it on through inheritance. In this regard, it is an issue of a special concern if a husband passes away before his wife. When a woman is not officially recorded as a co-owner of a property, and the legal presumption of joint ownership is not taken into consideration, the inheritance is awarded entirely on the basis of the hereditary title. Consequently, the half of the property which should had been officially owned by a wife (or legally presumed to be hers) becomes a subject of inheritance and is transferred to her late husband's legal heirs, leaving her with a smaller property than she should have owned (Mandro, 2013; EP Study 2019).

Patriarchal customs

Generally, traditions and written customary law in the region recognise patrilineal inheritance of the deceased's property, which means that it could be inherited only by male descendants. Patrilineal inheritance is based on the stereotypes which portray women mainly as wives, mothers, and housewives (Simić, 2015; OECD 2019).

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6   *See*: https://www.telegraf.rs/vesti/srbija/3022923-bivsi-muzevi-u-srbiji-ne-zele-da-daju-ni-dinar-suprugama-posle-razvoda-a-da-li-je-nepravda-ako-zena-zaradjuje-vise-anketa; https://www.slobodnaevropa.org/a/pravo-na-imovinu-rod-žene-dom/29859105.html; https://balkaninsight.com/2019/09/03/tradition-denies-albanian-women-right-to-property/; http://www.trustconference.com/news/i/?id=8c1cea0b-1ad5-4b21-8052-4cfc29682d15; https://balkaninsight.com/2016/09/30/kosovo-women-still-fear-to-claim-their-inheritances-09-29-2016/.

Corresponding with this custom are also situations where women renounce their rights to inheritance. There is a social perception that if a woman brings property into the marriage, it indicates that a man is not capable of providing for her. Similarly, it shines a bad light on woman's male siblings if a woman accepts or claims inheritance. In line with the tradition, it should be men who socially and politically support their sisters. Pursuant to the Albanian customary legal code, *the Kanun*, property shall not be inherited by a woman. Instead, a male heir shall be sought up to the 12th potential heir, in order to assure that the property stays within the male line (Joireman, 2015). For a similar purpose, properties and land in the Western Balkans are often registered to the name of the "head of the household", who are usually male family members. This is mainly the case because women are either unaware or misinformed about their property rights or due to large costs of legal processes to claim their rights (UN Women 2018; Mandro, 2016; Raičević, 2019).

GENDER GAPS IN OWNERSHIP OF LAND AND PROPERTY

Pursuant to reports of the National Cadastre Agency of Albania, the ratio between the ownership of immovable property and land by men and women amounted to just over 80 per cent against nearly 19 per cent for each gender respectively. Moreover, this coincided with the reports that the country failed at successful implementation of the Law which provided for joint ownership of the property that spouses acquire during their marriage (Sinoruka, 2019; CEDAW 2016).

Similarly, despite having the same rights to inheritance, ownership and management of land and non-land assets as men do,[7] in 2015 only 15 per cent of land in Bosnia and Herzegovina was registered to women (WB 2015; EP Study 2019). In 2019, the issue of poor implementation of legislation on non-discrimination and gender equality in Bosnia and Herzegovina was reported also by the European Commission (EC Report 2019). However, there have been no official reports about women renouncing their inheritance rights in favour of male relatives. Rather, it has been suggested that even if such would occur, it would be only exceptional, due to a dominant religious belief that men and women shall be equal in terms of inheritance (Trkulja, 2018; Preljević, 2019; EP Study 2019). Nonetheless, so far, there have been no adequate and

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7   Law on inheritance of the Bosnia and Herzegovina, Articles 3, 10, 28, and 29.

reliable statistical data on discrimination cases which would support or deny this possibility.

In addition, whereas the governmental entities manage property cadastres and land registries to safeguard the right to property, it has been pointed out that these are often not sufficiently accessible to women, the poor and vulnerable groups (EC Report 2019).

Comparing countries in the Western Balkans, it appears that the most extensive legal guarantees for gender equality can be found in Croatia. The country is also the only one in the region that is already a member of the European Union and a lot of its legal framework was adopted or amended in compliance with the EU standards during the negotiation stage of the accession to the membership. The enforcement of the regulations on gender equality has been subject to independent monitoring by a special Gender Equality Ombudswoman,[8] who handles the cases of gender discrimination and reports to the Parliament. The responsibilities of the Gender Equality Ombudswoman include assistance to persons in regard to filing complaints of sexual discrimination prior to the legal proceedings, and perhaps even more importantly, assistance with seeking an 'out of court' settlement (Petričević, 2012).

Nevertheless, the issue with the implementation of the legal framework, even despite the existence of the above mentioned institutions, again emerges from the collision of law with traditional norms. For example, it is customary that women move into their husband's home after they get married. His property is considered to be acquired before the marriage and thus to be a separate property. Moreover, husbands are commonly registered as the sole owners even of the properties that partners obtained together. Consequently, women would become property owners only after their husbands' deaths and only of the part they are entitled to pursuant to the legal regulation of inheritance and depending on the number of other heirs. Moreover, women would often renounce their right to inheritance, in benefit of their children or grandchildren. Nonetheless, it has been reported that the value of the traditional norms in the societies is declining, especially in the cities (WB 2019).

In contrast, reports from Kosovo show that, despite clear laws on gender equality, which are compliant with the EU regulations,[9] traditional

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8   The institute of an Ombudswoman exists besides the Office of the Ombudsperson.

9   Article 46 of the Constitution of Kosovo guarantees equal rights to property for women and men in Kosovo.

beliefs persist and still only 12 per cent of women are registered as property owners (UNMIK 2019). The issue of the lack of economic independency of women has been some time ago publicly acknowledged by the Kosovar Deputy Prime Minister Hajredin Kuçi: *"[T]he fact that most women do not own property means that a significant portion of the population is unable to freely engage in economic activity, start their own businesses, create jobs and contribute fully to Kosovo's economic growth."* (Reuters 2017)

In Kosovo, the majority of population is of Albanian descent, sharing common traditions with the society in Albania. Customary patrilineal succession can be even legally followed by adhering to Law on Inheritance, which allows the heir to *"[r]enounce the inheritance by a statement made to the court, until the inheritance proceedings are completed"* (Article 130.1 of the Law on Inheritance in Kosovo). Indeed, such provision is quite general and it is not extraordinary for it to be included in inheritance laws. Still, it is reported that in Kosovo it has been frequently invoked by female heirs, who renounce their right to property to follow the tradition and protect the reputation of their partners or male relatives (Joireman, 2015). Women are under additional pressure to renounce their inheritance rights also due to their economic dependence on their families as a result of their inactivity in the labour market (Joireman, 2015; EULEX 2016; EP Study 2019).

FLAWS IN THE LAWS

Legal provisions in legislations of the concerned countries are often unclear and as such leave room for the traditional transfer of property to be *de facto* carried out without constraints. In this regard, it has been pointed out that gaps in legislation allow for continuation of discriminatory treatment of women in relation to inheritance and registration of real estate transactions. In particular, this is possible because the Law leaves the possibility that the heirs freely decide on how to divide the inheritance among themselves, and can thus arbitrarily exclude women from obtaining property (EULEX 2016).

Furthermore, as already mentioned, it has been a common practice to register joint property to the name of only one spouse, usually husband's. Indeed, cadastral agencies are bound by decisions of courts and notaries. Nonetheless, they are at the same time in a position where they could exercise control over and guarantee the registration of

both spouses wherever that is possible and where it was overlooked by the courts or notaries. This is especially important because all transactions of immovable property rights are based on the information from the cadastral registry and because the will of the *transferor* suffices for a valid transfer (EULEX 2016).

In Serbia, only one in four properties is owned by a woman and only 11 per cent of all properties are registered in joint ownership of partners (Upis nepokretnosti 2019). As in other parts of the region, women would renounce their right to inheritance from their late partners in favour of their children and grandchildren, especially so in rural areas. Still in 2016, the majority of joint matrimonial properties were registered to a husband's name only. A reason behind this could be the fact that notaries would not always request a written consent of a spouse when certifying agreements about matrimonial properties. Thus, when a property is registered only to a husband, he can dispose of the property completely independently (Zivanovic, 2017; Zenovich, 2016).

Traditional customs tend to circumvent the laws also in Montenegro, which became independent from Serbia in 2006 and is therefore culturally very similar. A study published in 2019 reported that women in Montenegro own less than 25 per cent of real estate in the country (EP Study 2019). This goes in line with the observation by the Ministry for Human and Minority Rights that there is a trend of women renouncing their rights to inherit property in favour of male members of the family, despite their equal legal status. Such corresponds with the results of a public survey, which showed that 82 per cent of respondents thought that men and women should be equally entitled to their inheritance, but only 25 per cent of them believed that it is indeed so in practice. Large majority of the respondents (male and female) also expressed a belief that women would be judged negatively in the society if they would not renounce their rights to inheritance. Besides that, women also pointed out the issues of unawareness of their rights,[10] the fear that the property gets under the ownership of another family and the disrespect of women's rights (MMP 2019).

Recent data from North Macedonia show that only 28 per cent of woman population owns property (USAID 2019). Also in that area, women would traditionally leave their parents' houses after they mar-

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10   Nearly 50 per cent of women in Montenegro believe that they do not exercise the right to property.

ry, whereas men would keep living there with their own families. The law in North Macedonia provides that children who live at the family's estate are natural heirs of the property and those who do not may renounce their succession. In practice, this reflects an expectation that sons who stay at their parents' houses inherit the property and that daughters shall renounce their rights to inherit their share of the property. Again, the reason why women choose to renounce the right to inheritance is suggested to lie in the fear of social judgment if they do not do so and in relatively large costs entailed in the process of inheritance (Mitrevska, 2017; OECD dev; UN Women 2018). In addition, it has been reported also in Montenegro that the issue lies in the lack of women's awareness of their legal inheritance rights. The assumption is that the reason behind this tradition lies in keeping the property within the family. Since the property inherited by women is believed to fall under the ownership of her husband and his family, registration of property to a woman is understood to result in losing it from her father's family to another family. (Tonchovska, Kelm, and Giovarelli, 2014; OECD dev 2019).

TACKLING THE ISSUES

As demonstrated above, issues standing in a way of the support of economic empowerment of women have been recognised by the governments of the concerned countries. It has been argued that unsuccessful implementation of gender equality rules persists also due to unclear legal definitions of gender discrimination and to the lack of legal regulations for prosecution of offenders (Irvine 2013).

In 2019, the European Parliament adopted a *Resolution on Women's Rights in the Western Balkan* (EP Draft Resolution). The Resolution, amongst other issues, acknowledges the underrepresentation of women in the labour market and calls on the governments to tackle the female unemployment and the gender gap. *"[c]ustoms and traditions often prevail over the legal norms. Therefore, the role of notaries and land registration offices is seen as crucial for improving gender equality in access to land." (Marcela Villarreal, Director of FAO's Office of Partnerships, Advocacy and Capacity Development Division, 2017).*

In regard to the right to property, Croatia adopted a legal requirement for a written consent of the other spouse in cases of transactions rela-

ted to a property used as a family home (WB 2019). A similar measure was taken by Serbia, which amended the law governing the registration of property by introducing a process of automatic registration of the joint property that spouses acquired during their marriage. In addition, to ensure equal rights to property by 2020, Serbia adopted *the Strategy for Gender Equality*, activities within which were supported also by the World Bank through its project *Improvement of the Cadastre Administration in Serbia* (Dokmanovic, 2016).

Moreover, in 2019, the Ministry of Labour and Social Policy in North Macedonia received financial support by the World Bank for the purpose of implementation of a project for economic empowerment of women, including amending the legislation regulating the rights to property (Carovska, 2018). It is now provided by the Law that the right to property of items held in joint ownership is not affected by a (non-)registration of property. Both, men and women, enjoy legal right to request their names to be noted in the registry and to retain equal rights to property after divorce or separation (OECD 2019).

Another important measure to safeguard property rights of women in the region was adopted in March 2019, when Albania adopted the new Law on Cadastre and the Law on Notaries, which introduced mandatory registration of the joint property to both spouses (WB Albania 2019). Similarly, Kosovo in 2018 introduced the measure for the registration of real estate to both spouses free of charge (EC Kosovo 2019).

Above listed are only few examples of countries' efforts to tackle gender inequality emerging from customary norms. Nonetheless, when the laws are not being followed, the final remedy lies on the judiciary. Women have a right and a choice to bring a legal claim for their inheritance in courts. However, their exercising of this rights again remains questionable. Firstly, women may not be aware of their right to property and hence nor of their right to claim it in court (Simić, 2015). Secondly, professional legal advice and representation in court may be costly and women may struggle to afford to participate in court proceedings. Lastly, the proceedings may be lengthy and women may be exposed to a risk of being judged for their actions by their family, friends, and society in general.

The Ombudsman's 2019 Annual Report from Montenegro, states that in 2018, the institution received 48 complaints on the length of first-in-

stance court proceedings and other property-rights related issues. Less than half of these complaints were lodged by women (Ombudsman's Report 2019). Similarly, based on the records from the Kosovo's Court of Appeals, it is rare that women would initiate appeal proceedings and even when they do, they often do so together with a male co-claimant and male co-respondent (EULEX 2016). This may present an additional example of the issues related to dependency of women to their partners and male relatives and their dominant roles in the families.

CONCLUSION

Discrepancies between the laws and customs are notably evident in regard to the gender equality and the right to property. The gap between the number of men and women participating in the labour market and the gap between the numbers of male and female owners of properties are significant all over the region. Hence, this creates differences between economic empowerment of both genders.

In order to avoid legal norms being arbitrarily circumvented, the countries need to adopt laws with clear provisions. Accordingly, it is also essential that not only women, but general public, become informed about their rights. Special attention should be, in this respect, given notably to the rural areas where cultural norms seem to be embedded in the society the most.

In this respect, there have been already many projects initiated by the governments of the Western Balkan countries and non-governmental organisations operating there to address the issues emerging from gender inequalities.

Whereas it is important that the countries adopt clear and extensive legislation which safeguards women's rights, it may be equally or even more important to guarantee the implementation of legal norms. Considering that customary norms have been strongly integrated in the societies for decades, despite existing opposing legal norms, the emphasis should be given to raising public awareness on the matter. Reports show that, especially in urban areas of the region, women have already become more aware of importance of economic independence.[11]

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11   Obradović A, I u rod i u dom: Žene da se ne odriču nasljeđa, CdM (news article); Manojlović M, Hercegovke sve češće prihvataju očevo nasljedstvo, (news article).

Nevertheless, the issue of economic empowerment of women is only one part of a much larger dimension of the countries' economies. The higher is the general employment rate in the country, higher is its economic growth and consequently, better is its economic development and the living standard of its citizens. Therefore, it shall be in the economic interest of the countries to ensure that the legislation providing and safeguarding equality of women and men is duly respected and implemented in the societies. Additional measures that could be taken by the countries for this purpose are, for example: incorporation of principles and values of non-discrimination in school education, providing sufficient amount of child-care services that are financially subsidised by the governments, and perhaps encouraging the employers in the private sector to aim towards a gender balanced structure of their employees by providing them certain subsidies. Nonetheless, the future of the economic development of the Western Balkans seems to be bright. Taking a look at Croatia after its accession to the EU membership in 2013, the employment rate in the country increased for 10 per cent in 5 years (Europe 2020 targets). Indeed, this could be also the result of easier movement of workers within the EU and would not necessarily indicate increased economic empowerment of women in the country due to more active participation in the national labour market.

Finally, this issue is one that shall be followed up in the future, particularly after the Western Balkan countries become members of the EU. Especially so, because the comparison of the gender equality in these societies, employment rates, economic development and living standards between now and then will be a good indicator of the general significance of the membership in the EU in these areas.

References

Civil Society Forum of the Western Balkans Summit Series, CSF Brief, No. 4 April 2018, available at https://wb-csf.eu/docs/Gender_Issues.pdf.pdf, accessed on 12 January 2020.

Center for Legal Civil Initiatives, SHADOW REPORT Submitted to the 64th session of CEDAW, 2016, available at: https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MMR/INT_CEDAW_NGO_MMR_24233_E.pdf, accessed on 20 January 2020.

Dokmanovic, M., Gender Analysis for Serbia, December 2016, available at http://europa.rs/files/Gender_Equality/Gender-Analysis-Serbia-dec-2016.pdf, accessed on 23 January 2020.

European Commission, Europe 2020 targets: statistics and indicators for Croatia, available at https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/eu-economic-governance-monitoring-prevention-correction/european-semester/european-semester-your-country/croatia/europe-2020-targets-statistics-and-indicators-croatia_en, accessed on 17 February 2020.

European Commission, European Neighbourhood Policy And Enlargement Negotiations, available at https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information_en, accessed on on 17 February 2020.

European Commission, Commission Staff Working Document, Analytical Report on Bosnia and Herzegovina's application for membership of the European Union, SWD(2019) 222 final, May 2019, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-bosnia-and-herzegovina-analytical-report.pdf, accessed on 22 January 2020.

European Commission, Commission Staff Working Document, Albania 2019 Report, May 2019, SWD(2019) 215 final, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-albania-report.pdf; accessed on 16 January 2020.

European Commission, Commission Staff Working Document, Kosovo 2019 Report, May 2019, SWD(2019) 216 final, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-kosovo-report.pdf, accessed on 17 February 2020.

European Commission, Commission Staff Working Document, North Macedonia 2019 Report, May 2019, SWD (2019) 218 final, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-north-macedonia-report.pdf, accessed on 17 February 2019.

European Commission, Commission Staff Working Document, Montenegro 2019 Report, May 2019, SWD (2019) 217 final, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf, accessed on 17 February 2020.

European Commission, Strategic Engagement for Gender Equality 2016-2019, Luxemburg, 2016, available at http://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/strategic_engagement_for_gender_equality_en.pdf, accessed on 22 January 2020.

European Parliament, Draft Resolution on Women's Rights in Western Balkans, available at http://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/FEMM/DV/2019/01-23/1163876ENdraftmotionforresolutionWomensrightinWesternBalkans_EN.pdf, accessed on 10 February 2020.

European Parliament, Women in the Western Balkans, Gender equality in the EU accession process, Briefing, July 2018, available at https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625139/EPRS_BRI(2018)625139_EN.pdf, accessed on 13 February 2020.

European Parliament, Study for the FEMM Committee, Women's Rights in Western Balkans, January 2019, available at https://www.europarl.europa.eu/RegData/etudes/STUD/2019/608852/IPOL_STU(2019)608852_EN.pdf, accessed on 25 January 2020.

Eurostat, Enlargement Countries – labour market statistic 2017, February 2019, available at https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Enlargement_countries_-_labour_market_statistics#Analysis_of_employment_by_working_status.

Eurostat, Labour force statistics in Enlargement and ENP-South countries, 2019 edition, available at https://ec.europa.eu/eurostat/documents/4031688/9684171/KS-03%E2%80%9119%E2%80%91052-EN-N.pdf/d82baff5-d17a-4213-a69a-c6dda7eee3af.

eŠalter za nepokretnosti, Only every fourth real estate is owned by women, 29 March 2019, available at http://upisnepokretnosti.rs/inner-page-vest.php?ID=10, accessed on 24 January 2020.

Food and Agriculture Organisation of the UN, available at http://www.fao.org/europe/news/detail-news/en/c/522573/, accessed on 24 January 2020.

Food and Agriculture Organisation of the UN, Gender and Land Rights Database, available at http:/www.fao.org/gender-landrights-database/data-map/statistics/en/, accessed on 23 January 2020.

Food and Agriculture Organisation of the UN, Women's access to land is focus of international conference this week, March 2017, available at http://www.fao.org/europe/news/detail-news/en/c/522573/, accessed on 13 February 2020.

Government of the Republic of Macedonia Ministry of Labour and Social Policy, Presentation of the Sixth Periodic Report of the Republic of Macedonia on the Convention on the Elimination of All Forms of Discrimination against Women to the Committee on the Elimination of Discrimination against Women Distinguished Chair, Dear Committee Members, Minister Mila Carovska, 1 November 2018, available at https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MKD/INT_CEDAW_STA_MKD_32920_E.pdf, accessed on 7 February 2020.

Hadžiristić, T., Is Bosnia the Worst Place in Europe to be a Woman?, 5 December 2016, available at https://www.opendemocracy.net/en/can-europe-make-it/women-in-bosnia/, accessed on 8 February 2020.

INSTAT, Women and Men in Albania 2019, available at http://www.instat.gov.al/media/6413/burra-dhe-gra_2019.pdf, accessed on 18 January 2020.

Irvine, J.A. (2013), Leveraging change: Women's organisations and the implementation of UN-SCR 1325 in the Balkans. International Feminist Journal of Politics, 15(1), 20-38, available at http://www.tandfonline.com/doi/abs/10.1080/14616742.2012.699779, accessed on 10 February 2020.

Irvine, J.A., Sutlović, L., in: Hassenstab, C. and Ramet S. P., Gender (In)equality and Gender Politics in South-eastern Europe, A Question of Justice, Palgrave Macmillan 2015, pp 62-87.

Miller, Ruth A. (2007), "Rights, Reproduction, Sexuality, and Citizenship in the Ottoman Empire and Turkey." *Signs: Journal of Women in Culture and Society.* 32:2, pp. 347-373.

Manojlović, M., Hercegovke sve češće prihvataju očevo nasljedstvo, Direkt (news article), February 2019, available at https://www.direkt-portal.com/hercegovke-sve-cesce-prihvataju-ocevo-nasljedstvo/, accessed on 15 February 2020.

Mandro, A. (2013), "Të drejtat pronësore të grave, rasti i Shqipërisë" (The property rights of women. Case of Albania), Tirana.

Mandro, A., *Të Drejtat Pronësore Të Grave Në Shqipëri (Women's Property Rights in Albania)*, at UN Women, Swedish Government, United Nations Albania 2016, available at https://repository.gchumanrights.org/bitstream/handle/20.500.11825/874/Kola.pdf?sequence=1&isAllowed=y, accessed on 13 February 2020.

Ministarstvo za ljudska i manjinska prava, Predstavljeno istraživanje "Imovinska prava žena", available at http://www.mmp.gov.me/vijesti/198022/Predstavljeno-istrazivanje-Imovinska-prava-zena.html, accessed on 24 January 2020.

Mitrevska, T., (2017), Land and Gender, Macedonian experience, 2017 World Bank Conference on Land and Poverty, March 20-24, 2017, Washington DC.

Obradović, A., I u rod i u dom: Žene da se ne odriču nasljeđa, CdM (news article), August 2019, available at https://m.cdm.me/drustvo/i-u-rod-i-u-dom-zene-da-se-ne-odricu-nasljeda/, accessed on 15 February 2020.

OECD Development Centre, Bosnia and Herzegovina, available at https://www.genderindex.org/wp-content/uploads/files/datasheets/2019/BA.pdf, accessed on 22 January 2020.

OECD Development Centre, available at https://www.genderindex.org/wp-content/uploads/files/datasheets/MK.pdf, accessed on 25 January 2020.

Ombudsman's Office Montenegro, Annual Report for the year 2018, available at http://www.ombudsman.co.me/docs/1554124685_final-godisnji-izvjestaj-2018.pdf, accessed on 15 February 2020.

Petričević, I., Women's rights in the Western Balkans in the context of the EU integration: Institutional mechanism for gender equality, available at https://ravnopravnost.gov.hr/UserDocsImages/arhiva/images/pdf/Izvješće_Womens%20Rights%20in%20the%20Western%20Balkans%20in%20the%20Context%20of%20EU%20Integration.pdf, accessed on 25 January 2020.

Preljević, M., Nasljedstvo žene između šerijatskih propisa i naših običaja, 20 January 2019, available at https://mesihat.org/2019/01/20/nasljedstvo-zene-izmedju-serijatskih-propisa-i-nasih-obicaja/, accessed on 11 February 2020.

Raičević: Običajno pravo odricanja od imovine jače od zakona, Report from a Press-conference on property rights of women in Montenegro, held by Women's Safe House in April 2019, available at https://www.vijesti.me/vijesti/drustvo/raicevic-obicajno-pravo-odricanja-od-imovine-jace-od-zakona, accessed on 14 February 2020.

RTS, Žene na Selu - žrtve predrasuda i patrijarhalnog mentaliteta, October 2019, available at http://www.rts.rs/page/stories/sr/story/125/drustvo/3697772/zene-na-selu-zrtve-predrasuda-i-patrijarhalnog-mentaliteta.html, accessed on 10 February 2020.

Simić, O,. in: Hassenstab, C and Ramet S P, Gender (In)equality and Gender Politics in South-eastern Europe, A Question of Justice, Palgrave Macmillan 2015, pp 87-108.

Statement by Ms Vasilija Zivanovic, a legal expert from the Geodetic Office, available at https://www.serbianmonitor.com/en/only-every-third-woman-serbia-is-property-owner/, accessed on 23 January 2020.

Tonchovska R, Kelm K, and Giovarelli R (2014), ICT in Support of Evidence Based Policy Making: Land and Gender in the Western Balkans, 2014 World Bank Conference on Land and Poverty, The World Bank - Washington DC, March 24-27, 2014, http://www.fao.org/fileadmin/user_upload/nr/land_tenure/TONCHOVSKA_389-Final_01.pdf, accessed on 24 January 2020.

Totaro, P., Kosovo launches drive to encourage women to claim property rights, Reuters 2017, available at: https://www.reuters.com/article/us-kosovo-landrights-lawmaking/kosovo-launches-drive-to-encourage-women-to-claim-property-rights-idUSKBN154233, accessed on 25 Janury 2020.

Trkulja, A., country expert from Bosnia and Herzegovina, authorized unpublished report on Social and Economic factors relevant to women's rights, 2018.

UNMIK Report from 14 March 2019 event Aktivistkinja za rodna prava ostvarila pravni uspeh u zaštiti prava žena na imovinu, available at https://unmik.unmissions.org/sr/aktivistkinja-za-rodna-prava-ostvarila-pravni-uspeh-u-zaštiti-prava-žena-na-imovinu, accessed on 23 January 2020.

USAID/North Macedonia Gender Analysis Report, July 2019, available at https://banyanglobal.com/wp-content/uploads/2019/09/USAID-North-Macedonia-Gender-Analysis-Report.pdf, accessed on 26 January 2020.

USAID, Property Rights Program (PRP) Gender, Property, and Economic Opportunity in Kosovo, January 2015, available at https://www.usaid.gov/sites/default/files/documents/1863/Kosovo%20PRP%20Report_Gender%20Property%20and%20Economic%20Opportunity%20in%20Kosovo_ENG....pdf, accessed on 24 January 2020.

UNDP Albania, Programme of Cooperation for Sustainable Development 2017-2021, 7 February 2017, available at https://www.al.undp.org/content/albania/en/home/library/democratic_governance/programme-of-cooperation-for-sustainable-development-2017-2021.html, accessed on 12 February 2020.

UN Sustainable Development Goals, available at https://www.un.org/sustainabledevelopment/sustainable-development-goals/), accessed on 24 January 2020.

UN Women, The UN Secretary-General's Message on International Women's Day, 1 March 2018, available at https://www.unwomen.org/en/news/stories/2018/3/statement-un-sg-iwd, accessed on 7 February 2020.

UN Women, Europe and Central Asia, Economic Empowerment, available at https://eca.unwomen.org/en/where-we-are/albania/economic-empowerment, accessed on 15 January 2020.

UN Women, One Room her only home – An Albanian woman's struggle to claim her property rights, 1 March 2018, available at https://eca.unwomen.org/en/news/stories/2018/03/feature-an-albanian-womans-struggle-to-claim-her-property-rights, accessed on 22 January 2020.

UN Women, Factsheet on 2018 Public Perceptions of Gender Equality and Violence Against Women : Albania, page 5, available at https://www2.unwomen.org/-/media/field%20office%20eca/attachments/publications/2019/2018%20public%20perceptions%20of%20gender%20equality%20and%20vaw/albania.pdf?la=en&vs=48, accessed on 12 January 2020.

World Bank, Albania: Status Review of the Immovable Property Registration Office (IPRO), 13 May 2019, available at http://documents.worldbank.org/curated/en/481771562052486554/pdf/Albania-Status-Review-of-the-Immovable-Property-Registration-Office-IPRO-Services-and-Data-Quality.pdf, accessed on 13 February 2020.

World Bank Group, Investing in Opportunities for All, Croatia Country Gender Assessment, February 2019, available at http://pubdocs.worldbank.org/en/695541553252905811/WB-Croatia-gender-equality-22032019.pdf, accessed on 25 January 2020.

World Bank Group, Western Balkans Labor Market Trends 2019, March 2019, available at http://documents.worldbank.org/curated/en/351461552915471917/pdf/135370-Western-Balkans-Labor-Market-Trends-2019.pdf, accessed on 7 February 2020.

World Bank, Promoting Women's Access to Economic Opportunities in the Western Balkans, Building the Evidence, http://pubdocs.worldbank.org/en/86265152147002998/PPT-Gender-TF-final.pdf.

World Bank, Promoting Women's Employment in Kosovo, September 2018 https://www.worldbank.org/en/country/kosovo/brief/promoting-women-employment-in-kosovo, accessed on 9 February 2020.

Legislation

Constitution of the Republic of Albania, available at: https://www.osce.org/albania/41888?-download=true, accessed on 16 January 2020.
Constitution of the Federation of Bosnia and Herzegovina, available at https://www.wipo.int/edocs/lexdocs/laws/en/ba/ba020en.pdf, accessed on 16 January 2020.

Constitution of the Republic of Croatia, available at https://www.wipo.int/edocs/lexdocs/laws/en/hr/hr060en.pdf, accessed on 16 January 2020.

Constitution of the Republic of Kosovo, available at http://www.kryeministri-ks.net/repository/docs/Constitution1Kosovo.pdf, accessed on 16 January 2020.

Constitution of Montenegro, available at https://www.wipo.int/edocs/lexdocs/laws/en/me/me004en.pdf, accessed on 16 January 2020.

Constitution of the Republic of North Macedonia, available at https://www.sobranie.mk/the-constitution-of-the-republic-of-macedonia-ns_article-constitution-of-the-republic-of-north-macedonia.nspx, accessed on 16 January 2020.

Constitution of the Republic of Serbia, available at http://www.parlament.gov.rs/upload/documents/Constitution_%20of_Serbia_pdf.pdf, accessed on 16 January 2020.

Law on inheritance of the Federation of Bosnia and Herzegovina, available at http://parlamentfbih.gov.ba/dom_naroda/bos/parlament/propisi/El_materijali/Zakon%20o%20nasljedjivanju_2014.pdf, accessed on 13 February 2020.

Law on inheritance of the Republic of Serbia, available at https://www.paragraf.rs/propisi/zakon_o_nasledjivanju.html, accessed on 13 February 2020.

Law on Inheritance in Kosovo, available at http://projuris.org/Zakoni_Kosova/Zakon_o_nasledjivanju_2004.pdf, accessed on 13 February 2020.

UN Convention on the Elimination of All Forms of Discrimination against Women, CEDAW/C/ALB/CO/4, 25 July 2016.

Diplomacy in a Geocentered overview of *The Rainbow Beyond the Soul*

Ana Stefanovska[1]

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ABSTRACT

The specialists in Literary Spatial Studies and Geo-informational sciences are well informed about the existence of a new literary approach in reading fictional settings in which plots take place. Geocriticism has been coined as a term by Bertrand Westphal, a French literary critic who, since 2000, aims to revert the historic perspective of reading literature by inviting readers to focus on the spatiality of a book. The departure point of anyone who tends to apply the geocentered approach is to start reading a novel by narrowing its perspective to the places where different chapters and narrative moments take place. This article aims to focus on the fictional geography of Milan Jazbec's first novel on diplomacy entitled *The Rainbow Beyond the Soul* and to examine the overall dynamics of the narration through the places used as settings for the different episodes of the plot. This way, the geocentered analysis of this novel tends to take a closer look at the complexity of the story and the characters and to better understand the style of Jazbec's narration.

KEY WORDS: spatial studies, geocriticism, literary geography, literary cartography, diplomacy, *The rainbow beyond the soul*

POVZETEK

Poznavalci literarno-prostorskih študij in geo-informacijskih znanosti se dobro zavedajo obstoja novega literarnega pristopa pri proučevanju fiktivnega okvirja, v katerem se dogaja zgodba. Geokritika je termin, ki ga je ustvaril Bertrand Westphal, francoski literarni kritik, ki od leta 2000 skuša spremeniti zgodovinsko perspektivo branja literature, da bralce spodbuja, da se osredotočajo na prostor, ki ga uprizarja knjiga. Izhodišče za vsakega, ki namerava uporabiti geocentrični pristop, je, da prične brati roman tako, da zoža svoj pogled na prostor, kjer se dogajajo posamezna poglavja in narativni trenutki. Članek se osredotoča na fiktivno geografijo v prvem romanu o diplomaciji Milana Jazbeca Mavrica izza duše z namenom proučiti vsestransko dinamiko naracije skozi kraje, ki jih uporablja kot okvir v različnih epizodah zgodbe. Na ta način geocentrični analiza tega romana teži k temu, da ustvari bližnji vpogled v kompleksnost zgodbe ter likov in da s tem bolje razume stil Jazbečeve naracije.

KLJUČNE BESEDE: prostorske študije, geokritika, literarna geografija, literarna kartografija, diplomacija, *Mavrica izza duše*

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Introduction

Milan Jazbec is both, a diplomat and a writer. These roles, when translated into spatial terms, give a first clue to the binary opposition in which his first novel is set: on the one hand, his home country, also at the roots of his artistic inspiration and, on the other hand, the whole world, visited by and lived through the eyes of an official representative of his country. Thus, the characters of the novel seem to be mere reflections of the spaces they have lived in and they continue to inhabit and, therefore, space can be considered as one of the protagonistic elements of the novel. Furthermore, the accent given to the setting appears since the first line: *The Rainbow Beyond the Soul* has been dedicated to the author's native place, Pohanca, or more precisely, the novel has been written for the 760th anniversary of this small Slovenian village.

The novel narrates the story of a diplomat who is, at the same time, a writer. In both roles, the main protagonist uses words as his strongest weapon: with words, he illustrates his vision of the world, his desires, his talents, and especially as a diplomat, his existential and professional illusions and delusions. The plot has a circular structure: it starts with the nomination of the protagonist for the Nobel Prize in literature and it is concluded with the ceremony in which the writer obtains the most important literary recognition. Between these two moments, however, the structure of the plot is complex. It constantly moves through memories and present episodes, through places without a precise referentiality and those with exact waypoints and names. The complexity of the spatio-temporal structure of the novel can be explained by the fact that next to the first level of narration, which addresses the diplomatic world, there appears a second topic that unravels a love story between the protagonist and a woman who is his lifelong muse. Therefore, the fictional geography of the novel comprehends lived spaces but also daydreamed and imagined spaces that give a peek into a love story lived in absence which holds its own specific spatial trajectory. As a result, both the character and his personal geography often appear difficult to grasp as real: we follow closely the thoughts, emotions, and reflections of the protagonist without being always informed about the precise place where the narration is set. What predominates in the narration are the struggles of a writer, translated into philosophical debates and further invitations to think and to reflect upon topics that concern everyman's life. This is what makes Jazbec's

main character a typical modern protagonist, inept and at the margins of 'real' life, present more in his stream of consciousness than in the outer diplomatic reality.

From a spatial viewpoint, the interior monologue's geography often blends with the real, outside world, oftentimes rendering difficult for the reader to recognize the boundary between the two worlds. This is why, even though a geocentered approach can be applied to the analysis of the geography of the novel, a spatial analysis of Jazbec's book cannot completely leave out the phenomenological aspect of the settings. The novel can be read through its geography only if the fictional spaces are addressed in both, their consistency and their lack of consistency, or in their appearance as cognitive settings, as mental wanderings of the character who is never fully present in the place where he is. To understand better this technique, which allows that personal spaces are continuously merged with social surroundings and that flashbacks blend with realist settings, this article examines the novel's geography through three spatial categories: the homeland, the locations of diplomatic missions, and the city of Stockholm.

SPACE, PLACE AND THE GEOCRITICAL INTEREST IN TODAY'S LITERARY STUDIES

Space and place in the literary and cultural studies of the 20th century came to the forefront with the so-called spatial turn. As noticed by one of the major critics in the field of geocriticism, Robert T. Tally Jr. (2013), this moment of shift in perspective coincides with a profound worldwide transformation in the perception of space: the new esthetic postmodern sensibility enhances new ways of approaching our lived spaces, changed by the globalization, by the post-colonialism, by the demographic changes and migrations, phenomena which took place after the Second World War. Westphal (2009), another essential name in the world of the spatial studies, puts in this precise moment also the rise of multiple new interests such as imagology, xenology, geopoetics, ecoculture and ecocentrism, all fields that are inextricably related to the spatiality, to the territories and their relationships with one's personal experience with the new, globalized reality.

Within the field of humanistic studies, new methodologies concerning space and place enriched the interdisciplinary outlook on literature. Starting from the Atlas of the European Novel (1800-1900) by Franco Moretti (1997), the idea of approaching a geographical area

where a certain plot is set was addressed as an opportunity to gain an insight into how we can draw maps and literary cartographies from the fictional worlds where our favorite characters operate, as well as use these maps to question more complex problems, such as the idea of borders, liminality and the Western literary canon when inserted in a global literary framework. Moretti's interdisciplinary project paved the way to numerous 'translations' of literary places into cartographic signs, through a process of transcription of literary places into geo-referenced databases.

The idea of a writer as a mapmaker and the fictional world as a mappable world inspired many literary critics to study fiction through these literary maps. Geocriticism, one of the crucial new literary approaches that stem from this new interest towards space and place, defines this relationship as one that operates in two directions. Notably, storytelling always involves mapping in the way in which every map tells a different story. It is precisely at this interconnectedness between space and writing where we place the rise and the success of the geocentered approach. Literary geography became a new way to read literature, giving priority to the settings where the plots unfold and anchoring the literary analysis in the places inhabited by the characters. As a result, today we have numerous cartographic projects that prioritize mapping as an essential tool in reading and comprehending the fictional worlds. Among the most successful projects, there are *A Literary Atlas of Europe,*[2] *Mapping the Lakes: A Literary GIS,*[3] *Mapping the Republic of Letters,*[4] *Digital Literary Atlas of Ireland,*[5] etc.

This article aims to focus on the main spatial categories present in the Milan Jazbec's first novel of his trilogy on diplomacy, *The Rainbow Beyond the Soul*. Using a geocentered approach, the analysis will focus on the representations of specific places concerning the character, as well as to the overall development of the plot. The aspect which will be mostly underlined concerns the metamorphosis of some of the settings that, by constantly oscillating between their referentiality and the protagonist's perceptions, render the geography of the novel an interesting case for a geocentered reflection. Therefore, real places will be studied in their intersections with the character's sense of a

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2   http://www.literaturatlas.eu/en/

3   http://www.lancs.ac.uk/mappingthelakes/

4   http://republicofletters.stanford.edu/

5   http://www.tcd.ie/longroomhub/digital-atlas/

place, both as geographical locations, easily identifiable on maps and stations of his stream of consciousness, semantically designating past experiences, longings and daydreams of the protagonist.

Pohanca: the homeland of J.

The splitting or the co-existence of the diplomat-writer in one character, when translated into geographical terms, becomes a division between the modern and the rustical, the metropolis and the small village in a distant land, the ambition for conquering the world and the urge to go back to one's own roots to question his identity. One of the main traits of the protagonist is the fact that his name remains hidden behind the initial J. He is pictured in different stages of his life and in different places of his career as a diplomat, but the deprivation of a clear identity seems to be compensated with the recurrent flashbacks of his home place. Interestingly enough, the homeland, one of the main settings of Jazbec's novel is never a real setting and, nevertheless, it appears as one of the places which are more semantically charged. The modern and noisy city, a typical modernist setting where the diplomat carries out his professional assignments is opposed to the rich, rural landscape of Slovenia where different life, values, and rules are to be found. Therefore, the homeland, even though presented as a place that can be accessed only by the cognitive traveling of the character, stands for the place that holds the truth, the land that represents the focal point of his inner geography. Therefore, the diplomat and the writer, the wide open world and Slovenia are along all the narration very closely interconnected:

"I went to countless receptions, cocktail parties, dinners, luncheons, played golf so many times that I do not remember, jogged with ministers, presidents – mostly because I wanted all that, I wanted it because I liked it, because I later on enjoyed it, I achieved things because I decided to achieve them, like a project, I planned it, consciously. And I managed to do all of it, though it hardly was as easy as it sounds. Above all, it went slowly, like a never-ending marathon... Yet what do I have, here and now, from all of that? Would I not be happier, would I not be less appeased if I had truly herded cows on the abandoned lowlands of my Kozjansko homeland, written books, enjoyed solitude, and communicated with most people only through a secure, impersonal, and reliable screen?" (Jazbec, 2019, p.19)
The nostalgic wanderings related to his distant village appear for the

first time during his walks in Central Park, New York causing in this way a clear split between the realist geography, America, and the childhood place left overseas. The trigger is a song played somewhere in the distance in the park, a melody which merges with the waves of the water, bringing up lost memories. The music of the present, that 'old rock music gone for half a century' (Ibid., p. 18) blends with a sound from the past, with the music typical for his origins and with the image of his mother:

"He thought of his mother and a similar song she had listened to in her youth, about a child sitting on his parents' laps, asking them, what about tomorrow, what about the day after, what about when I grow up, what about whenever. And again, the same revelation." (Ibid., p. 18)

The remembered landscapes superimpose themselves upon the realist settings and the boundary between them is often blurred. Another example of this intertwining of the settings into one single complex space is present in the fifth chapter, named *Unter den Linden.* Another flashback opens the chapter and once again, the diplomatic location seems to be only a trigger point for recalling a distant memory:

"His memory took him to his previous diplomatic location: how interesting that was, he said to himself as he was finishing his walk down the *Unter den Linden* avenue. He threw a glance along the never-ending green line of rich treetops. He enjoyed walking there, it almost seemed to him as though he was not in the midst of big city commotion. Sometimes, he even had the impression that he was breathing and growing with these trees, that he was part of them. That they have accepted him as one of their own. How friendly and cosy. Just like that linden tree in the middle of the village, which he and a friend from the earliest childhood climbed often, and the tea of which they drank in the winter to make breathing easier." (Ibid., p.33)

Similarly to the first memory, images of homeland appear as oasis in the middle of a big city giving the chance to the protagonist to go back to his roots and reflect. Natural landscapes are opposed to the big streets and the crowds and present themselves as spaces of freedom from the frenetic lifestyle of the diplomat, from the constant mobility through new cities, cocktails, airports and meetings. Home symbolizes a forgotten stability and peace, nowhere to be found in the real, adult life. The reflection of one's own roots comes along with the relentless

need of the protagonist to explore and travel the faraway lands, to surmount the limits of his first micro-cosmos, and to discover the world. His craving to return to the point where everything started becomes the only way to give sense to his wanderings:

"Oh, what an interview, when will she publish it, he was wondering on the airplane as he was heading home, heading towards memory, that first, primal, strongest of all memories. You always press forward and forward, but in reality you want to go back, back where you came from, to the place you left behind. He felt this desire, growing stronger and stronger, to go back, to go to the place he had left behind – if only he had left. The further he went ahead, the more he wanted to go back; we always want to go back, to the starting point, to the place where everything began and where things were best. And when we have reached the end, it really seems that we are finally at the start again, that we are back at the place we wanted to return to, despite having headed forward relentlessly. A person is actually his own memory, he said to himself again." (Ibid., p. 69)

The importance of the 'home', understood as both, a physical and as an emotional station for the protagonist, is better understood in the chapter entitled *The Door to the Graveyard.* This chapter, describing the urge to take the long way home, is also the chapter that is set in an airplane which, by definition, is one of Auge's (2008) modern non-spaces: it exists in the air, above the earth, everywhere and, at the same time, nowhere. Therefore, the reflection on one's origins and homeland far from the ground can be read as an ultimate metaphor of the lack of protagonist's roots. His home seems to be the only place that can be opposed to a life without an anchor, typically practiced by someone who has a lot of 'mobile houses' and no permanent. The fleeting, thus related to the element of air, is diametrically opposed by one of Foucault's (1994) heterotopic places, the graveyard, that symbolizes the only possible return to the lost authenticity and identity:

"The graveyard. That would be my first stop, as usual, already a ritual, a strong part of me, a sparse ritual, though for that all the more intense and powerful. It really could be different – he could not help it, he nearly lost all rational control over his thoughts and emotions – I could stay at home, at least longer, if not forever (a stroke of the rational – it would not work, not really, not in today's world) – so, what to do? If anything at all? (...) I always wanted to be buried here, at home, in this

forgotten but all the more precious place, where I will find rest and peace, far from everything, forgotten, since I hardly know anyone around here and those who know me, know me from some fleeting newspaper article or some online column."(Jazbec, 2019, p.70-71)

The return of the anti-hero coincides with death, which is the only way allowed to the character to embrace his starting point. Only the return seems to equate with the end of his life and therefore, the last chapter can be read as the ending of the many wanderings of the diplomat-writer, whose heart, even in the moment of the biggest achievement, winning the Nobel Prize, recalls the landscapes of his homeland. Set next to the King of Sweden and all the diplomatic corps, the modern winner is absent, lost in thoughts about his home. This serves as the perfect closure of the numerous relentless and scattered movements of the main character. Therefore, the final setting, which will be discussed in the 3rd part of this contribution, has nothing to do with the Arlanda airport from which the protagonist departs, and has everything to do with his final trip to his homeland, the essence of which can be grasped only in that "long-expected end" where "the heavens open up among the clouds" and where "everything else becomes so light, so calm, so relaxed", " (...) into the rainbow. Beyond the soul." (Ibid., p. 93)

THE INNER WORLD OF A WRITER AMID DIPLOMATIC SURROUNDINGS

To understand how the inner world of the main protagonist constantly interacts with his outer, formal surroundings, we can reflect more closely on the ways in which settings are constructed in the third chapter of the novel. Emblematically entitled *Hope untouched*, it is in this part of Jazbec's book where the spatial prism unifies the two guiding principles that coalesce in the character. It is also the only chapter that represents a diplomatic session and it is one of the rare parts of the book where the places of the diplomatic world are described in detail. On the one hand, the circular structure and the well-defined shape of the conference hall symbolize the oppression and the rigidity of the surroundings in which diplomats operate:

"It was a large sitting arrangement, as all fifteen delegations gathered around the table with ease: five permanent members and ten non-permanent ones, from which five were replaced one year and the other five in the following. This brought additional dynamics into an alre-

ady difficult balance of relations between delegations, their heads, diplomatic staff, Secretariat, of course the Secretary General and his closest aides, special guests, representatives, and others who always came to the sessions to present their reports; it seemed that all of it was a large, uninterrupted river. (...) And everything has influence, he added another thought. Everyone had to sit around this table, see one another, hear one another, listen to one another and recognize one another. There had to be enough space for all of them, here, at the top. When you looked into the hall from the tribune, which had in its first section additional seats for delegations of the member states and in its second section, behind a nicely decorated fence, seats for the public, the large table was before you like the palm of your hand." (Ibid., p.22)

On the other hand, the constant allusions to the oil on canvas on the wall and the lady that takes away the attention of the protagonist, underlines his artistic nature, his need for expression in the middle of that hermetically closed universe in which he spends his days. Once the realist setting in which the session takes place is introduced, the spatial accent is given to the only decoration of this surrounding, the only element that ignites the artistic part of the diplomat:

"At the back, behind the presiding member, a large painting hung on the wall: oil on canvas, a gift by a Norwegian painter – the first Secretary General was from there, after all – which represented hope for a better future with a rising phoenix in the center and the progression of dark colours into light colours. On the right side of the large bird, at the same height, there stood she: a lady of soft and tender looks, who simply and effectively radiated serenity and power. With her hands stretched out, slightly spread apart, her soft face, she stood alone and there was a strange magnetism about her. He had set eyes on her immediately and she stayed inside him. Hope, faith, and solidarity, everything that this dynamic, colourful Norwegian masterpiece symbolized, was personified in this diva. Because of her, no part of the agenda was too demanding, no discussion too bothersome, no goal unreachable and every polemic dialogue became a diplomatic challenge and passion. She was a mute, silent witness and a great support." (Ibid., p.22)

The modernist aspects of the novel are more explicitly shown in this particular setting. The continuous wanderings of the character through his interior landscape split the scene into two realities: the session

of the diplomats unravels along with the constant intimate dialogue that the protagonist develops with the lady from the painting. Therefore, the slow and sterile atmosphere characterized by the exactly defined structure, in which is held the meeting among the diplomats, finds its contrast in the painting, the key element of the setting, an abstract space in which the protagonist finds a way out of his reality. This is why, the third chapter seems to be also the most significant when it comes to understanding the complexity of the character: his double nature, his concrete, tangible life of a diplomat and his rich inner self, constantly lost in wanderings through memories and thoughts, is more closely depicted through these 'polytopic' places. The voices of the representatives and the members present at the session are intrusive, penetrating steadily in the writer's relationship with a lady in the painting that soon becomes the muse of his novels, the "symbol of the inaccessible, despite being almost always nearby, right here, by his side." (Ibid., p. 24).

It follows that, unlike the descriptions of Slovenia and the landscapes found in the childhood memories, in *The Rainbow Beyond the Soul,* the diplomatic settings are endowed with negative traits. The world of diplomacy, a micro-cosmos with numerous rules and internal logic known to only those who are part of it, is tackled in a very analytical way and it is depicted through its cold settings. Thus, places which are part of one's career are left without any further explanation, they exist as mere locations that diplomats visit throughout their professional lives. Furthermore, the episodes that narrate encounters and relationships from a diplomatic viewpoint are narrowed to exact facts, relationships and strict rules of behavior and communication. They are all set in big cities that, even though they appear as referentially identifiable, are never really described as authentic, real spaces. Berlin, Bern, Paris, New York and Canberra all appear as background 'stations' to the story of the protagonist, as places where the plot is set, but that appear superficial and easily interchangeable. Therefore, they exist more as settings which welcome the character's inclination to think and develop his poetic nature and their realistic consistency almost always dissipates after their initial introduction.

Even though more tangible in the third chapter, this relationship between the inner and the outer reality, the fantastic world of the writer immersed in the exact world of diplomats, is present in almost all spatial stations of the novel. It is the case of Central Park, a recurrent

location in *The Rainbow Beyond the Soul*, a place that, however, obtains its value as an authentic setting once the protagonist distances himself from the real world to continue with his lonely, thoughtful wanderings:

"A walk had always done him good. As he lost himself among the trees, the paths, and the walkers in the always breathing Central Park, he remembered his jogging at home: over the grass, past the stream and around the lake. It was raining, a pleasant summer rain washed his path and warmed him, he was content, almost happy, it seems, now that he looks back. He had been at the start of the road, enthusiastic after his first experiences and his counterparts; everything was so bright, promising and friendly. A career." (Ibid., p. 20)

As in the case of the continuous interactions between the inner and the outer in the third chapter, Central Park, which is at the beginning presented as one of the many diplomat's 'new homes', obtains its real value only when introduced as another emotional spot in the inner geography of the character. In the case of the conference hall and the painting, the diplomatic surrounding is veiled with the lifelong inspiration of the character that doubles the scene and that, in the middle of the realist setting, introduces a glimpse of the soul of the protagonist. Thus, in the 11th chapter, Central Park stops being a diplomatic location in order to grow into another place, where appears the 'lady', an interchangeable female character that appears through different important women of the protagonist's life, this time incarnated in Zarja:

"To: jmočnik@varietymail.com
From: mzarja@mit-edu.com
Subject: Take joy with you as you go
Date: 21 November / 22:49:44 PM

J.,
Just be what you've always been.
I'll be watching the broadcast online, I can't wait. In spite of everything, don't forget our annual Christmas walk in Central Park, this year, too.
Well, before that, you'll have to show me the diploma, I've got to hold this recognition you're about to receive in my hands.
I'm sure you still remember the tale I used to know by heart in my childhood, what were the words to bid farewell in the end:

goodbye and good luck To you.
And, once again, take care.
Z.
PS: Make sure to check if that kindergarten is still on the other
        side of the street, opposite the old house." (Ibid., p. 60)

The same analogy is repeated when Berlin becomes the main setting. Even though it is a place that obtains its first introduction and meaning as one of the stops of the diplomatic journey of J., soon it is transformed into a place where the relationship with another female character is recounted and, thus, into a setting that distances itself from the official diplomatic location. As already underlined, the fifth chapter, *Unter den Linden*, begins with a flashback that takes the protagonist from his realist setting, America, to his previous diplomatic location: Berlin. Similarly to the experience of New York and of Central Park, his memory does not go back to any episode set in the metropolitan experience, but to the walk down the Unter den Linden avenue, and to the first image that comes to the mind of the protagonist: "the never-ending green line of rich treetops." (Ibid., p.33) Another lonely place amid the crowded urban dimension and another analogy with the nature of his homeland, that soon introduces a female representative of "her", the lady at the bottom of his reflections and writings. Jessica, described as a calm and stable woman, a colleague in one of the first experiences of the protagonist, has the same role as the lady in the painting and as Zarja in Central Park, of becoming the incarnation of the artist's muse, an idealized, "close to perfection" (Ibid., p. 35) female character. The contours of Berlin fade away to give space to the mnemonic trip of the character that, as in the other two examples, is interwoven with an emotional relationship. Soon enough, just as in the cases of the conference hall and Central Park, the walk in Berlin becomes a walk in the past of the protagonist. Therefore, the diplomatic station is once again purported as a pretext that introduces a wider reflection, hosting the interior monologue of the writer and his reflections on love, intimacy, and connection:

"Maybe they were driven together by her need to talk to someone who both expects or demands nothing from her, absolutely nothing. Perhaps. And what was it about her that attracted him? Who knows, of all things? He probably did not object either that she did not expect any great debates or information from him or that she did not need any comments on what both of them did, both in their separate orbits

which, as much as work was concerned, were far apart – though not without a few common points – and what both tried to achieve – as the poets would say, to win the blessed bread." (Ibid., p. 35)

This is why, even when the fictional geography of the novel is familiar and belongs to our real world, soon, it becomes a place, lacking of any meaningful consistency or relationship with the life of the diplomat. Instead, it is depicted as a stop to reflect and to nourish the aspiration of the writer to face some of the most important existential dilemmas.

STOCKHOLM

A special spatial accent is given to the only city that stands out from the rest of the fictional geography of the novel: Stockholm. Many aspects render this one a more complex literary setting when compared to the others: it is the place where the narration begins and it is also the place that hosts the last chapters of the book. Therefore, it is the central space where the first and the main motif of the story takes place: the nomination of the diplomat-writer for the award takes off from the address of the Nobel Foundation, Sturegatan, No. 14, and it finishes with the ceremony, where the award is given to the protagonist. Beside the fact that it has a protagonistic role in the fictional geography of the novel concerning the main motif of the plot, what singles out Stockholm as a special setting in the overall geography of the novel is the fact that it is also the only chapter where the narration is entrusted to a different narrator. When all the other chapters, set in different parts of the world, assume the viewpoint of the diplomat-writer, it is in a diplomat office of the *Ambassadrice* in Stockholm where the perspective is reverted. The narrator of the eighth chapter, entitled Stockholm, is a woman. She is the most important one in the mosaic of female characters, the 'lady' that, finally, becomes a real character, instead of a fantasized muse. This chapter gives us an insight into her inner world and, especially, presents her surprise and excitement when she discovers that her old friend is going to be awarded with the most important literary award. Thus, it is Stockholm that is the city where the plot reaches its climax, where the focus is being placed upon the stream of consciousness of a female character:

"She held the most recent copy of Svenska Dagbladet in her hand, today's issue, and she had just put down the Dagens Nyheter. Both main Swedish dailies, just as all other media, were reporting in detail about

the Nobel laureates, publishing their photographs, data, quotes, everything in excess. Why not – after all, it was the week of the Nobel Prizes, the first full week of October, here, in the center of the action, when each day the name of one laureate was announced. And today, on Thursday, literature was on the agenda. She was looking, trying to read, but it did not go well, since she became utterly absorbed in the letters, in the photo, in him. Despite everything, she could hardly believe it, how beautiful and intensely pleasing it was, so – so just, she said to herself. She kept repeating it, how just, although she felt almost ridiculous, a bit childish." (Ibid., p.45)

Just as this woman who from a daydreamed illusion becomes depicted as a real person, Stockholm, unlike the other cities mentioned only as a background of the cognitive wanderings of the character, appears as a real place. In the fictional geography of *The Rainbow Beyond the Soul,* this city becomes a concrete place where characters and events are no longer presented as ghosts from a distant memory or longings toward an uncertain future. This is evident in the way in which the motif of the love story, that co-exists with the nomination, and the award-winning of the protagonist overlap in Stockholm. The 14th chapter, *The eyes of Strindberg*, narrates the reunion of the two lovers who, until this point of the plot, remain separated. It is also the chapter where the love story is finally unfolded and where the reader gets the chance to learn more about the past of the two lovers, their beginnings, distance, separation and reunion. What makes this part of the book differ from the others, however, consists of a corporal, instead of a cognitive movement, which comprehends another representation of a narrative space and time as well. From a spatial viewpoint, the stroll of the two lovers that opens the chapter obtains its sense of reality by inserting Stockholm in a very precise referential framework: after the dinner at the Prinsen Restaurant on Master Samuelsgatan 4, they start their long walk through the city in Biblioteksgatan, carry on on the Drottningsgatan, Apelbergsgatan and again Drottningsgatan. It is at this point where "the white letters[6] on black asphalt: Strindberg" (Ibid., p. 76) appear and they de-

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6   It is interesting to notice how Stockholm appears both as a realistically depicted place and a city filtrated through the personal perception of the protagonist, when we pay attention to the 'polisensoriality' of the space, or to the different ways in which the space obtains a multi-layered description. The "white letters" as perceived by the protagonist are, actually, yellow, but the author's specific perception of the colors, and its translation in the character's ways of describing it, are linked to the personal trait of the author himself, who has difficulty in differentiating the nuances of the primary colours. It follows that this experience, even implicitly, enriches the subjective dimension imprinted in the main setting of the novel. The difference in colours was brought to the author's attention by the author of the Foreword to the English edition, the retired Ambassador of Sweden to Slovenia John Hagard, being a personal friend of the author. (Told to the author of this contribution by the author of the novel.)

cide to continue this "mystical journey" (Ibid., p. 77) uphill, towards the Strindberg Museet in Tegnérgatan, number 85. Along this realistic description of the romantic walk of the two lovers in the cold night of December follows a long reflection on time, on that exact moment where the protagonist steps outside of his reflections and inside the present moment:

"Oh, memories go away, leave me alone; move on and give space to the present, give a chance to this moment, let this one night last forever, for it is necessary to forget about the morning and all those thousands of mornings still to come, and it is necessary to forget about tomorrow and all the coming tomorrows, how many of them are still waiting to come. Right now, we are only this here, and memories please leave, allow this moment to grow beyond the chasm of life and outgrow everything that had been and that could still be; memories, come on, only now, just this here, never again, just this once..." (Ibid., p. 78)

Stockholm, thus, appears as the only setting where the different spatial and temporal plans, as well as the main protagonists, meet. It is the core space of the novel because it becomes the point where the different motifs of the novel interfere, where the separated characters finally meet, where the longings, daydreams and memories overlap with the present events. The love story unfolds with the writer's award winning, the offices of the diplomatic world interact with the stage where different laureates are being awarded with the prestigious nominations and awards and the *Ambassadrice*, finally, becomes a real character. The two poles in the plot constantly oscillate and at the end of the novel intersect at one focal point. This is why, in Stockholm, instead of being witnesses to the stream of consciousness of the main character, we become inserted in the thoughts, feelings and reflections of both characters, as well as in a very tangible, realistic setting where the plot concludes. The narrative voices begin to interact, the two 'orbits' finally coalesce and the writer-diplomat, until this point presented as being torn between the two aspects of his being, when awarded the Nobel Prize finally attains his completion as a mature character. It is especially in the 16th chapter, where Stockholm becomes the place of a union of all the different spatio-temporal axis. During the ceremonial dinner, the rigidity of the diplomatic world, depicted through the precise seating order system, meets the artistic soul of the protagonist. Among the formalities of the meeting, he distinguishes a particular object: the "murmuring and radiating blue colour" (Ibid.,

p. 87) fountain; where thoughts of Zarja, his daughter, meet with his favorite poet Prešeren and where the ceremony speech interconnects with a flashback from distant high school episodes. The past and the present interact in the same way in which the different settings, the outer and the inner, encounter in the same city, the only one which is, among the different diplomatic locations, called 'home'. Its importance in the geography of the novel is also accentuated with the conclusion of the novel, since it is Stockholm where the final departure of the protagonist takes place, taking him back into that rainbow that gives the title to Jazbec's novel.

Conclusion

The first novel on diplomacy by Milan Jazbec is only apparently a novel on diplomacy. The diplomatic world is used as a mere pretext to address existential questions and to reflect on the wanderings of one's desires, unfulfilled and experienced love stories, illusions and delusions, formal and informal friendships, family relationships, truth and lies. It is a novel that, behind the formal diplomatic surroundings, questions the essence of art, the need for expression of one's feelings and the torments of the modern man, divided between his homeland and different parts of the world, lacking an anchor, an identity and a place he can call home.

This is why the novel, even though characterized by a complex structure, narrates a simple movement, both inward and outward: it is a long journey backwards as a quest of the starting point of J's life. Even though presented through scattered pieces of his diplomatic career and private affairs, the main philosophical question is what represents "home". What is home for someone who is constantly moving and if home can be found in a person, in a family's past, in an award that brings national pride or in a specific geographic spot. This is why, every toponym hides a feeling and every city becomes a reflection of an inner geography, where places lose their real consistency to give room to the geography of the interior monologue.

Finally, the outer world of the diplomat constantly mirrors the inner struggles of the writer, endowing in this way to the fictional geography of *The Rainbow Beyond the Soul* a complex modernist dimension.

References

Auge, M., 2008. *Non-places: an introduction to supermodernity*. London: New York: Verso.

Bachelard, G., 1999. *La poetica dello spazio*. Bari: Dedalo.

Bahtin, M. M., Strada Janovic, C., 1979. *Estetica e romanzo*. Torino: Einaudi.

Foucault, M., 1994. *Eterotopia: luoghi e non-luoghi metropolitani*. Milan: Mimesis.

Glušič, H., 2019. Diplomatic Confidentiality, Mirrored by Imagination. In: Jazbec, M., 2019. *The Rainbow Beyond the Soul*. Skopje: Magor Press, pp. 161-168.

Hagard, J., 2019. Diplomatic Style in a Nordic Manner. In: Jazbec, M., 2019. *The Rainbow Beyond the Soul*. Skopje: Magor Press, pp. 5-7.

Jazbec, M., 2019. *Rainbow Beyond the Soul*. Skopje: Magor Press.

Moretti, F., 1997. *Atlante del romanzo europeo, 1800-1900*. Torino: G. Einaudi.

Relph, E., 1976. *Place and Placelessness.* London: Pion.

Starova, L., 2019. Kon sloveneckata knizevnost i romanot na Milan Jazbec Vinozito zad dusata, In: Jazbec, M., 2019. *Vinozito zad dusata*. Skopje: Magor Press, pp. 7-17.

Stefanovska, A., 2016. Emotional Cartography and Neorealism: Projected Spaces, In: *Vittorini's Uomini e no*. Alumni C.L.E. Recherche, Actes du colloque du 29 juin 2016, Horizons de Recherche, V. 4, pp. 99-125

Stefanovska, A., 2019. *Lo spazio narrativo del neorealismo italiano*. Padova: Università degli Studi di Padova.

Tally, R.T.Jr., 2013. *Spatiality*. London ; New York : Routledge

Tally, R.T.Jr, Westphal, B., 2011. *Geocritical explorations*. New York: Palgrave Macmillan.

Tuan, Y., 1977. *Space and place*. Minneapolis London: University of Minnesota press.

Westphal, B., 2009. *Geocritica.* Roma: Armando.

The European Union Migrant and Refugee Crisis in Greece

Styliani Papadimitriou[1]

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ABSTRACT

The European Union is currently facing one of the biggest challenges since its establishment. Thousands of migrants and refugees from the Middle East have been arriving the last years at its borders, mainly in Greece, seeking asylum and chasing a better life. This article discusses this migrant and refugee crisis, which takes part physically in Greece but has been handled to a large extent by the EU and has brought consequences to all its member states. The introductory part offers some clarifications on the issue, by providing a brief historical context of migration and explaining the reasons of the geographical placement of the crisis. Important definitions are also stated in order to avoid misunderstandings of commonly mixed terms. In the main part, there is an extensive analysis of the EU-Turkey Statement, supplemented by statics and data, and an examination of its compliance with human rights. Finally, the article touches on the major issue of migrant and refugee minors, as they represent a high percentage of the total and they increase the complexity of the crisis.

KEYWORDS: Refugee Crisis, Migrant Crisis, Asylum, EU-Turkey Statement, Minors

POVZETEK

Evropska unija se trenutno sooča z enim izmed največjih izzivov svojega časa. Njene meje minulih nekaj let, še posebej na ozemlju Grčije, neprestano prehaja na tisoče migrantov in beguncev z Bližnjega vzhoda, ki iščejo zatočišče in boljše življenje. Članek obravnava migrantsko in begunsko krizo, ki je dejansko sicer prisotna v Grčiji, a jo v veliki meri obvladuje Evropska unija. Posledično se njen vpliv tako širi na vse države članice. V uvodnem delu je ozadje krize pojasnjeno s kratkim vpogledom v zgodovino migracij in njen geografski položaj. Za boljše razumevanje besedila in v izogib napačnim razlagam, so podane definicije pogosto zamenjujočih se terminov. Jedro članka vsebuje obširno analizo dogovora, sklenjenega med EU in Turčijo, upoštevajoč statistične in druge podatke ter skladnost vsebine dogovora s spoštovanjem človekovih pravic. Članek se prav tako dotakne problematike mladoletnih migrantov in beguncev, ki predstavljajo visok odstotek prišlekov in pripomorejo h kompleksnosti krize.

KLJUČNE BESEDE: Begunska kriza, migrantska kriza, azil, dogovor EU-Turčija, mladoletniki

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INTRODUCTION

"Every day, all over the world, people make one of the most difficult decisions in their lives: to leave their homes in search of a safer, better life."

<div align="right">Amnesty International</div>

In this article, we analyse the contemporary migrant and refugee crisis that is occurring mainly in Greece, and, as a logical extension, affecting the whole European Union. Although the crisis itself is a well-known fact, there are a lot of misconceptions around it that the article attempts to shed light on. Our purpose is to present the crisis in its real dimension and assess the effectiveness of the EU-Turkey Agreement, which is considered by the EU as its main "tool" to normalize the situation.

Firstly, we are going to give a very brief historical background of international migration, in order to clarify which is the flow that this contribution examines. We are also going to explain briefly that Greece's geographical location constitutes a strong pull factor for migration but, in principle, this crisis concerns the whole European Union. Afterwards, we are going to define the terms of "refugee", "asylum-seeker" and "migrant", which differ significantly and play a crucial role to the status and rights of the individuals who try to make their way to the EU. In the main part, we are going to analyse the key elements of the EU-Turkey Statement, which forms a milestone in the years of the crisis and is supposed to serve as a panacea for the hordes of migrants and refugees that have been arriving to Greece since 2015. However, this article argues that, depending on the perspective from which the agreement is evaluated, one can conclude to contradicting results regarding its effectiveness. More precisely, the fact that the agreement has been characterised as a success by the EU does not necessarily mean that it has been beneficial for migrants and refugees or for Turkey, and vice-versa. In the same spirit, the article is going to examine the compliance of the agreement with human rights in the EU, and express doubts on whether it could be fully supported. As we will also observe with the use of statistics, the sole fact that the number of individuals seeking international protection in Europe has been reduced considerably, does not automatically mean that the EU has fulfilled its legal and ethical obligations towards the migrants and refugees. Finally, this contribution is going to refer to the very

specific and sensitive issue of migrant and refugee children. We will point out the main inefficiencies of the current system, while suggesting a way forward which could offer better protection to the most vulnerable actors involved in this crisis.

HISTORICAL BACKGROUND

To begin with, it is important to cite some background historical facts that may reinforce our already existing knowledge on migration and will assist us in dissevering the different waves of migration that have taken place over the years.

The movement of people is a historical event since the ancient times. The intensity and magnitude of such movements have been influenced by different causes, such as climate change, demographic problems, or socio-economic events. The period from the mid-19th century until World War I is characterized by the dynamic entrance of Europeans into the underdeveloped world of Africa and Asia, deriving from their effort to find new markets and sources of energy, but also from their steadfast faith in the superiority of the western culture and their duty of exporting values.

However, international migration was interrupted in 1914 and during the interwar period because of xenophobia, financial hardship and certain institutional regulations like the Emergency Immigration

Act of 1921[2] and the Immigration Act of 1924.[3] When World War II was over, Europe had started accepting new migratory waves of thousands of people who were seeking work and, at the same time, were contributing to the reconstruction of the economy. In 1998, most of the population that was seeking asylum in European states was coming from Ukraine, Georgia, Romania, Bulgaria and Albania. Later on, for the last thirty years or so, Europe has been a pole of attraction for new and enormous dimensions of migration and refugee flows from Middle Eastern states, such as Syria, sub-Saharan Africa, such as the Democratic Republic of the Congo, Cameroon, Eritrea, Ethiopia and Nigeria, and Asia, such as Afghanistan and Pakistan. Therefore, the current migration and refugee crisis, which has mainly emerged

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2   An Act to limit the immigration of aliens into the United States, United States Law Pub. L. 67-5, May 19, 1921.

3   An Act to limit the immigration of aliens into the United States, and for other purposes, United States Law Pub. L. 68 – 139, May 26, 1924.

as a consequence of the war in Syria, is also related to the waves of migration that have been observed in recent years states in European territories. In this article, we will examine the crisis as a whole, involving both migrants and refugees, and, even if we will focus on Greece as the main entry point to Europe, we will inevitably, analyse the situation and the facts from a broader, European perspective.

THE GEOGRAPHIC LOCATION AS A PULL FACTOR

In order to achieve a better understanding of the reasons of the placement of the crisis, it would be useful to explain the geographic location of Greece as a pull factor for migrants and refugees. After all, someone could easily wonder why a country with a relatively weak economy and a high percentage of unemployment would be attractive to so many people.

Greece, one of the southeast countries of Europe, being a crossroad of Europe, Asia, and Africa, is usually not the final destination for migrants from Asia and Africa but is seen as a gateway or stepping stone to the Schengen area by flows of immigrants, especially originating from the Middle East (Antonopoulos and Winterdyk, 2006). Greece's very particular geographic characteristics, such as the long coastline and the unusually large number of islands, make the policing of the migrants' entry an extremely challenging, if not impossible, task, although the situation has been admittedly improved over the past years. The fact that Greece is neighbouring with Turkey is also a major pull factor of immigration, especially illegal, since the vast majority of illegal immigrants are reaching Greece from that side. Accordingly, it does not come as a surprise that the majority of illegal immigration to the European Union flows through Greece's porous borders. In fact, in 2015, the year before the EU-Turkey Settlement, the illegal border crossings from Turkey to Greece reached their peak, with an estimate of 885,000 of people.[4] For these reasons, Greece is an attractive entry point to many immigrants who mainly try to gain access to the rest of the European Union.

DEFINITIONS

For the better understanding of this article and, specifically, the section referring to the EU-Turkey Statement, it is also crucial to distin-

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4   Frontex, Detections of illegal border-crossing statistics.

guish between the terms "refugee", "asylum-seeker" and "migrant". These terms are used to describe people who are on the move, who have left their countries and have crossed borders and, even if they are often used interchangeably, they have important differences. In order to enhance precision and clarity, we are going to state herein below the definitions of these terms:

Refugee: A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable to or, owing to such fear, is unwilling to return to it.[5]

Asylum seeker: An individual who is seeking international protection.[6] In countries with individualised procedures, an asylum seeker is someone whose claim has not yet been decided on by the country in which he/she has submitted it.[7] Not every asylum seeker will ultimately be recognised as refugee, but every recognised refugee is initially an asylum seeker.[8]

Migrant: At the international level, there exists no universally accepted definition for "migrant". According to the International Organization for Migration, migrant is an umbrella term, used for any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person's legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is.[9] In line with this definition, the former IOM's Director General William L. Swing has summarized the relationship between migrants and refugees as follows: "All refugees are migrants, but not every migrant is a refugee."[10]

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5 Convention relating to the Status of Refugees (adopted July 28, 1951 and entered into force April 22, 1954).

6 International Organization for Migration, Glossary on Migration, No 34, p.12.

7 *Ibid.*

8 *Ibid.*

9 Adapted from Art. 1A (2) of the Convention relating to the Status of Refugees (adopted July 28, 1951 and entered into force April 22, 1954).

10 Opening Remarks of William L. Swing, Director General of International Organization for Migration, to the Summit at the United Nations General Assembly in New York, United States of America, September 20, 2016.

EU-TURKEY STATEMENT

The EU-Turkey Statement (often referred to as the EU-Turkey Agreement or the EU-Turkey Deal) is currently the most influencing tool on the migration and refugee crisis in Europe. On 18 March 2016, the European Union and the Republic of Turkey concluded this agreement, in the form of a Joint Statement, with the main goal of stemming the flow of refugees who have fled violence in the Middle East and civil war in Syria, passing through Turkey into the EU. The deal incorporates nine key elements, which will be stated below in a compressed way, focusing only on their essence:[11]

1) All new irregular migrants crossing from Turkey into Greek islands as of 20 March 2016 will be returned to Turkey, in accordance with EU and international law.

2) For every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the EU.

3) Turkey will take all necessary measures to prevent new sea or land routes from opening from Turkey to the EU.

4) Once irregular crossings between Turkey and the EU have been reduced, a Voluntary Humanitarian Admission Scheme will be activated.

5) The visa liberalisation process will be accelerated with the view of lifting visa requirements for Turkish citizens at the end of June 2016, provided that all benchmarks have been met by Turkey.

6) The EU will fund Turkey with a total of 6 billion euros under the Facility for Refugees in Turkey.

7) The work on upgrading the Customs Union will continue.

8) The accession process will be re-energised.

9) The parties will cooperate on improving humanitarian conditions in Syria.

By reading just the first element, it is immediately understood that the distinction between the terms of irregular migrants and refugees forms an important factor of the agreement. Turkey has committed to take back the irregular migrants arriving in Greece and, according

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11   Council of the European Union, Press Release, March 18, 2016.

to the second element, the parties have agreed to establish a one in, one out resettlement scheme. This means that migrants who either do not wish to apply for asylum within the EU, or whose application has been rejected, are expelled under the agreement.[12] The scope of irregular immigrants also includes those who apply for asylum but have arrived from a safe country where they could have claimed protection. The rest, apparently, acquire the status of refugees and are granted access to the EU.

As far as the aim of the agreement is concerned, as we move on to examine carefully all the elements, it becomes very clear that from the EU side, the agreement was seeking to discourage irregular migration to Europe and prevent people from resorting to the dangerous and illegal routes across the Mediterranean and the Aegean Sea, which result undoubtedly to a high rate of mortality within migrants. As the EU suggested in its statement one year after the agreement had come into force, indeed its main objectives were the "reduction of both the number of persons arriving irregularly to the EU and the loss of life in the Aegean, whilst providing safe and legal routes to the EU for those in need".[13] These objectives are incorporated in the first and third point of the agreement. Specifically, the first point decreases incentives for migrants to try to reach Europe while the third point binds Turkey to prevent new sea and land borders from opening, as migrants might be in search of alternative routes to Europe than crossing through the sea. These policies, consequently, contribute to the reduction of the number of lives lost at sea.

Now the major question that rises is to what extent, if at all, these objectives have been met, thus making this agreement successful. Although a following section will present in much detail, among others, the number of migrants and refugees that have managed to make their way into the EU over the last 4 years, we can briefly mention that the number of people crossing the sea from Turkey to Greece has decreased significantly, reaching at times a decrease of 97%.[14] It is safe, therefore, to consider the objective of discouraging irregular migration to Europe fulfilled. In the same spirit, considering that Turkey followed a policy that struck down hard on smugglers, there has been improvement on this area, too.

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12   *Ibid.*

13   European Commission, EU-Turkey Statement One Year On, March 17, 2017.

14   European Commission, EU-Turkey Statement, The Commission's contribution to the leader's agenda, December 2017, p.1.

However, the real, objective answer to how successful the agreement has been, depends on what goals are used as yardsticks for measuring any success. If the sole objective was to decrease the number of asylum seekers that reach Greece from Turkey, then the agreement has been an absolute success. Nevertheless, facing the situation from a humanitarian point of view, if the goal was to cut off dangerous journeys for migrants, or raise humanitarian standards for refugees, then it is doubtful to what extent these goals have been achieved. For instance, there has been no evidence that sufficient safe and legal routes have been created, in order to undermine the smugglers' business model. On the contrary, due to the fact that the options of getting to Europe have been minimised in one way or another, there are well founded concerns that immigrants might resort to even riskier routes to the EU, such as through Libya.

As far as Greece is concerned, while it is true that the number of people crossing the borders from Turkey to Greece has decreased overall, the number of asylum seekers has increased significantly. This is because, as we already mentioned, before the agreement, Greece was used mainly as a getaway to wealthier EU countries, while afterwards, the entry to the rest of the EU was blocked, shifting in this way the responsibility of reception in the EU onto Greece. As a result, Greece, which has been always receiving and still receives the vast majority of migrants and refugees coming to the EU, has become overwhelmed by the extremely demanding and constant task of processing asylum claims, while hosting refugees in camps, and, possibly, granting asylum (Collett, 2016). In addition, while it may seem that Greece could implement the agreement and simply return asylum seekers to Turkey, the reality is completely different. Greece's asylum system is not yet fully developed and the assessment requires a lot of time, running the risk, at times, of proceeding to not so legitimate returns. This shortcoming, combined with the reluctance of other EU states to assist, has also deteriorated the protection for refugees that the Greek system is capable of offering. Unfortunately, there are currently thousands of refugees that are living in challenging conditions, expecting Greece's overburdened system to process their asylum applications and provide for their basic needs. From this point of view, therefore, the agreement has managed to shift the burden from the EU, but at a significant humanitarian cost.

On the other side, the points of the agreement relevant to Turkey

have not seen much progress either. For instance, there have been taken no steps towards the implementation of the fifth point of the agreement, regarding the visa facilitation plan, and, as the EU reports, there are still seven outstanding benchmarks that need to be fulfilled by Turkey.[15] Two other highly desired topics for Turkey, incorporated in points seven and eight of the agreement, namely the upgrading of the Customs Union and the re-opening of accession talks, have also remained static, leaving the Customs Union agreement out-dated, and the accession talks paused. Furthermore, the Voluntary Humanitarian Admission Scheme, which is envisaged as a "system of solidarity and burden sharing with Turkey for the protection of persons forcefully displaced to Turkey as a result of the conflict in Syria"[16] has not yet been materialised, despite the relatively low rates of irregular migration. Thus, although Turkey is hosting an extremely big amount of refugees, it does not look like it has benefited from the deal. On the contrary, it feels that it has overloaded itself, accepting more people than it would do without the deal, due to its closer proximity to refugee countries of origin.

COMPLIANCE OF THE EU-TURKEY STATEMENT WITH HUMAN RIGHTS IN THE EUROPEAN UNION

In order to answer the question of whether the EU-Turkey Deal complies with human rights, we should try to analyse the relevant international and European Union law concerning the human rights of migrants and refugees. In this regard, the legal sources consist primarily of the Refugee Convention,[17] the European Convention on Human Rights (ECHR)[18] and primary and secondary EU law.

The Refugee Convention forms the cornerstone of international protection of refugees. Apart from a widely accepted definition of a refugee, the Convention provides us with the basic refugee rights. Although it is not considered European Law *per se,* it is applicable in the European Union both directly, since all of the EU member states have ratified the Convention, and indirectly, as it is implemented in primary and secondary law of the Union. This means that EU mem-

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15   European Commission, Commission Staff Working Document, Turkey 2019 Report, May 29, 2019, p.49.

16   Council of the European Union, Voluntary Humanitarian Admission Scheme with Turkey, December 5, 2017, p.13.

17   Convention relating to the Status of Refugees (adopted July 28, 1951 and entered into force April 22, 1954).

18   Convention for the Protection of Human Rights and Fundamental Freedoms (opened for signature November 4, 1950 and entered into force September 3, 1953).

ber states are bound by the provisions of the Convention and are supposed to safeguard the rights of the refugees, or run the risk of being held accountable for violating the obligations imposed by the Convention.

However, the Convention enabled states to make a declaration when becoming a party, pertinent to the application of the Convention, according to which the words "events occurring before 1 January 1951" are understood to mean "events occurring in Europe" prior to that date. This allowed certain states parties to adopt it with a geographical limitation, applying therefore only to people originating from Europe. Turkey is one of these parties, and only recognises European asylum seekers as refugees, which automatically means that people originating from Syria cannot be perceived as refugees, but solely as seekers of international protection. In other words, Turkey is not bound to apply the Convention towards them, raising the possibility of violations of human rights that are safeguarded in it.

In order to figure out, therefore, whether the EU complied with its human rights obligations under EU law when concluding the Agreement, we should examine the notion of the "safe third country". The safe third country concept forms part of the EU law and, the fact that Turkey is considered a safe third country is the premise on which the transfer of asylum seekers from Greece is based on. The EU-Turkey Deal rests on the assumption that asylum applicants could have obtained international protection in Turkey and therefore Greece, or other EU states, are entitled to reject responsibility for the protection claim. Through this process, possible claims can be declared inadmissible even without a full examination of the merits. It is arguable, though, if Turkey constitutes indeed a safe third country. First, the sole fact that Turkey hosts over four millions of migrants and refugees means that it may not have the adequate resources to offer refugees a safe environment, where they can easily integrate and develop.[19] This can cause social tensions between the local populations and the refugees, turning the second into underclass civilians. Secondly, over the past years Turkey has returned refugees back to Syria multiple times, which is a direct violation of international refugee law that establishes that refugees shall not be returned to their countries of origin forcibly.[20]

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19   The UN Refugee Agency, Global Focus UNHCR Operations Worldwide, March 2020.

20   Amnesty International, Press Release Turkey: Illegal Mass Returns of Syrian Refugees Expose Fatal Flaws in EU-

Thirdly, there have been reports indicating that conditions at Turkey's refugee camps are inhumane and fail to meet basic needs, such as clean water, emergency medical services, and protection from dangers such as kidnappings.[21] Thus, the classification of Turkey as a safe third county is admittedly ambiguous.

Moving on to other legal instruments, internationally protected human rights in the EU also derive from the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). This Convention was adopted in the Council of Europe, and applies to all its member states, even the non-EU ones, such as Turkey. Having said that, it should be pointed out that the issue here is that European Union itself is not a contracting party to the Convention, and, from a strictly legal point of view, it does not have to comply with the obligations that the Convention imposes. In contrast, all the members of the Council of Europe are bound by the ECHR and can be held accountable by the European Court of Human Rights, established by the Convention, if they violate the rights of any individual as specified in the Convention. For the record, the Treaty of the European Union stipulates that the EU shall accede to the Convention and that the fundamental rights of the ECHR form, anyway, part of the general principles of the EU.[22] However, since the provisions of the ECHR are not legally binding for the EU, its institutions and its organisations, it would be quite unfounded to support that the EU breaches its human rights obligations if it does not act in accordance with the Convention.

It is arguable, therefore, whether the EU-Turkey Statement complies with human rights. The answer cannot be straightforward and would probably vary based on multiple factors, such as which legal instruments are put under consideration, which side of the deal we refer to, or whether we examine the letter or the spirit of the law.

The EU-Turkey statement in numbers

As it was mentioned earlier, it would be particularly helpful to cite some statistics and data that actually prove the results of the EU-Tur-

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Turkey Deal, April 1, 2016.

21   *Ibid.*

22   Treaty on European Union (Consolidated Version), (opened for signature February 7, 1992 and entered into force November 1, 1993), Art. 6.

key Agreement. To begin with, it is interesting to see the immediate effect after the deal was signed. The daily average of irregular crossings from Turkey into the Aegean islands fell from 1,794 in the period from January to 16 March to 80 from its activation to 7 March 2018.[23] In more general terms, we can say that more than 1 million refugees arrived in Europe in 2015, but by 2017, the total dropped to 200,000, and further to 150,000 in 2018. In the first half of 2019, about 40,000 arrivals were recorded— just 37 percent of those during the same period in 2018— while the number of people crossing in the Aegean Sea also fell off dramatically, from a high of 10,000 arrivals a day in 2015 to fewer than 100.

However, the numbers are not so encouraging as far as the returns of all new irregular migrants from Greece to Turkey are concerned. The pace of returns to Turkey from the Greek islands under the Statement has been very slow from the beginning, especially concerning Syrians, with only 2,745 migrants in total returned since March 2016. The European Commission has blamed Greece directly for this thorn, stating that the major obstacle to progress is linked to the lengthy asylum procedures currently in place. Greece, however, has made significant changes in the Greek law in order to accelerate returns from both the mainland and the islands, even in an already overburdened system. Needless to say, further actions are still required to address the pre-return processes, but they would be more effective if the Commission was contributing to them and the situation was tackled by the EU as a whole.

Moving on to the numbers concerning the resettlement of Syrian refugees to EU member states, we should start by mentioning the 72,000 "cap" included in the deal, as a feasible limit to EU's capabilities.[24]

However, the EU fell well short of this limit, managing to find a home to only around 26,500 Syrians who were living in Turkey, almost all of whom landed in wealthy countries, such as Germany, The Netherlands, France and Finland. But even if this limit had been fulfilled, it would still need to be noted that 72,000 is by itself a paltry number compared to the enormous burden shouldered by Turkey (Hockenos, 2020), and the number of 108,000 that international aid agencies,

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23   European Commission, Commission Staff Working Document, Turkey 2018 Report, April 17, 2018, p 46.

24   European Commission, Press Corner: EU and Turkey agree European response to refugee crisis, March 19, 2016.

such as the International Rescue Committee, claimed that would be a fair contribution by some of the world's richest countries.[25] Moreover, the limit falls far short of the demand, as there have been millions of migrants and refugees since 2015 who attempt to enter the EU.

Hence, we can see that both the returns of all new irregular migrants from Greece to Turkey and the resettlement of refugees under the Statement are continuous challenges, which require strong will and commitment from the EU in order to be implemented. The situation forms definitely a multi-layered problem, which, in a nutshell, requires political pressure, public support and the capacity and logistics to be dealt with. In any case, it is crucial that the EU acts decisively and assumes its responsibilities, as one of the wealthiest continents in the world. At the same time, the burden needs to be shifted from Greece and Turkey, which are currently hosting the vast majority of migrants and refugees, while their resources are already strained. After all, we cannot forget that the future rebuilding of currently refugee-producing states will be for the sake of everyone. In the long term, it will be the same people who are now fleeing from conflict-torn states like Syria that will contribute to the reconstruction of their countries of origin when the conflicts are over (Betts, 2016). But for refugees to rebuild, they need to be provided now for an opportunity to health, education, work and, above all, an opportunity to a decent life.

The issue of refugee and migrant children

As we are approaching the end of this article, it is absolutely necessary to draw attention to the major issue of migrant and refugee minors. Since the beginning of the migrant and refugee crisis in Europe, more than one in four of the total of the people who have crossed the Mediterranean Sea to the EU is a child.[26] Children are among the most at risk of migrants and refugees. For some children, the adventure ends when they manage to step foot on Greek land, after perilous border crossings or rough sea, while some others tragically never arrive at their destination.[27] In any case, either during their journey or during their temporary stay in Greece as asylum seekers, children are very often exposed to various misfortunes, such as sicknesses or

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25   International Rescue Committee, Press Release: The proposed EU-Turkey deal won't work. March 17, 2016.

26   Latest statistics and graphics on refugee and migrant children, Data by UNICEF, UNHCR and IOM.

27   One migrant child reported dead or missing every day, UN calls for more protection. *UN News.*

injuries, while they may even face violations of their rights and threats to their lives and well-being. The list of difficulties can get even longer when referring to the children who travel without a parent or guardian and claim asylum in Europe as unaccompanied.

Although the most hazardous part for children is considered to be their journey to a land of the EU, their arrival to Greece can actually be equally challenging. When they reach the borders or shortly after they arrive at a Greek island, children are stopped – either together with, or without their family members – and held for a short period to clarify what actions are to be taken. This short period of detention is already difficult to justify and to implement in line with fundamental rights and definitely not in the children's' best interests. Children are held at police stations, holding rooms close to the borders or special facilities, usually for a few hours or overnight, pending a decision as to whether they are to be placed in an open facility, ordered into detention or returned to Turkey or to their land of origin.[28] In principle, the detention period cannot be extensive. However, in cases where it is considered absolutely necessary for the asylum procedure or for the preparation of an individual's removal, the detention period might be longer, and EU member states are obliged to notify swiftly the person concerned of this decision.[29] In most cases, this decision requires the involvement of judicial authorities to order detention, and the judges normally have a maximum of 72 hours to confirm the deprivation of liberty.[30]

Experts report that detention undeniably affects children, and can have short and long-term consequences on their mental health, and affect them long after their release (Newman, 2013, p.218). Particularly unaccompanied children are even more vulnerable in detention facilities, as they lack the support of a parent or a guardian. This is why the detention of unaccompanied children who are applying for asylum is allowed only in exceptional circumstances, separately from adults, and never in prison accommodation.[31] In practice, though, detention of unaccompanied children seeking asylum at airports or other borders is not uncommon. Furthermore, even if Greek le-

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28   European Union Agency for Fundamental Rights, European legal and policy framework on immigration detention of children, p.12.

29   *Ibid.*

30   *Ibid.*

31   Directive 2013/33/EU of the European Parliament and of the Council of June 26, 2013 laying down standards for the reception of applicants for international protection, Art. 11(3).

gislation states that in the absence of a parent or a guardian, the Public Prosecutor for Minors shall act as a provisional guardian,[32] the reality is that it impossible for the Public Prosecutors to deal with the enormous number of unaccompanied minors who are referred to them for protection. As a result, there are numerous cases of unaccompanied children in Greece who are completely neglected and run a high risk of being exposed to human rights violations or criminal channels.

In addition, what is not uncommon is that even though there is a regulated Age Assessment Procedure,[33] children are not properly identified and their ages are often assessed incorrectly. Although according to the relevant law,[34] until the Age Assessment ruling is issued, the person shall be considered to be a minor, this principle is not always followed. Due to the limited human resources and costs involved, as well as the complicated nature of the law itself, police and coast guards rarely comply with this principle.[35] This means that, inevitably, many teenagers are registered as adults by the authorities and end up falling outside the protection regime for children. Thus, they are placed in camps alongside adults and are deprived of any guardianship assistance they may actually be entitled to. Most importantly, their registration may have a detrimental effect on the examination of their asylum claims, since they may be returned to Turkey in the context of the EU-Turkey Agreement.

Moreover, due to the fact that Greece's system is already drained, there is a huge lack of proper detention facilities. Although Greece is one of the EU states that have established specialised facilities for children, conditions in these facilities are not always as child-friendly as they are supposed to be. For instance, many of them are like prisons, surrounded by barbed wire and inspected by officers who wear fatigues.[36] On top of that, these facilities often reach their maximum capacity, which means that children may end up living in overcrowded camps by the sea, with no access to education or entertainment. Sometimes, they also live under poor hygiene conditions, while there have even been reports indicating that there are minors who have

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32   Official Government Gazette A 63, Presidential Decree 61/1999.

33   Official Government Gazette B' 2745/29.10.2013, Ministerial Decision 92490/29.10.2013, Art. 6.

34   Official Government Gazette A 51/03.04.2016, Law 4375/2016, Art. 14 (9).

35   Defence for Children, 2017, p.5.

36   European Union Agency for Fundamental Rights, European legal and policy framework on immigration detention of children, p.7.

been exposed to the threat of violence or sexual assault.[37] This situation, obviously, is a big risk to the well-being and development of children and can cause severe consequences to their mental state and, in some cases, even increase the risk of self-harm.

It is beyond doubt, therefore, that immigration detention of children remains a major challenge in the EU. As every individual, children need and have a right to protection,[38] as well as a right to liberty and security.[39] This is why EU member states should be sparing with placing children in detention facilities and maximise their efforts to speed up asylum claims processing. They should also comply fully with the strict procedural safeguards – such as the right to judicial review, access to free legal aid and linguistic support – that protect children from arbitrary deprivation of liberty.[40] These safeguards are further complemented by the duty to conduct procedures and provide information in a child-friendly manner, as well as the duty to assign a legal representative to unaccompanied children.[41] Finally, although it is not explicitly envisaged in the EU standards for reception, the specialised facilities should employ staff who have received specific training on child protection and are able to understand their needs and promote their well-being. Along the same lines and given the fact that a permanent guardian system is not yet established, national child protection authorities should aim at playing a more decisive role, such as actively take part in deciding whether or not a child should be detained, or in monitoring detention facilities. All in all, the EU should make sure that children's right to protection and care and the principle of the best interests of the child are the driving force behind every policy regarding the migrant and refugee crisis.

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37   ECPAT Country Overview: A report on the scale, scope and context of the sexual exploitation of children in Greece, 2019, p.6.

38   Charter of Fundamental Rights of the European Union, Art. 24.

39   Charter of Fundamental Rights of the European Union, Art. 6 and Convention for the Protection of Human Rights and Fundamental Freedoms (opened for signature November 4, 1950 and entered into force September 3, 1953), Art. 5.

40   Directive 2013/33/EU of the European Parliament and of the Council of June 26, 2013 laying down standards for the reception of applicants for international protection, Art. 9(3),(4),(6) .

41   *Ibid*, Art. 24.

Conclusion

The migrant and refugee crisis is not a simple problem and there is definitely no straightforward way to eliminate it. In order to achieve a sustainable solution, the EU, before all, needs to identify and tackle its root causes. Obviously, it would be naive to support that the EU can modify its geographic location or have an impact on the situation in the Middle East. So by root causes of the crisis, we mostly refer to the inadequate management of the flow of people seeking international protection and the insufficient protection of their human rights.

As this article tried to prove through the analysis of the EU-Turkey Statement, legal instruments and statistics, the EU may have managed to reduce the number of people who cross the Mediterranean Sea, but its overall contribution to the alleviation of the situation is ambiguous. After all, no one can deny that there are still thousands of migrants and refugees who put their lives at risk by attempting to enter irregularly in the EU, or live under challenging conditions in migration camps in Greece, waiting for their claims to be processed. And in order to be realistic, we shall add to this sequence of dramatic facts the crucial issue of minors. As we pointed out, the sole fact that this crisis involves an outrageous number of children gives to the situation a different dimension, leaving no margin of discretion as to whether or not to take action urgently and decisively.

This is why it becomes imperative for the European Union to adopt a comprehensive and coherent immigration and asylum policy, which needs to be based on mutual trust and the sharing of responsibilities between member states. It is of utmost importance that the crisis is dealt by EU as a whole, and that the burden is not shifted between states in an effort to wriggle out of their responsibilities. Instead, the member states should aim at creating safe passages for migrants and refugees, improve their national asylum processing systems and strengthen their monitoring system to ensure that the most vulnerable ones, such as minors, are identified and protected. Moreover, member states should try to find ways to increase the numbers of resettlement places available and put in place measures and practices that enhance the integration of migrants and refugees into local societies. At the same time, as always, the EU will continue to protect its borders and put the maximum effort into upholding the rule of law and protecting human rights.

Above all, it needs to be guaranteed that every set of measures and every policy is based on the principles of equality, solidarity, and fairness. Human rights must be embraced and become the force that drives towards the end of this crisis, where every single migrant and refugee will live within a framework of normality, with dignity and respect, like any other citizen of the European Union.

References

Amnesty International, 2016. Press Release, Turkey: Illegal Mass Returns of Syrian Refugees Expose Fatal Flaws in EU-Turkey Deal. [online] Available at: https://www.amnesty.org/en/press-releases/2016/04/turkey-illegalmass-returns-of-syrian-refugees-expose-fatal-flaws-in-eu-turkey-deal/. [Accessed April 6, 2020].

Antonopoulos, G. and Winterdyk, J., 2006. *The Smuggling of Migrants in Greece: An Examination of its Social Organization*. European Journal of Criminology Vol. 3 Issue 4. [online] Available at: https://journals.sagepub.com/doi/pdf/10.1177/1477370 806067912. [Accessed April 1, 2020].

Betts, A., 2016. *Our Refugee System is Failing. Here's How We Can Fix It*. TED Talks 2016 Series.

Collett, E., 2016. *The Paradox of the EU-Turkey Refugee Deal*. Migration Policy Institute. [online] Available at: http://www.migrationpolicy.org/news/pardoxeu-turkey-refugee-deal. [Accessed April 1, 2020].

Council of the European Union, 2016, Press Release. [online] Available at: https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/ [Accessed April 1, 2020].

Council of the European Union, 2017, Voluntary Humanitarian Admission Scheme with Turkey. [online] Available at: http://data.consilium.europa.eu/doc/document/ST-14571-2017-REV-1/en/pdf. [Accessed April 1, 2020].

Defence for Children, 2017. The reflection of a broken system for refugee children, Athens.

ECPAT, 2019. Country Overview: A report on the scale, scope and context of the sexual exploitation of children in Greece.

European Union Agency for Fundamental Rights, 2017, European legal and policy framework on immigration detention of children. [online] Available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2017-immigration-detention-children_en.pdf. [Accessed April 6, 2020].

European Commission, 2016, Press Corner: EU and Turkey agree European response to refugee crisis. [online] Available at: https://ec.europa.eu/commission/presscorner/detail/en/AC_16_2132. [Accessed April 6, 2020].

European Commission, 2017, EU-Turkey Statement One Year On. [online] Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu_turkey_statement_17032017_en.pdf. [Accessed April 1, 2020].

European Commission, 2017, EU-Turkey Statement, The Commission's contribution to the leader's agenda. [online] Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20171207_eu_turkey_statement_en.pdf. [Accessed April 1, 2020].

European Commission, 2018, Commission Staff Working Document, Turkey 2018 Report.

European Commission, 2019, Commission Staff Working Document, Turkey 2019 Report.

European Parliament, 2013, Directive 2013/33/EU - Standards for the reception of applicants for international protection.

Frontex, 2020, Detections of illegal border-crossing statistics. [online] Available at: https://frontex.europa.eu/along-eu-borders/migratory-map/. [Accessed 5 April 2020].

Hockenos, P., 2020, Europe's Morality Is Dying at the Greek Border, Foreign Policy. [online] Available at: https://foreignpolicy.com/2020/03/05/refugees-turkey-europes-morality-is-dying-at-the-greek-border/. [Accessed April 10, 2020].

International Organization for Migration, 2019, Glossary on Migration, No 34.

International Rescue Committee, 2016, Press Release: The proposed EU-Turkey deal won't work. [online] Available at: https://www.rescue-uk.org/press-release/proposed-eu-turkey-deal-wont-work-eu-wide-resettlement-programme-taking-108000. [Accessed April 10, 2020]

Newman, L., 2013. *Seeking Asylum – Trauma, Mental Health and Human Rights: An Australian Perspective*, Journal of Trauma and Dissociation, Vol. 14, No. 2.

Swing W. L., 2016. Opening Remarks to the Summit at the United Nations General Assembly, New York.

The UN Refugee Agency, 2020, Global Focus UNHCR Operations Worldwide. [online] Available at: http://reporting.unhcr.org/turkey. [Accessed April 13, 2020].

UNICEF, 2020, Statistics. [online] Available at: https://www.unicef.org/eca/emergencies/latest-statistics-and-graphics-refugee-and-migrant-children. [Accessed April 13, 2020].

United Nations, 2019, UN News. [online] Available at: https://news.un.org/en/story/2019/06/1041521. [Accessed 13 April 2020].

International Treaties & National Laws

Charter of Fundamental Rights of the European Union, 2000.

Convention for the Protection of Human Rights and Fundamental Freedoms, 1953.

Convention relating to the Status of Refugees, 1954.

Hellenic Official Government Gazette A 51/03.04.2016, Law 4375/2016.

Hellenic Official Government Gazette A 63, Presidential Decree 61/1999.

Hellenic Official Government Gazette B 2745/29.10.2013, Ministerial Decision 2490/29.10.2013.

Treaty on European Union (Consolidated Version), 1993.

United States Law Pub., 1921, An Act to limit the immigration of aliens into the United States.

United States Law Pub., 1924, An Act to limit the immigration of aliens into the United States, and for other purposes.

Small States and Globalization: the Issue of Clusters and Indexing

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ABSTRACT

The fact that there is a myriad of definitions of the term globalization indicates the importance of this process. Globalization takes place in different cultural environments, which are often a conglomerate of different cultures and traditions. The world is becoming increasingly small and the global competition bigger. It is to be expected that in the future, the opposition to the globalization will grow, and new alternatives to it will emerge. Although it is often emphasized that large states reap the fruits of the globalization, research results indicate that small states also have an opportunity to prosper in the globalization process. Clusters enable better positioning of small countries and enhance global competitiveness.

Measurement of globalization calls for availability of balanced data on various indicators in order to create a realistic picture of the studied issue. Quantitative measurements of the globalization and the quest for new measurement models and indexes are complemented by qualitative analysis. The globalization indexes indicate that small countries can also be successful and that some of them are among the most globalized countries in the world.

KEYWORDS: globalization, globalization indexes, clusters, strategic alliances, global competitiveness, small states

POVZETEK

Dejstvo, da obstaja nešteto definicij globalizacije, kaže na pomen tega procesa. Globalizacija poteka v različnih kulturnih okoljih, ki so pogosto konglomerat različnih kultur in tradicij. Svet postaja vse manjši, svetovna konkurenca pa večja. Pričakovati je, da bo v prihodnosti nasprotovanje globalizaciji naraščalo, pojavile pa se bodo nove alternative tega procesa. Čeprav je pogosto poudarjeno, da velike države žanjejo sadove globalizacije, rezultati raziskav kažejo, da imajo tudi majhne države priložnost, da napredujejo v procesu globalizacije. Grozdi omogočajo boljše pozicioniranje majhnih držav in povečujejo globalno konkurenčnost.

Merjenje globalizacije zahteva razpoložljivost uravnoteženih podatkov o različnih kazalnikih, da bi se ustvarila realna slika preučenega. Kvantitativne meritve globalizacije in iskanje novih merilnih modelov in indeksov dopolnjujejo kvalitativne analize. Indeksi globalizacije kažejo, da so lahko uspešne tudi majhne države in da so nekatere izmed njih najbolj globalizirane države na svetu.

KLJUČNE BESEDE: globalizacija, indeksi globalizacije, grozdi, strateška zavezništva, globalna konkurenčnost, majhne države

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INTRODUCTION

We encounter globalization in every single segment of our modern way of life and doing business. Change management is the key factor of modern economy and business. As factors of influence on the modern business operations, respective areas of globalization develop with the assistance of interdisciplinary research and studies, which are based on application of theory, concepts and models from different scientific disciplines.

Although the prevailing opinion is that the biggest and richest countries benefit the most from the globalization, this is not necessarily always true because various globalization indexes show that small states can definitely prosper in the era of globalization.

Majority of literature on globalization connect the globalization process with liberal capitalism values. Specifically, the three key factors of globalization: technological development, level of maturity of political relations and level of theoretical knowledge and practical economic skills. Majority of companies correspond to the globalization with the following business activities: direct new investments, mergers, takeovers and strategic alliances.

Globalization takes places in different cultural environments, which are often a conglomerate of various cultures and traditions and require recognition of the intercultural aspect.

There are also reactions to the ubiquitous globalization. Specifically, deglobalization[2] and glocalization[3] process. Globalization causes conflicts between politicians and management. Politicians increasingly use protectionism measures to protect their national economies, while on the other side the internationally operating companies modify the standard business practice on domestic markets and operate globally, which is why for them any protectionism is perceived as an impediment or obstacle. In the modern times, this is reflected through confrontation of the so-called sovereignists and globalists. The

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2   Svetličič (2004) believes that "we can realistically expect that globalization will increase and will not be stopped in the near future, that is during our generation. That can happen in case of a great global crisis or world war. However, despite all their shortcomings the available global mechanisms and international organizations offer mechanisms for preventive diplomacy that are more successful than those in the past."

3   Glocalization is a term derived from merging the words globalization and localization, and means integration and interaction of global and local considerations in different parts of the world.

clusters[4] or geographically concentrated and interconnected companies are a phenomenon which on the figurative or virtual level has attributes of the respective nation, region, state, and even metropolis. Their prevalence reveals important insights into the micro-economy of competition and the role of location in the competitive advantage.

Postglobalism[5] is largely determined by regional blocks. In this context, this area has long been defined by the sphere of influence of the conventional triad (US, Japan and Europe). However, due to its extraordinary economic achievements, a possibility of adding a fourth member could be considered. Namely, Southeast Asia could be included at least as another actor in addition to Japan, in the global balance of power in the world. In this respect, the most interesting aspect is the development of the Asia-Pacific trade block, whose future activities will depend on Japan-US relations, as well as joining of new members. Time will show in what way the intercontinental blocks in the world will develop over time, primarily because of the numerous inherent conflicts. (Turčinović, Vrcelj, 2010, p.182).

The globalization processes have become a constant in the economy and modern business processes, because they represent the increasingly close interconnection of actors from all over the world in different areas of operation. Globalization is present in various segments such as economy, culture, communication, ethics, etc. The term globalization is omnipresent and encompasses various categories starting from the westernization of the world to the establishment of supremacy of capitalism. However, on the other side, some authors believe that globalization actually increases homogenization and closure of societies. Others see globalization through the prism of diversity and creation of phenomenon of hybridization of cultures. There is globalization of global trade, financial operations, as well as globalization of production.

The globalization results in constantly increasing interdependence

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4   Clusters have long been part of the economic landscape, with geographic concentrations of trades and companies in particular industries dating back for centuries. The intellectual antecedents of clusters date back at least to Marshall (1890/1920), who included a chapter on the externalities of specialized industrial locations in his *Principles of Economics*.

5   Postglobalism is, actually, a manifestation of growing interdependence of states in the world, which begun with the increase of international trade and continued with internationalization of financial flows. It should imply participation of all countries in the world in these flows. However, the process of postglobalism tends to concentrate on several countries in the world, which implies inequality in the geographic distribution of its benefits. This is the main reason why developing countries, in majority of cases, have remained marginalized in this process. Nevertheless, it needs to be acknowledged that the marginalization is partly also a result of structural shortcomings of the economies of developing countries (Turčinović, Vrcelj, 2010, p.181)

and interconnectedness among economies of different countries and regions in the world. Regardless whether you are "pro" or "anti" globalization, the economic globalization is a reality, which has growing effect on national economies. At the same time, the globalization also offers a certain level of individual freedoms and human rights that no national state is able to provide on its own. The development of global competition led to creation of new business-entrepreneurial capabilities and accelerated progress in technological innovations. While economic borders disappear, cultural borders get erected. The world is rapidly changing. For example, in 2006 the global economy recorded the most prosperous five-year period ever since 1945 with an average growth of gross domestic product of approximately 4%. The growth of export in international trade is two times larger than the growth of global gross domestic product over the past ten years, while the global inflation is at a level of almost 3%. Such intensive development and growth would not be feasible without globalization.

SMALL STATES AND GLOBALIZATION

An inevitable question in this context is whether small states[6] can prosper in the era of globalization. While the world is becoming smaller and smaller, the global competition is becoming bigger and bigger. The global competitiveness represents the capacity of an individual or a team to parachute to the ground of another country and be able to successfully do business there, respecting the cultural forms of the respective state all the time.

Measuring various effects, dimensions and aspects of globalization requires availability of balanced and reliable variety of indicators in order to create a real image of this phenomenon. An appropriate combination of qualitative analysis and quantitative measurement can serve as a combined model that will respond to the challenges related to the measuring of the occurrence that is constantly changing and appearing in new forms. Nevertheless, the measurements are still not able to fully track such an occurrence because of the constant emergence of new variables and uncertainties, which cannot be easily quantified, let alone managed. In fact, it is through the measurements of globalization and the associated different indexes that we establish to what extent the small states are globalized.

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6   For definitions of small states see Jazbec, 2001:36-46.

Clusters, as a form of grouping and networking of companies, instigate in a flexible fashion development of small and medium size companies and in such a way assist small states to be more successful and prosperous in the globalization process. This also propels development of local communities, regions, and states[7] as well as increases their competitive advantage. Clusters connect similarities and complementarities. In other words they connect the global and the local.

Virtual teams are another option for doing global business. Virtual teams operate in an asynchronous way and have to work without the mechanisms that assist coordination of activities and crisis management, which synchronous teams have at their disposal. Studies have shown that the manner in which virtual teams deal with internal conflicts is of essential importance for their success, while coordination of time has an important role of a moderator.

Strategic alliances also increase the competitive advantage of companies. These alliances are a form of cooperation of two or more independent companies with the aim of achieving the agreed strategic goals. This facilitates realization of tasks and provides for best possible management (company's competence), which leads to bigger success, as well as cost and risk reduction.

CHALLENGES OF GLOBALIZATION

Globalization is one of the most frequently used and criticized economic terms, which triggers different reactions. Some see globalization as a useful development, while others express opposition to it or challenge it, because they believe that globalization brings an array of negative effects (e.g. increased stratification of states, detrimental effects on the social development) and is in function of multinational companies and rich global elites. There is a widespread opinion that globalization is primarily detrimental for the small states and beneficial for the big ones. This can be seen through the two opposing political concepts – the sovereignists and the globalists.

Strengthening of cooperation between different countries does not mean that the cultural differences diminish or disappear. Modern models of doing business recognize the reality of globalization, but at the same time demonstrate readiness to adjust to time and space in which

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7   For characteristics of small states see Jazbec, 2001:46-56.

the operations take place. Therefore, these models take into account the social context as well.

While in the 19th century the economic influence of Europe was spread around the world, primarily through expansion of trade, aggressive conquests and exploitation of colonies, at the end of the 20th century the process of globalization includes all spheres of capitalist economy (Križan, 2008, p.93). Will we have rich states with poor population, as Stiglitz (2002) believes, or will a society of equal opportunities for all be created, and will smaller and economically underdeveloped countries have an opportunity to experience, within the framework of globalization, emancipation in a range of areas.

It is to be expected that the future will see an increase in opposition and challenging of the globalization, as well as in emergence of new alternatives to it. One of the alternatives is the "easternization", first of all, due to the future strengthening of China, particularly in the context of global trends. China has become the second largest economy in the world, which causes new global turbulences and trends.

The globalization enables everything that, may have always been latently valuable in capitalism, but had remained hidden in the phase of its social-state-democratic restraint. Namely, companies, especially those operating at the global level, play the key role in creating not only the economy, but the society in general—as they retain country's material resources (e.g. capital, taxes, jobs). Globally operating companies undermine the foundations of national economy and national states. This has triggered the process of subpolitization of completely new dimensions and with unforeseeable consequences (Beck, 2003, p.14).

Even the most powerful countries do not have a joint opinion on globalization, because each of them has its unique experiences and interprets it in its own way.

Natural environment, social system and culture are the segments that most frequently appear as obstacles to globalization.

Global competence is directly linked to globalization, which facilitates affirmation of globally competent companies and managers. The globalization process continuously prompts individuals and companies to invest more efforts in order to enhance success.

An international panel of experts agreed on the following working definition of the term *global competence*: "Having an open mind while actively seeking to understand cultural norms and expectations of others, and leveraging this gained knowledge to interact, communicate and work effectively outside one's environment" (Hunter el at., 2009, p.270).

Globalization will continue to be a controversial issue and a subject of many debates, which advocate or dispute globalization depending on the participants in the process.

A QUEST FOR PROSPERITY

It is believed that the globalization is an irreversible process, which is simply unavoidable regardless of the efforts invested against it. The global economic crisis was a new blow to the globalization, because it has transpired that financial markets are insufficiently regulated and that state interventions were needed once again. One cannot have a positive or negative view of the globalization process, but can only speak about positive or negative tendencies of the development of the globalization process.

Regardless of the fact that globalization generates many positive things, there are also opinions that the transnational companies and affluent elites have benefited the most from the free market principles, which have been dominant over the past decades in the world, and that the population of underdeveloped countries is increasingly discontent with the globalization. The capitalism of today is at a crossroads and it has to provide answers to questions posed by the economic and social crisis, primarily the issue of a more equal distribution of globalization effects[8].

Global markets are related to the fact that the world itself is one potential market. Organizations on the global market face global competition, which should not be viewed negatively. On the contrary, one of the most efficient strategies for achieving competitive advantage is the strategy of connecting with business partners around the world. Diversity, ethic values and social responsibility are the challenges of the modern world, which modern organizations need to incorporate in their organizational culture. The growing diversity of manpower

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8   Referring to capitalism with a human face, something similar to what Bernie Sanders propagates in the US.

brings forth new challenges, including preservation of strong organizational structure, while simultaneously supporting diversity, balanced working hours, and overcoming of conflicts between different organizational cultures (Dimovski et al., 2005, p.302).

While the modern world is coming closer together on one side, on the other side it is growing apart because of the new differences that are being created.

Currently we are faced with a plethora of challenges, because the international global order has changed dramatically. Nowadays, the political agenda is informed not just by the states, but also by international organizations, non-state actors and in some cases even individuals.[9] Some contradictory tendencies have created the situation that we have today in the world, which on one side is becoming increasingly interconnected because of the development of communication technologies and the growing interdependence, while on the other side there are clear aspirations related to segmentation and regionalization, as well as protection of nation states from the external influences of globalization. Modern political actors are in a search for different ways to gain maximum possible power, which is measured not just in the context of its "hard" aspects (military power, economic power, geopolitical positioning), but also in the context of its soft aspects (power of appeal, ideology, culture, etc.) (Bajrektarević, 2015, p.141).

In such a way the globalization warns of one of the key contradictions of the modern times. Specifically, the fact that while "social contracts" apply in nation states, the rules of the "state of nature" apply to the processes and developments in the international arena. That is why it is required to use rational arguments to entice theorists and political activists who believe that the time has come to establish some kind of a *modus vivendi* between the principles of "nationalized"[10] democracy on one side, and "globalized"[11] democracy on the other. At this point it would be difficult to forecast what path and deliberative democratic models will be devised, although the theorists in this area do not lack ideas. This opens also the issue of requirement for global regulation and a new global concept.

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9   Soros, Gates, Kissinger, Rockefeller et al.

10   The example of the Visegrad Group (Hungary, Poland, the Czech Republic, and Slovakia).

11   There is a crisis of multilateralism, which was furthered with the election of Donald Trump as the US President.

As globalization expands over territoriality, the people increasingly feel the need to identify with something that is close to them and closer to their world of emotions in general. The data on the growth in the number of nation states[12] in the world, and the fact that in the era of globalization their number has increased, is a testimony of that. According to the forecasts, a significant number of almost 800 active ethnic-nationalist movements in the world would like to see, potentially, a new state in the future. Numerous experts dealing with globalization warn of its paradox: while on one side the globalization process limits the relative strength of nation states, it increases the number of nation states in the world on the other. It is not irrelevant that through their contacts with other peoples, which the globalization processes have only intensified, the peoples have developed additional safeguards for development and preservation of their respective identity.

It is understandable that active participation in the globalization processes brings more opportunities for prevention or at least mitigation of its negative consequences. This is particularly true for the small states and nations. Taking an active role in the globalization processes is the only possible way to resist the attack of cultural homogenization, which ultimately threatens to turn impotent ethnic groups into "touristic folklore".
Globalization gives an opportunity to all the actors in the process to (re)position themselves, which means that it also gives small countries an opportunity to achieve enviable results. Clusters are an opportunity for the countries to increase or improve their competitive advantage.

Clusters and global competitiveness

The globalization often brings into question the "think global, act local" slogan. Are there global and national companies? Modern approaches make no references of the kind and distinguish only between successful and unsuccessful companies. The global and the local can definitely be connected. The clusters provide an example of that.

In the globalized world we will not be able to envisage social practices and preferences on the basis of geographic locality. People will able to establish long distance relations, as well as short distance ones. This, however, does not take into account the fact that each locality includes unique characteristics, on the basis of which the re-

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12   At the time of the inception of the UN there were 50 states, and now there are 193.

actions will most probably occur, or recognition of their importance as well as potential benefits in the context of a global society, which largely provides for multifunctional integrations of "nesting" and "grouping" (Mlinar, 2012).

Strategic alliances do not exist only in politics. They are becoming an increasingly present form of pursuit of strategies that companies use in response to intensified competition. Alliances are an arrangement made by two or more companies in order to overcome the issue of lacking resources by combining internal and external resources. Hence, in a strategic alliance, a company pools its best resources with the best resources of other companies that are parties to the alliance hoping to achieve a competitive advantage. Strategic alliances also include sharing of knowledge and expertise among member companies, which is an additional motivation for entering into an alliance.

Clusters have long been a part of the economic landscape with geographic concentrations of trades and companies in particular industries dating back for centuries. Intellectual antecedents of cluster theory date back at least to Marshall (1890-1920) who included a chapter on externalities of specialized industrial locations in his *Principles of Economics.* Cluster is a geographically proximate group of interconnected companies and associated institutions in a certain area of work, which are connected by specific similarities and complementarities. The geographic scope of cluster ranges from a region, a state or even a single city nearby or neighboring countries (e.g. North Italy or the automobile industry cluster in Slovenia). The operational area of a cluster is determined by the overall surface area in which informational, transactional, incentives and other activities take place. Clusters encompass a significant number of associated industries (not just one) and other entities relevant in the context of competition. For example, clusters can include suppliers of specialized accessories, parts of machines, services, suppliers of specialized infrastructure. Clusters often expand from the top to the bottom, down towards the buyers and later towards manufacturers of complementary products or related companies (by capabilities, technologies or similar inputs). Many clusters include governmental or other institutions (universities, standards-setting agencies, trade organizations, etc.) to facilitate specialized training, education, professional development, information and technical support. Furthermore, many clusters include trade associations and other bodies that include cluster members. Finally, foreign companies also can be and are cluster

members, but only if they are significantly present at the local level and continuously make investments.

Development of clusters is a relatively complex process, which requires simultaneous cooperation among representatives of the government, companies, local authorities, financial institutions, trade unions, educational institutions and various other organizations[13]. Due to the geographic proximity, through their business activities cluster members generate a catalogue of different forms of positive effects, such as simpler access to suppliers and clients, specialized labor market, and much easier access to business information and new knowledge. Through mutual interaction with their specialized buyers and suppliers, cluster members continuously implement learning processes, as well as processes of exchange of knowledge and information (Porter, 1990).

The geographic scope of the cluster can vary from a local community, to a country, region and can even evolve to include interregional and interstate cooperation. Its structure depends on the economic sector in which cluster members do business and the number of members interested in development of a joint strategy.

One of the significant problems in the context of cross-cultural research is the identification of not just the differences but also the similarities among specific cultures. In other words, establishment of cultural clusters of the countries which, on the basis of a number of historical, religious, geographic and other reasons, can be expected to have proportionally similar values and views of the world and doing business, specifically, in which similar social and business conduct can be anticipated. In this context, lately special attention has been put on Europe, the model of European management, as well as research of similarities and differences within it. Different approaches and styles of management prevail in European countries, starting from the hierarchical, autocratic style in France, to a fully democratic, consensual style of management in Sweden. The listed countries are typical examples of European cultural clusters and there are significant cultural differences between them. Cultural clusters in Europe are based on Hofstede's[14] research results (Bahtijarević, Šiber et al., 2008, p.417).

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13   For more on small states and international organizations see Jazbec, 2001:56-59.

14   The relation between culture, society and organizational culture, as well as diversity of organizational cultures within a society, was best explained by Hofstede, who asserted that the culture of a society is based on values, while the culture of an organization is based on practice.

Economic geography in an era of global competition involves a paradox. It is widely recognized that changes in technology and competition have diminished many of the traditional roles of location. Resources, capital, technology, and other inputs can be efficiently sourced in global markets. Firms can access immobile inputs via corporate networks. It is no longer necessary to locate businesses near large markets to serve them. Governments are widely seen as losing their influence over competition to global forces. It is easy to conclude, then, that location is diminishing in importance. This perspective, although widespread, is hard to reconcile with competitive reality. In *The Competitive Advantage of Nations* (Porter, 1990), Porter puts forward a microeconomics-based theory of national, state, and local competitiveness in the global economy. In this theory, clusters have a prominent role. Clusters are geographic concentrations of interconnected companies, specialized suppliers, service providers, firms in related industries, and associated institutions (like universities, standard agencies, trade associations) in a particular field that compete but also cooperate. Clusters or critical masses of unusual competitive success in particular business areas are a striking feature of virtually every national, region, state, and even metropolitan economy, especially in advanced nations (Porter, 2000, p.15).

Many believe that the globalization is developing in a wrong direction and criticize the wrong policies of the World Bank (WB), International Monetary Fund (IMF), World Trade Organization (WTO) and credit agencies. At the same time they emphasize that economy and ethics are increasingly drifting apart. Although all the listed institutions were founded with intent to provide stability and development of global economy, they had not managed to prevent global crises. In general, instead of implementing its main mission the IMF dealt more with assisting the countries affected by a crisis, provided that they had agreed to its restrictive policy. The current situation[15] requires a reform of international financial institutions, because they have not provided adequate responses to the crises, whereas the control of financial institutions, primarily the banks, was particularly poor. Experts warn that a solution to the phenomenon of globalization could be to increase the role of the state and international organizations that would oppose "market fundamentalism"[16].

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15   The WB, IMF and WTO were established as a result of World War II and in many aspects do not suit the current global requirements and challenges.
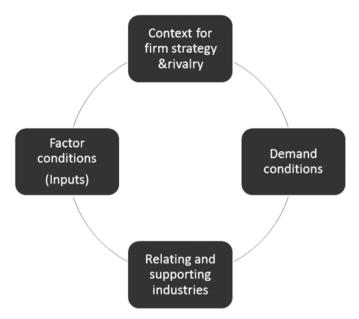
16   The crises have shown a requirement for state interventionism.

Porter (2000) warns of the emergence of clusters and their dominance in modern macroeconomics, while the prevalence of clusters reveals important insights about the microeconomics of competition and the role of location in competitive advantage. Even as old reasons for clustering have diminished in importance with globalization, new influences of clusters on competition have taken on growing importance in an increasingly complex, knowledge-and-information based and dynamic economy. Clusters represent a new way of thinking about national, state, and local economies, and they necessitate new roles for companies, for various levels of government, and for other institutions in enhancing competitiveness. For companies, thinking about competition and strategy has been usually determined by what goes on inside the competitor organizations. Clusters suggest that a good deal of competitive advantage lies *outside* companies and even outside their industries, residing instead in the locations at which their business units are based. This creates important new agendas for management that are rarely recognized. For example, clusters represent a new unit of competitive analysis along with the firm and industry. Cluster thinking suggests that companies have a tangible and important stake in the business environments where they are located, in ways that go far beyond taxes, electricity costs, and wage rates. The health of the cluster is important to the health of the company. Companies might actually benefit from having more local competitors. Trade associations can be competitive assets, not merely lobbying and social organizations (Porter, 2000, p.16).

An inevitable question is how can the globalization, with all its advantages and weaknesses, be improved and made more acceptable. The current crisis has also shown opposition to globalization in the most developed countries. Actors admit that the world will have to live with it for many years to come.

Capturing the business environment in a location is challenging given the myriad of locational influences on productivity and productivity growth. *The Competitive Advantage of Nations* (Porter, 1990) refers to a model of the effect of location on competition. The effect includes four interrelated influences graphically depicted in a diamond. The diamond metaphor, which has become common in referring to the theory, is presented below.

Figure 1: **Sources of Locational Competitive Advantage** (Porter, 2000, p.20)**.**

Center of the diamond: local context that encourages appropriate forms of investments and sustained upgrading Vigorous competition among locally based rivals

Left: Factor (input) quantity and cost
- Natural resources
- Human resources
- Capital resources
- Physical infrastructure
- Administrative infrastructure
- Information structure
- Scientific and technological infrastructure

↓

Factor Quality
Factor Specialization
Below: Presence of capable, locally based suppliers
Presence of related and competitive industries

Right: sophisticated and demanding clients
Customers' needs that anticipate those elsewhere. Unusual local demands in specialized segments that can be served globally.

Scholars have sought a way to define and explain concentrations of firms in terms of economies of "agglomeration." These normally emerged at either the industry level or in diversified urban economies. Many treatments of agglomeration economies rest on cost minimization due to proximity to inputs or proximity to markets. These explanations, however, have been undercut by the phenomenon of globalization of markets, technology, and supply sources, easier mobility, and lower transportation and communication costs. Today, the nature of economies of agglomeration has shifted toward the cluster level and away from either narrower industries or urban areas per se.

Clusters provide a way of organizing thinking about many spheres of policy that goes beyond the common needs of the entire economy, as shown in Figure 1. Cluster-based thinking can help focus on priorities and guide policies in science and technology, education and training, export and foreign investment promotion, and a wide variety of other areas. A location's best chance for attracting foreign investments and promoting export lays, for example, in the existence and emerging of new clusters. A cluster orientation highlights the fact that more parts of government have an influence on competitiveness than usually recognized, especially within government itself. The cluster theory makes the impact of policies on the competitive position much clearer and more operational. Effective solutions often require collaboration of different parts of the government. Finally, cluster thinking not only complements the political attention on the economy, but also highlights the important roles the government has at *several geographic levels*.

The traditional focus of economic policy has been at the national level, and many aspects of the general business are best addressed there. Recently, globalization has focused attention on worldwide multilateral institutions. However, state, metropolitan region, and local governments also have an important influence on the general business environment in a location. At the cluster level, these influences often are rather dominant, and clusters should represent an important component of state and local economic policy. A good example is the city of York in the United Kingdom. As a result of a recent government reorganization, York City became a regional administrative center with responsibility for the entire region. Since then, it has set up an aggressive industrial development policy and has been working closely with members of the region's bioscience cluster. The Cluster theory also suggests new roles for companies, which have been covered in earlier works (Porter, 1998).

The private sector has a role to play in cluster upgrading in all parts of the diamond. The most obvious areas are related to improving factor conditions including the supply of appropriately trained personnel, the quality and appropriateness of local research activities at universities, the creation of physical infrastructure that meets the needs of the cluster needs, and the supply of cluster-specific information. Ongoing company relationships with government bodies and local institutions such as utilities, schools, and research groups are necessary in order to attain these benefits, as is investment by cluster participants to establish common specialized infrastructure such as port or handling facilities, satellite communication links and testing laboratories. Cutting across all these areas is the need for cluster participants to collect the relevant information and provide it to government so that it can address the constraints or weaknesses under its control. Individual companies can independently influence cluster development, but the importance of externalities and public goods means that informal networks and formal trade associations, consortia, as well as other collective bodies are also often necessary and appropriate. Trade associations representing all or most cluster participants can command greater attention and have greater influence than an individual member, while an association or a collective body (e.g., joint research center, testing laboratory) creates a vehicle for cost sharing.

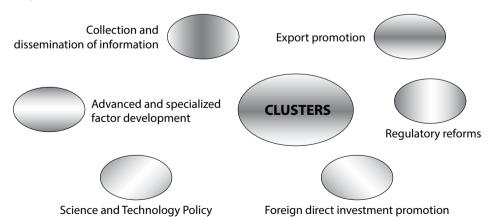The following graph illustrates some of the dynamics and relations discussed.

Figure 2: **Clusters and economic policy** (Porter, 2000, p.29).

A cluster approach to economic development encourages behavior that is pro-competitive.

Globalization and the ease of transportation and communication have led to a massive relocation of businesses to locations where manufacturing costs are lower. However, these same forces have created the *location paradox*. Anything that can be efficiently sourced from a distance has essentially been *nullified* as a competitive advantage in advanced economies. Nowadays, the information shared by means of modern methods of communication is available to all. Globalization has opened new opportunities with respect to sourcing and while it mitigates disadvantages, it does not create advantages. Moreover, distant sourcing normally is not the best solution (but is a second-best solution) if compared to accessing a local cluster in terms of productivity and innovation. Paradoxically, the most resilient and enduring competitive advantages seem to be local.

There still is much to learn about clusters and their implications for the theory and practice of economic development. We need an integrated approach that frames clusters generally. Cluster theory can inform, and be informed by, a range of literatures in economics and management. All those dealing with clusters should take a positive stance on global competition and locational competitiveness and couple it with their ability to catalyze constructive actions that encompass all parts of clusters.

Globalization indexes

In order to get quality and representative measurements of the globalization it is necessary to take into account other indicators as well. That is why, in addition to the economic indexes, the social and political indexes of globalization are most frequently taken into account as well.

The essence of the globalization poses the basic conceptual question regarding the appropriateness of statistics. The existing statistical systems are based on tracking of everything that happens within the borders of a state - that is the economic territory of a state. However, today a large part of activities take place globally. If we would want to track the activities of companies on the basis of in specific countries, we would have to include the associated companies abroad and exclude the companies with foreign ownership in the respective country. This would be a completely different concept in which national statistics would be faced with numerous problems with respect to calculation of data.

Reliable measuring of globalization requires balanced data for various indictors in order to create a realistic picture of the studied phenomenon. A combination of qualitative analysis and quantitative measuring can be a suitable model that would correspond to the challenges of measuring of the respective phenomenon, which constantly evolves and appears in new forms. However, there is no ideal model, because any model is subject to change and upgrading.

QUALITATIVE ANALYSIS

Globalization is a qualitative change in the world, which affects the economic, political, cultural, ideological, military and other levels. There is a myriad of conflict areas that influence the current and inform future processes of globalization. The main mechanisms of globalization are derived from the capitalist system, which generates different processes and informs their intensity.

Globalization causes numerous problems in theoretical and applied statistics. Studying of its scope, intensity and influence is a complex undertaking.

In the world of multinational companies monitoring of commercial activities of national companies is becoming increasingly difficult, because we are not able to have insight into a multinational company as a whole with respect to the aspect of productivity. Certain companies within multinational companies jointly use the "intellectual capital", i.e. research and development, software, financial, organizational and other specific knowledge. While this influences their productivity, according to the rules it does not get recorded as an investment in the country in which the results are essentially dependent on these advantages. As per the basic aggregation rules, the statistics cover only the data on activities of economic subjects that are registered in the studied state. That is why the interpretation and reinterpretation of the obtained data and the qualitative assessment are of particular importance.

The international division of production has influence on the input/output statistics and the added value in specific sectors. The reality of data is rendered additionally difficult by transfer prices used within groups of connected companies. These prices are not based on real market prices. Transfer prices affect the value of production, average

spending, added values and business surplus of studied units. Use of transfer prices among units in different countries also affects the value of international exchanges and basic aggregates for the respective states.

In global economy, identification of statistical units, that is companies and their activities, can be challenging. In economy, a statistical unit is a business subject/entity- a company or its parts, which are separated on the basis of their activity and/or location. A statistical system is restricted to activities within a state, due to what the units were never identified at the international level. However, although so far they had not been recognized as such in the statistics because of the heterogeneous character of their activities, for specific purposes multinational companies or groups of connected companies can be characterized as appropriate statistical units. The data on activities of their branches (branch offices) abroad, which is under the control of domestic companies, is obtainable only through the respective parent companies and can be disputable. Practical problems emerge also with respect to the demography of companies (establishment of a new company within a multinational company in the studied state is registered as the birth of a new company). In the past decade intensive activities were undertaken in the area of harmonization of statistics.

Regardless of the plethora of statistics, which in many aspects is not sufficiently comprehensive for measuring of globalization, the qualitative analysis of globalization still has a particularly important role. It is also important for the (re)interpretation of data obtained through quantitative measurement of globalization. In simple words, qualitative analysis of globalization requires comprehensive knowledge of the phenomenon because there are numerous new indicators that can have significant bearing on the globalization trends.

QUANTITATIVE MEASUREMENT

Measurement of globalization and its effects is a statistical challenge. Drucker stated long time ago that what gets measured gets managed (Bahtijarević, Šiber et al., 2008, p. 399).

Several indexes are used in practice for quantitative measurement of globalization:
KOF globalization index (economic, social and political elements),

A.T. Kearney globalization index (economic integration, personal contact, technological
connectivity, political engagement),
Commitment to Development Index (CDI), and
Human Development Index (HDI).

The KOF index[17] measures three main dimensions of globalization:
- economic,
- social, and
- political.

Table 1 shows to a certain extent that new European Union members are becoming increasingly globalized.

Table 1: **KOF Globalization Index by country (2012, 2013 and 2019)**

Country	2019	2013	2012
Ireland	17	1	2
Belgium	3	2	1
Netherlands	2	3	3
Austria	6	4	4
Singapore	20	5	5
Denmark	8	6	7
Sweden	4	7	6
Portugal	15	8	9
Hungary	14	9	8
Finland	9	16	17
Switzerland	1	10	10
Canada	16	13	15
Cyprus	35	11	11
Spain	12	17	16
Luxemburg	21	14	12
Czech Republic	13	15	13
Great Britain	15	12	14
Slovakia	19	19	19
Australia	25	21	21
Norway	11	20	20

If we focus just on the economic level of globalization, we will realize that the obstacles are the smallest when it comes to movement of goods, which both the developed and the underdeveloped countries

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17   Source: https://kof.ethz.ch/en/forecasts-and-indicators/indicators/kof-globalisation-index.html https://www.statista.com/statistics/268168/globalization-index-by-country/ .

are trying to control. An insight into the negotiations within the framework of WTO clearly indicates that the most difficult part was to achieve free movement of industrial products and raw materials, while opening of the markets of agriculture products, knowledge, services and capital was also very difficult. It is not unusual that Central and East European countries had globalized most rapidly in the following areas: drugs, crime, nationalism and racism. The financial system has also been opened to a minor extent. Significant difficulties still remain in the area of universalization of services, while the biggest difficulties are in the area of free movement of labor.

In line with the results achieved in the three years, changes occurred at the top of the table. Namely, while in 2012 and 2013 there were no major changes in the list of the twenty best ranking countries, significant changes did occur in 2019. The most globalized are the small countries to which openness provides access to goods, services and capital, which are not available on the domestic market. This supports the stance of globalization supporters that small countries can organize themselves and benefit from the globalization process.

One of the most comprehensive approaches is the globalization index developed by experts at the *A. T. Kearney* consulting firm and the *Foreign Policy* magazine. The globalization index distills changes in key elements of the globalization process at the political and economic level, as well as in the area of movement of people, ideas and information across national borders. The level of economic integration is measured by indicators of international exchange, foreign direct investments and the portfolio of financial transactions, remittances between countries.

International personal contacts are measured by the level of international travel and tourism, telephone traffic and money transfers. The index encompasses also the technological connectivity and the number of internet users, internet servers and internet visits for business purposes. International political integration is tracked through membership in international organizations, involvement in United Nations missions and the number of foreign representative offices. The index was calculated for the first time in 2001 for 50 developed countries and key emerging markets around the world.

In 2009[18], the sample was expanded to 64 states, amounting to 82%

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[18]   https://foreignpolicy.com/2009/10/29/measuring-globalization-rankings/

of global population. Table 2 shows the 20 most globalized countries in 2006, 2005, 2004 and 2003. Globalization cannot be measured directly but indirectly through developments on the markets of goods, services and capital, as well as other non-economic indicators. The A.T. Kearney globalization index[19] incorporates new EU member countries from Central Europe, which rank rather high on the list.

Table 2: **A. T. Kearney/ Foreign Policy globalization index– by years**

Year	2009	2005	2004	2003
Singapore	2	1	2	4
Switzerland	3	3	3	2
USA	7	4	7	11
Ireland	1	2	1	1
Denmark	10	7	10	6
Canada	6	6	6	7
Netherlands	4	5	4	5
Australia	13	13	13	21
Austria	9	9	9	8
Sweden	11	8	11	3
New Zealand	8	11	8	16
Great Britain	12	13	12	9
Finland	5	10	5	10
Norway	17	14	17	13
Israel	22	17	22	19
Czech Republic	14	15	14	15
Slovenia	19	20	19	25
Germany	18	21	18	17
Malaysia	20	19	20	18
Hungary	26	23	26	23
Panama	27	24	27	30
Croatia	23	16	23	22
France	15	18	15	12

Foreign direct investments are one of the most important indicators in the index. They are divided into economic, personal, technological and political. Globalization as a process is often viewed too narrowly, predominantly through the movement of goods and capital.

Almost all countries have come under the umbrella of globalization. Globalization becomes a topical issue when the economic growth of a country slows down and it becomes necessary for the country to find

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19   A.T. Kearney/Foreign Policy, 2006, 2009.

new markets for expansion of capital, as well as new markets for products and services. Globalism offers a myriad of opportunities. When political changes begun in Central and East European states after 1989, the position of the states in international economy significantly changed. Simultaneously with these changes, China begun to open, the status of Hong Kong changed and South Korea was finalizing its development cycle.

However, there are major differences between the countries that had recently become EU members and other countries in the region, which had just initiated the membership talks or are getting ready to begin them. This still does not mean that the new EU member countries are more globalized than their neighboring non-EU countries (Blanchard, 2006).

Membership in the EU is not the same thing as globalization, although regional integrations are one of the possible paths recognized also by the WTO. While new members got integrated into Europe, Europe as a whole globalizes and opens very slowly. The perception of globalization among former real-socialism countries is very diverse. One of the reasons for this is the ideological differences (Crockett, 2000).

In addition to the already existing data, it is necessary to provide new data prepared through appropriate methodology, in order to get reliable measurements of the following:
- scope and intensity of globalization;
- influence of globalization on economic activities and decision-making;
- influence that national and supranational policies have on the globalization process.

The first group of indicators is basic and constitutes the basis for development of the other two groups of indicators, which are more complex and require more analytical and econometric work.

The second group of indicators is aimed to explain the influence of globalization on main macroeconomic aggregates (economic growth, employment level, research and development, export) and the connections between different forms of globalization, as well as facilitate assessment of costs and benefits of a specific form of globalization.

The third group of indicators is related to national and supranational economic policies, which can significantly determine the scope in which individual countries can participate in globalization trends in the world. Hence, in the context of the third group the interest is focused on the influence of particular policies, such as those related to liberalization of trade in services, opening of specific sectors for international competition (i.e. telecommunication and energy sectors), labor, tax and social reforms, which affect the globalization process.

The Commitment to Development Index (CDI)[20], which is published annually by the Center for Global Development, provides a ranking of the world's richest countries with respect to their dedication to policies that benefit the five billion people living in poorer countries. Rich and poor countries are linked in a number of ways. As a result, the Index looks beyond standard comparisons of foreign aid flows and measures "development-friendliness" of a long list of twenty seven world's richest countries, all member nations of the Development Assistance Committee of the Organization for Economic Cooperation and Development OECD). The CDI assesses national efforts in seven policy areas: aid, trade, investment, migration, environment, security, and technology. It is believed that the indicator is numerically targeted at eight Millennium Development Goals. The index shows that aid is about more than quantity. It shows that quality also matters and that development policy is about more than just aid. The Index also penalizes countries that give on one side, in example through aid or investment, but take away on another other, i.e. through trade barriers or pollution.

In 2018, CDI ranked Sweden number one in the world. It was followed by Denmark, Finland, Germany, Luxemburg, Netherlands, France, Great Britain, Portugal, Belgium, Austria, Norway, New Zealand, Australia, Italy, Spain, Canada, Ireland, Czech Republic, Slovakia, Switzerland, Hungary, USA, Japan, Poland, Greece, and South Korea. Germany ranked 3rd and became the first G7 country that made it to the top three positions on the CDI list, France ranked 7th, while Japan (24th) and South Korea (27th) ended at the bottom of the list, partly due to high trade barriers and low rating in the foreign aid component.

Human Development Index[21] (HDI) is a comparative criteria for cou-

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20 Source: https://www.cgdev.org/commitment-development-index-2018

21 The Index was developed by Nobel prize winner Amartya Sen and influential Pakistani economist Mahbub ul Haq, with the assistance of Gustav Ranis of the Yale University and Lord Meghnad Desai of the London School of Economy, and has been used since by the United National Development Program in its Human Development Report.

ntries calculated on the basis of life expectancy, literacy level, education level and standard of living. The purpose of the HDI is to assess and compare poverty levels with respect to broader criteria than just income.

The HDI index has been calculated since 1990. On the 2018 HDI[22] Report, Norway topped the list and was followed by Switzerland, Ireland, Germany, Hong-Kong (China SAR), Australia, Island, Sweden, Singapore, Netherlands, Denmark, Finland, Canada, New Zealand, Great Britain, USA. The HDI is a composite index of human development. It measures average achievements of a country with respect to three basic dimensions of human development (Human Development Report, 2009):

- Long and healthy life, measured with respect to life expectancy at birth;
- Knowledge, measured with respect to adult literacy (with two thirds weighting) and the combined primary, secondary, and tertiary gross enrollment ratio (one third weighting);
- Decent standard of living, measured with respect to the GDP per capita in purchasing power parity terms in **US dollars.**

In the catalogue of categorizations and definitions of globalization it is also important to mention the division between vertical and horizontal globalization.

Furthermore, it is important to differentiate between different forms of globalization. Globalization provides for consolidation of different characteristics and relations, which are becoming increasingly important at the planetary level.

In this context, it is necessary to be aware of the difference between "unionization" and globalization. Namely, we cannot speak about globalization of new Central Europe members in the full meaning of the word, because Europe is a tightly "closed" region with numerous protectionist measures, which is slowly opening towards non-European economies. Agreements with other regions in the world are very selective. New member states are globalized to the extent allowed by the European framework. As a result, some member countries have made a step backward from the globalization process in specific areas. Proponents of globalization, because of their size and adjustability, are pri-

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22   Source: http://hdr.undp.org/sites/default/files/hdr2019.pdf .

marily the multinational companies. Their goal is exploitation of natural assets, strategic raw materials and inexpensive labor. Furthermore, they most easily use the system of incentives and subsidies (Sjekloča, 2006). In the meantime, some changes have occurred. For example, while Slovakia has significantly progressed, Slovenia has regressed.

There are still many challenges related to measuring of globalization. The key problem is primarily the issue of which data to encompass and how to ensure their relevance. Specifically, how to record factual economic trends, economic barriers, flow of information, data on personal contacts, data on cultural proximity and distance and various "invisible" data. Measuring of globalization will continue to constitute a challenge in the future as well, because the globalization process shall become even more complex and the existing indexes and models will become outdated.

Conclusion

The answer to the key question of whether small states can prosper in the era of globalization can be found in the globalization indexes, that is quantitative data, which confirm that small states are also strongly involved in globalization and some even at the top of the ranking lists. This corroborates the thesis that small states can prosper in the era of globalization.

The most globalized are the small states to which openness provides access to goods, services and capital, which are not available on the domestic market. This supports the stance of globalization supporters and serves as proof that small states can organized themselves, which is also confirmed by the high globalization index of Denmark, Ireland, Belgium, Singapore and other small states.

This means that globalization is a far more complex and insufficiently researched phenomenon that cannot be observed through the black-and-white prism. Globalization takes place in different cultural environments, which are often a conglomerate of various cultures and traditions. The increasingly present globalization has triggered reactions. Specifically the processes of deglobalization and glocalization. Postglobalism is determined to a large extent by regional blocks.

Currently, China is strongly positioning itself as the second largest global economy. The world is becoming increasingly small, while the global competition is becoming bigger and bigger. It is to be expected that in the future the opposition and disputing of globalization will grow, and different alternatives to it will be offered.

Strategic alliances do not exist only in politics. They are becoming an increasingly present strategy model that companies use to deal with intensified competition. Alliances are created by two or more companies who pool their resources in order supplement their internal resources with access to the needed resources from outside players. Hence, the companies bring into strategic alliances their best resources and combine them with the best resources of other companies in the alliance with the aim of achieving a competitive advantage. In a strategic alliance, companies share and acquire knowledge, which can also be a motivation for joining an alliance.

Clusters have long been a part of the economic landscape with geographic concentrations of trades and companies in particular industries dating back for centuries. The emergence of contemporary clusters and their dominance provide insights in the microeconomics of competition and the role of location in competitive advantage.

Measuring of globalization and its effects is a statistical challenge and there are still many challenges related to it. The key problem is primarily the issue of which data to encompass and how to ensure data relevance. Specifically, how to record factual economic trends, economic barriers, flow of information, data on personal contacts, data on cultural proximity and distance and various "invisible" data.

Regardless of the quantitative measurements of the globalization process and the search for new measurement models and indexes, the quality analysis still has an important place. Rapid changes in the world create new challenges with respect to measuring of globalization as well.

References

Adler, N., 2008. *International Dimensions of Organizational Behaviour*, 5th edition. Ohio: Thomson South-Western.

Bahtijarević Šiber, F., Sikavica, P., Pološki Vokić, N., 2008. *Suvremeni menadžment, vještine sustavi i izazovi*. Zagreb: Školska knjiga.

Bajrektarević, A., 2015: *Geopolitika: Evropa Sarajeva 100 godina poslije i drugi spoljnopolitički eseji*, Sarajevo: Dobra knjiga.

Beck, U., 2003. *Kaj je globalizacija?: zmote globalizma – odgovori na globalizacijo*. Ljubljana: Krtina.

Bećirović, Z., 2014. Contemporary Marketing Communication and the Case of Islam. In: *European Perspectives - Journal on European Perspectives of the Western Balkans*, Vol. 6 No.2 (11), pp.137-158, Ljubljana

Bećirović, Z., 2001. Tržno in poslovno komuniciranje skozi prizmo islamskega prava, magistrska naloga, Ljubljana: Fakulteta za družbene vede Univerze v Ljubljani.

Bećirović, Z., 2002. Islamska različica odnosov z javnostmi, *Teorija in praksa*, 39 (2), February 2002, pp. 374-382, Ljubljana.

Blanchard, O.J., 2006. *Is Europe Falling Behind?*.Available at: http://www.globalenvision.org/index.php?fuseaction=library.print&pri (Accessed on 20.10.2015)

Bhagwati, J., 2007. *In Defense of Globalization*. Oxford University Press.

Bochner, S. (ed.), 1982. *Culture in Contact*. New York: Pergamon Press.

Bogešić, R., 2010. *Kršćanstvo između kapitalizma i socijalizma*. Kairos - Evanđeoski teološki časopis, 4 (2), pp. 299-311.

Bošković, D., 2006. *Nauk za prebogate*. Delo newspaper, p. 17. (8.7.2006).

Carbaugh, D., 2007. Cultural Discourse Analysis: Communication Practices and Intercultural Encounters. *Journal of Intercultural Communication Research*, 36 (3), November 2007, pp. 167–182.

Crockett, A., 2000. Comentary: How Should Financial Market Regulators Respond to The New Challenges of Global Economic Integration? In: *Global Economic Integration: Opportunities and Challenges.* pp. 121-128, New York: Books for Business.

Dicken, P., 1998. *Global Shift: Transforming the Global Economy*. London: Sage.

Dimovski, V., Penger, S., Žnidaršič, J., 2005: *Sodobni management*, Ljubljana: Ekonomska fakulteta v Ljubljani.

Drašković, V., 2007. *Manifestacije ekonomske globalizacije*. XIV Međunarodni znanstveni skup Ekonomska politika, Europska unija, mogućnosti/perspektive, pp. 257-273, Zagreb: Rifin.

Eriksen, T. H., 2002. *Paranoja globalizacije: Islam i svijet poslije 11.septembra*. Sarajevo: Sejtarija.

Friedman, T.L., 2000. *The Lexus and the olive tree*. New York: Anchor Books.

Glavič, B., 2009. *Globalizacija v luči konfliktov med racionalnostjo, socialno diferencijacijo in etiko*. magistrska naloga, Ljubljana: Ekonomska fakulteta Univerze v Ljubljani.

Hofstede, G., 1980. *Culture's Consequences: International Differences in Work-Related Values*. Beverly Hills CA: Sage Publications.

Hribar, T., 2006. *Uvod, phainomena XV/57–58*. p. 4. Ljubljana: Znanstveni inštitut Filozofske fakultete, Univerza v Ljubljani.

Hunter, B., White, G.P., Godbey, G. C., 2009. *What Does It Mean to Be Globally Competent?*, Journal of Studies in International Education, Vol. 10 No. 3, Fall 2006, pp. 267-285.

Jazbec, M., 2001.*The Diplomacies of New Small States: The Case of Slovenia with some comparison from the Baltics*, Aldershot: Ashgate.

Kerim, S., 2015. *Globalizacija i diplomacija*. Velika Gorica: Osini Trade.

Križan, M., 2008. *Interkulturni dijalozi i liberalna demokracija*. Zagreb: Nakladnik Politička kultura.

Macgillivray, A., 2006. *Globalization*. London: Robinson.

Mlinar, Z., 2012. *Globalizacija bogatí in/ali ogroža?*. Ljubljana: Fakulteta za družbene vede in Slovenska akademija znanosti in umetnosti.

Naisbitt, J., 1994. *Global Paradox*. New York: William Morrow and Company.

OECD, 2005. *The Organization for Economic Co-operation and Development* (2005): Measuring Globasition, OECD Handbook on Economic Globalisation Indicators, Paris.

Porter, M., 1990: The competitive advantage of nations, Free Press, New York.

Porter, M., 1998: *Clusters and competition: New agendas for companies, governments, and institutions*. In: M. Porter, On competition, pp. 197-287. Boston: Harvard Business School Press.

Porter, M. E., 2000: *Location, Competition, and Economic Development: Local Clusters in a Global Economy*. In: Economic Development Quarterly 2000; Vol. 14 No. 1, February 2000, pp. 15-34.

Prvulović,V., 2010. *Ekonomska diplomatija*. Beograd: Megatrend univerzitet.

Roy, J. P., 2008. *Dimensions of Culture*. Kingston CA: Comm 353, Class literature, Queens School of Business.

Sjekloča, M., 2006: *Globalizacija v srednji in vzhodni Evropi*, Ljubljana: Bančni vestnik.

Svetličič, M., 2004: *Globalizacija in neenakomeren razvoj v svetu*, Fakulteta za družbene vede, Ljubljana.

Stiglitz, J., 2002: *Globalization and its discontents*, Penguin Books, London.

Tayeb, H.M., 2005. *International Human Resource Management: A Multinational Company Perspective*. Oxford University Press.

Turčinović, F., Vrcelj, N., 2010. *Postglobalizam i ekonomske integracije*. Beograd: Megatrend univerzitet.

Vreg, F., 1990. *Demokratično komuniciranje: prispevek k pluralistični paradigmi v komunikacijski znanosti*. Maribor: Založba Obzorja.

Wolf, M., 2004. *Why globalization works*. Yale University Press.

European Integration Process Thirty Years after the End of the Cold War

Milan Jazbec[1]

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ABSTRACT

This paper discusses what is, to our belief, one of the major policy achievements in the European history since the Peace of Westphalia – the ability to pursue values. In particular, democracy, human rights, market economy, free and fair elections, and freedom of media. These are produced by the European integration process that is understood to be a structural output of activities of the key international governmental organizations functioning on the broader European as well as on the global level (the EU, NATO, the OSCE, and the Council of Europe). This synergetic functioning has, in the period after the Second World War, and after the end of the Cold War in particular, transformed Europe into the continent with the highest living standard, an outstanding system of values, and other achievements. The European integration process is a European diplomatic, political, and historical innovation. This article discusses its origin, evolution, and development in the period after the end of the Cold War. Combined with the post Second World War period, this time frame represents five decades of integration shaping and thirty years of an intensive structural rise.

KEY WORDS: The Peace of Westphalia, the French Revolution, the End of the Cold War, European integration process, production of values, the Western Balkans

POVZETEK

V prispevku obravnavamo, kar je po našem prepričanju eden izmed večjih policy dosežkov v evropski zgodovini iz obdobja po sklenitvi vestfalskega miru – sposobnost uveljavljanja vrednot, za katere se Evropa zavzema na globalni ravni. To so predvsem demokracija, varstvo človekovih pravic, tržno gospodarstvo, svobodne in poštene volitve ter neodvisnost medijev. Te vrednote so plod evropskega integracijskega procesa, ki ga razumemo kot strukturni rezultat dejavnosti ključnih mednarodnih vladnih organizacij, ki delujejo v širšem evropskem prostoru in tudi na globalni ravni (EU, Nato, OVSE in Svet Evrope). To je sinergično delovanje, ki je v obdobju po koncu druge svetovne vojne – in še posebej po koncu hladne vojne – spremenilo Evropo v kontinent z najvišjim življenjskim standardom, izstopajočim sistemom vrednot in drugimi dosežki. Evropski integracijski proces je evropska diplomatska, politična in zgodovinska inovacija. V članku obravnavamo njegov nastanek in razvoj zlasti v obdobju po koncu hladne vojne. Skupaj z obdobjem po koncu druge svetovne vojne to predstavlja pet desetletij integracijskega oblikovanja in trideset let strukturnega zagona.

KLJUČNE BESEDE: vestfalski mir, francoska revolucija, konec hladne vojne, evropski integracijski proces, oblikovanje vrednot, Zahodni Balkan

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Introduction

The year 1989 that marks one of the milestones in modern European history is – with its current 30th anniversary – a necessary, useful, and challenging point of departure for an in-depth, but focused, general overview and contemplation of broader political trends.

With this in mind, we dwell on structural changes not only of the European continent, but primarily of its political identity that has evolved tremendously from one point of view during the last three decades and from another one during the period after the end of the Second World War. To be able to fully cope with this metamorphosis, we have to go back to the point at which, to our mind, the modern European history in a broader sense began: to the Peace of Westphalia. This represents the beginning of the time frame, which serves us to analyze, comment on, and understand what Europe and its political identity are today. Our thesis is that the European integration process, as we understand it today, is a result of huge and structural dynamics of various processes that in the course of time, with their increasing synergy, produced Europe as the by far most integrated, structurally advanced, and value based space that we know.

The main aim of this paper is to test this hypothesis with applying an in-depth analytical overview of the European political history during the mentioned time period, with special emphasis on the last three decades. For this purpose, we use methods of analysis, comparison, commenting, generalization, and deduction, while applying approaches and apparatus of political sciences, history, sociology, and diplomatic studies. We focus on three outstanding historical periods, notably the periods from the Peace of Westphalia to the end of the Second World War, from then to the end of the Cold War, and from that time to the current political-historical situation. We explain them as periods of political history, integration history, and structural history respectively. Additionally, we pay special attention to the two sets of topical aspects, dividing each into three categories. The first one focuses on the evolution, characteristics, and perspectives of the European integration process, while the second one addresses the enlargement, geography, and values as three unique driving forces of the European identity building endeavor.

Together with their aspects, elements, and mutual dynamics, they pro-

duce, constitute and shape what we define as the European integration process.

General overview of the three periods

Political History

We stem from the assumption that modern European history began with the Peace of Westphalia in 1648, which ended the Thirty Years War in Europe.[2] The stream of structural changes, which the Treaty initiated, had become increasingly noticeable in the later course of time and, together with a decisive push for the French Revolution in 1789, constituted premises for constructing the skeleton of European political identity. One of the most important innovations from that period turned out to be the concept of a nation state as a way of introducing a political ordering of societies.[3] This caused a number of important political and social consequences for the later development of political institutions, concepts, and values. Among them also appeared the idea of a formal, institutionalized cooperation between states that could be understood as a primary seed for the later concept of an integrating Europe.[4] Hence, in this paper, we understand the Peace of Westphalia as a starting point of the evolution of the European integration process.

Because of the formation of the nation state, relations between major European powers received different and new dynamics. One of its aspects was a reflection of the competition between these Powers in the outer world, their overseas economic expansions, and the introduction of mercantilism.[5] The result of this, combined with their internal European dynamics, was that a rather small group of European states evolved as the political nucleus of Europe. These were England, France, the Netherlands, Spain, Portugal, the Habsburg Austria, Russia, Prussia (i.e. later Germany), and Italy, the latter two after their unifications in 1871 and 1861, respectively. With some changes (for example with the joining of Belgium and the United States of America in particular), this core remained practically the same till the end of the Second

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2   Comp. Benko (1987: 42–43), Jazbec (2002: 25–33), Satow (1979: 5), Sen (1988: 8).

3   Among other, it gave the decisive push for the formation of diplomacy as we understand it today.

4   This could primarily be seen through various forms of de facto multilateral gatherings of the European leaders, such as the formalized series of Congresses during the first half of the 19th century, beginning with the Congress of Vienna, but also through numerous similar, though primarily ad hoc gatherings in the 18th century as well.

5   This could be also understood as the origin of the globalization process.

World War,[6] and as such strengthened the theatre for the European identity building process. During the next three centuries, relations among them crafted out European political and diplomatic dynamics,[7] as well as ways of keeping the balance of power, although countries were often changing sides and allies in those processes. But it was exactly the stability of those processes that offered Europe a possibility to avoid the, so far unprecedented, calamities and to continue to develop institutionally. Indeed, it did not prevent conflicts, tensions, and wars between the European powers. However, none of it was as destructive as what was witnessed during the Thirty Years War. The devastation that hit Europe during that period was the biggest and most destructive calamity in the then recorded history.

However, herein discussed and generalized period of political formation of Europe and its identity ended in a similar way as it began. The first half of the 20th century was marked by the two World Wars, including the interwar period spanning over three decades as well.[8] Within three centuries, Europe witnessed and got through two similar periods of unprecedented destructions. The first one was limited to the European continent and was religion-based (conflicts between the Catholics and Protestants), while the second one had global dimensions and was ideologically based (capitalism, Nazism, and communism). As the ground reason for the second calamity, one could point out the fact that the international order as such collapsed. Institutions that were built in the past were not able to function in different historical conditions, hence there was no political formation which would have been able to compensate the institutional political violence spread around Europe and consequently dispersed globally.

Additionally, one could conclude with an even more remarkable observation: in each of these two cases, Europe also managed to produce its revival. In the first case, with the establishment of a nation state based political theatre that was able to prevent a similar breakdown for three centuries. And in the second one, with the establishment of an integrating capacity theatre that was able to guarantee the appearance of the Europe's unique outlook on integration. The first innovation pa-

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6   One should also mention here the Holly Seat, with its strong diplomacy. But we do not list it as a part of the group, since the way and nature of its behaviour in the international relations was rather different, with different means and methods, not being primarily the prerogatives of a nation state.

7   It is important to note that the period of classical diplomacy timewise practically coincides with these three centuries, namely from the Peace of Westphalia in 1648 till the founding of the League of Nations in 1920). Comp. Anderson (1993), Berridge (2015), Jazbec (2009.b) etc.

8   Cooper (1996: 8) speaks explicitly about the second Thirty Years War.

ved the way for bilateral diplomacy and the second one for multilateral diplomacy.

INTEGRATION HISTORY

As the Peace of Westphalia could be seen as the seed for the later different political dynamics in Europe (from destruction to a national ordering of European affairs), also the adoption of the Atlantic Charter in August 1941, signed by the American President Roosevelt and the British Prime Minister Churchill, could be understood as a seed for the integrative postwar European history (from destruction to international and integrated ordering of global affairs).[9]

For the purpose of this research, we see three milestones that mark its integration trend. Firstly, the emergence of structures in the decade from 1945 till mid-fifties; secondly, the adoption of the Helsinki Final Act in 1975, and thirdly, the demise of the Cold War in the late eighties/ early nineties.

The establishment of the United Nations Organization (the UN) in June 1945 in San Francisco was the direct result of the multilateral interwar period heritage of the League of Nations and of the series of meetings between the leaders of the Allied Powers, following the signing of the Atlantic Charter (conferences in Tehran in 1943, in Yalta in 1944, and in Potsdam in 1945). The founding of the UN as a universal international governmental organization was an act of universal importance and global outreach with long term political, diplomatic, economic, and value-oriented consequences. This was further on cemented by the development of the system of the UN's specialized organizations. It is important to note that Chapter VIII of the UN Charter foresees that regional arrangements could be included in the "maintenance of international peace and security". As the Atlantic Charter presents a philosophical seed in the origin of the European integration process, the above quotation presents its policy, substantial aspect.

Within the afore-mentioned historical core group of countries, a conclusion emerged that there has to be a way out of the historical divisions and wars as well that there is an urgent need for it. The new appro-

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9   One would hardly oversee the fact that it was exactly Churchill who stated, as the first one, in his lecture in Fulton in 1946 that world affairs found themselves in the Cold War.

ach has to enable an organized, institutional, and collective recovery of Europe that would reach across war divisions and hatred. To get as close to this core group of countries as possible, one should have a look at those who were in the centre of both NATO's and the EU's founding members (alphabetically): Belgium, France, Germany,[10] Italy, Luxembourg, the Netherlands, and the United Kingdom.

Hence, the remaining of the 1940s and the first half of the 1950s represent what we call the European integration miracle. During that decade, a series of fundamental international organizations was established on the broader European territory, which presents structures that till today remain to be the basis of the European political and diplomatic paradigm. Their policy and value frames have been, besides in the UN Charter (1945), provided also in the Universal Declaration on Human Rights (1948), the European Convention on Human Rights (1950),[11] and in the European Social Charter (1961).

Upon the previous preparations and diplomatic activities, followed the establishment of NATO and the Council of Europe in 1949. In the following years, the European Communities got out of the Franco–German dialogue and with the signing of the Treaty of Paris in 1951, as well as of the Treaty of Rome in 1957, paved a way to the creation of the todays EU.[12] Twenty years later, in 1975, the adoption of the Helsinki Final Act marked the establishment of the Conference on Security and Cooperation in Europe (CSCE), which preceded the Organization for Security and Cooperation in Europe (OSCE).

Through the enlargements of these organizations during the Cold War period, irreversible and policy firm foundations of the European integration process were laid down.[13] It should be particularly pointed out that enlargement, as a policy and political tool, was one of the main drivers of those organizations (especially of the EU and NATO). It also served as a solution to crises that both organizations were facing through their histories. The EU and NATO received additional and decisive structural boost with the collapse of a bipolar world and with a

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10 The Franco–German cooperation was one of the axis for the notion of the European integration process.

11 It was the first Convention adopted by the Council of Europe.

12 Among many links to those documents the author used the following one: https://www.europarl.europa.eu/about-parliament/en/in-the-past/the-parliament-and-the-treaties/treaty-of-rome. Constitutive documents of other, here discussed international organizations are available on their respective websites.

13 Due to the Cold War division in Europe, the process was in its core parts bound only to the Western Europe. However, the dialogue between the two blocks was held by both, the Council of Europe and the CSCE (contrary to NATO, and the EU, i.e. its predecessors).

simultaneous enhancement of globalization. Hence, they also became widely recognizable and got their up-to-date policy frameworks.

Compared with the previous period that spanned over three centuries, this one lasted for a half of a century, when taking into account the time between signing of the Atlantic Charter and the end of the Cold War.

THE END OF THE COLD WAR

Though not being a particular period in the development of the international community as well as of Europe, the end of the Cold War marks a unique and structurally highly important event.

With its political, diplomatic, security, and other consequences, the end of the Cold War spans beyond the most of the break-even points in modern European history. Due to the stream of changes, it is comparable with the French Revolution (they took place exactly two centuries apart) and with the end of the Thirty Years War (approximately three and a half centuries time difference between them).[14] The Peace of Westphalia succeeded a major European calamity, while the French Revolution marked the beginning of the political transition (along with the brutal use of force and violence) from monarchies to liberal political orders. The end of the Cold War, on the contrary, marks the end of the almost half a century long bipolar global division and tensions between the East and West that never burst out as a major military conflict, in spite of many crises around the globe.[15] Additionally, historians claim that the revolution of 1989 was a peaceful revolution, i.e. a revolution without revolution, although its consequences were felt around the globe.[16] The year 1989 holds a unique mark of Annus Mirabilis.[17]

Three multinational countries – the Union of Soviet Socialist Republics (USSR), the Socialist Federal Republic of Yugoslavia (SFRY), and the

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14   Comp. Böttcher (1995:150) and Cooper (1996: 7).

15   The author of this paper recalls the discussion he had in Belgrade in summer of 1989 with Ignac Golob, one of the most known Yugoslav Ambassadors of that time, who was a Slovene national and who later built an outstanding career in Slovene diplomacy as well. Ambassador Golob argued that various crises around the globe could be solved rather easily, with the consent of both super powers. However, the real problem would, in his opinion, appear when the Baltic – Balkans arc breaks. Much later, Golob added that he realised this when he was following discussions at the CSCE in Vienna where he was the Yugoslav Ambassador till the late 1980s. (Jazbec, 2002: 233–234).

16   Ash (2000: 596) claims that there exists not a single point in the world that hasn't been touched by consequences of the end of the Cold War.

17   Comp. Jazbec, 2006.

Czechoslovak Socialist Federal Republic (CSSR) – based on socialist/communist political system and ideology collapsed, Germany was reunited (the Federal Republic of Germany and the German Democratic Republic), a vast number of countries gained or regained their statehood and the whole area from the Iron Wall in the middle of Europe to the Soviet Far East and Mongolia was democratized.[18] The whole political transition occurred within a couple of years without a bigger military conflict.[19] However, the later stream of events led to a war that followed the dissolution of the SFRY.[20]

Political geography reveals that the main territory where changes took place was the triangle spanning between the Baltics, the Balkans, and the Black Sea. This was the nexus that witnessed huge political and security dynamics with numerous aspects and modalities of change.[21] These states are diverse in ways of their formation, from a regained statehood in the case of three Baltic republics, to the demise of the German Democratic Republic, peaceful and consensual dissolution of the CSSR, newly gained statehood in the territory of the SFRY (though Serbia and Montenegro were functioning as kingdoms already before the formation of Yugoslavia in 1918), as well as political toughness in Romania and tectonics in the Caucasus. In favour of the policy and strategic importance of this triangle speaks the fact that the majority of new members of the discussed organizations, in particular of NATO and the EU, came from that geographic area. Obviously, the area continues to carry its specific strategic importance as well. Largely, the membership of the three Baltic states in NATO presents the reason why the Russian Federation tables its claim that with this move NATO entered its former territory. This is also the area that is included in the US policy and political initiative of the Three Seas (Baltic, Adriatic, and the Black Sea), launched in 2016.

The end of the Cold War marks also the transition from the bipolar to a multipolar world order, though the transition has not been very clear, definite, or obvious. In particular, since during the last hundred years, Europe has witnessed three global powers being part of its political, security, and diplomatic architecture. The Russian Federation (formerly the Soviet Union and before that the Czarist Russia) has been

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18   Fukuyama (2014) speaks about globalization of democracy.

19   The Berlin Wall fell in October 1989 and the CSSR was dissolved on 1 January 1993.

20   One could argue that the 20th century began with the two Balkan Wars and ended with the third one.

21   Tunjić refers to this area as *the Europe in between* (2003).

for the major part of the period one of the dominant powers on the European continent, having a changeable influence, for various reasons. The United States entered the European affairs during the First World War and remained an indispensable part of them throughout the 20th century. It was exactly the strategic dialogue between these two powers that led to the German unification and consequently to the end of the Cold War in Europe.[22] As for China, it was only during the last decade of the herein discussed time period, that it started entering in the European affairs. The trend has been increasing and one of the illustrative examples of the Chinese policy interests in countries of Central and Eastern Europe is the Chinese initiative 17+1. These are also countries that joined the European integration process after the end of the Cold War. They have become the focus of interest of all the three major global powers and are at the same time settled in the nexus of the discussed process.

Such strategic dynamics would not have been possible in any of the earlier European history periods. It was only the end of the Cold War that enabled the emergence of political circumstances, which allowed the appereance of this dynamics. However complicated it might seem, we believe that, overall, it presents an opportunity for a successful course of the European integration process.

Structural History

Almost fifty years after the signing of the Atlantic Charter, it was Paris that hosted the Conference for New Europe organized by the CSCE, in November 1990, where the Charter of Paris for a New Europe was adopted. The Conference itself and the adoption of the Charter triggered a series of summits of European leaders in the new international environment and a series of adoptions of Treaties that crafted out the current European identity. To the most important among them are considered to be: the Maastricht Treaty (1992), the Treaty of Amsterdam (1997), the Treaty of Nice (2002), the European Constitution (the Constitutional Treaty) (2004), and the Lisbon Treaty (2007).[23] The comple-

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22   When the US President Reagan visited Germany in June 1987, he gave a speech at the Brandenburg Gate close to the Berlin Wall and made the following appeal: "/.../ if you seek peace/ ... /Mr. Gorbachev, tear down this Wall!" (Robinson. P., "Tear Down This Wall", Prologue Magazine, Summer 2007, Vol. 39, No. 2, available at: https://www.archives.gov/publications/prologue/2007/summer/berlin.html). Full video speech is available at: https://www.youtube.com/watch?v=5MDFX-dNtsM. The speech was prepared by Richard Holbrooke, who was at that time the US Ambassador and Head of the US Allied Mission in the West Berlin.

23   The European Constitution was signed in 2004, but never ratified, due to its rejections on referendums in France and in the Netherlands. It was succeeded by The Lisbon Treaty, which was signed in 2007 and ratified in 2009.

mentary effect of the institutions and treaties has produced a corpus of values that form the basis of the European identity as a whole.

Similarly as the multilateral meetings between the leaders of the Allied Powers during the Second World War led to the founding of the UN and paved a way to the period of integration, a series of bilateral meetings (with immense multilateral consequences) between the US Presidents Reagan and Bush Sr. respectively with the Soviet leader Gorbachev (Reykjavik October 1986, New York December 1988, and Malta December 1989) led to the peak of the integration period with the end of the Cold War, and paved a way to the period of the structural advancement.[24]

The dynamics of the European integration process in this period has been maintained by enlargements of the key international organizations, especially the EU and NATO. Enlargements have been always parts of policies as well as political answers to major challenges and crises, which the latter two were facing initially. This aspect fully emerged exactly during this period. Both organizations were, since the very beginning of the 1990s, subjects to an avalanche of criticisms. First NATO, because critics argued that with the collapse of the Soviet Union the enemy disappeared and hence there was no reason anymore for its existence. And then, both of them, especially the EU, due to being caught by a surprise when the war in the Balkans burst out after the dissolution of the SFRY as well as for the way they handled/addressed the situation.

But at the same time, the enlargement received a new and strong integration boost when practically all countries that gained or regained their independence after the end of the Cold War expressed their firm foreign policy ambitions for joining these two organizations.[25] This gave the current basis and complemented the frame of the European integration process. It both received and cemented its transatlantic as well as trans-asian dimension ("From Vancouver to Vladivostok"), including countries not only from the broader European area, but from practically almost the whole Northern hemisphere. Therefore, the European integration process could be understood as a specific political

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24 Gorbachev and Reagan met in Reykjavik in June 1986 at a break through meeting. In June 1987, less than a year later, Reagan visited Berlin and in December 1988 they met in New York, in presence of the Vice-President Bush Sr. Almost exactly a year later, in December 1989, Gorbachev and Bush Sr. (as a President) met in Malta, a few weeks after the fall of the Berlin Wall. It was an unprecedented and hardly imaginable series of top bilateral meetings that enabled and managed the end of the Cold War. It is also additionally admirable how the German Chancellor Kohl grasped the moment and simultaneously pushed through the reunification of Germany.

25 The only exemption was Moldova that due to its highly complicated position decided to opt for neutrality.

venue that brings the US and the Russian Federation together (as participating states in the OSCE), sees them individually in NATO (only the US), and in the Council of Europe (only the Russian Federation), while none of them in the EU. Hence, it would be referential to claim that European integration process is globally unique, since no comparable cases exist on any other continent, notably such that would be, in spite of the presence of various regional arrangements, able to produce that broad, in-depth, strong, and flexible structural integration dynamics. This dynamics serves as a driver, a catalyst, and a compensator for the management of political and policy affairs within its scope.[26]

Compared with the previous two periods that spanned over three centuries, as well as half of a century respectively, this one has reached three decades so far (having in mind the time frame of this contribution). Throughout the whole period of almost four centuries, the European identity was articulated and aggregated, rising from the origins of its political core through the integration enrichment and, finally, to its structural mark. The whole process has been gaining on momentum, increasing its thrust while accelerating its drive. Because of its progressive historical advancement, it was possible that each following period was gaining on structural synergy and dynamics, thus, resulted in a shorter time needed.

Additionally, based upon the diplomatic achievements of the previous two periods, this one managed to produce a rather complete synergy between bilateral and multilateral diplomacy as a global output of the European integration process (what could be seen as one of its strongest and most efficient tools during the herein researched period).[27] We understand this diplomatic form as a postmodern diplomacy.[28] This diplomatic form is one of the reflections of the complexity of the contemporary, highly globalized international community. It is also among those actors that further on contribute to the production of this complexity. At the same time, however, it firmly backs up the understanding that one cannot fully cope with the notion of diplomacy without placing it in a direct correlation with given social and historical circumstances.[29]

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26 One could also claim – for the purpose of this contribution – that this could be an argument for Europe being such a developed and attractive place to live in with such a high living standard.

27 Comp. the leading European role in concluding the nuclear deal with Iran in 2014.

28 For more on postmodern diplomacy see Jazbec, 2006, 2007 and 2009.b.

29 This finding serves as a starting point for dwelling on sociology of diplomacy (see Jazbec, 2014).

Main characteristics and production of values

Complementarity, Complexity, and Complicated Nature

These three aspects form the very core of the characteristics of the European integration process. It took, though, some time for them to become obvious. One could claim that the process of integration was clearly evident after the dual enlargement (of both NATO and the EU) in 2004. Only the largest number of newcomers in both organizations offered a clear and fully understandable view on the organizational dynamics of these two organizations as well as on their production of values. One could also claim that it first became apparent in the area of provision of security.[30]

We understand their complementarity in the synergy between their founding missions and, consequently, in their implementation of activities/responsibilities: collective defense (NATO); free movement of goods, persons, services, and capital; market economy; rule of law; crisis management (the EU, partially also the Council of Europe and NATO); human rights; democratic elections; freedom of media (Council of Europe, partially also the EU, and the OSCE); and comprehensive security (the OSCE).[31] These are the premises for the concepts of democracy and human rights, rule of law and market economy at its core, and for which all the discussed organizations stand for. The whole innovative and structural paradigm is complemented by a number of key institutions (in particular by the European Court of Human Rights) as well as by a number of declarations (such as the European Convention on Human Rights and the European Social Charter). Both institutions and declarations provide a firm and direct link to the universal mission to maintain global peace and security, pursued by the UN. At the same time, this global contribution of the European integration process – a de facto result of a number of European regional arrangements – rests on the European hard power provided by NATO, as well as on the European soft power provided by the EU, the Council of Europe, and the OSCE.

Strangely enough, although the complementarity of their missions is more than obvious, organizations started to behave on a complementary basis not more than a decade and a half ago.

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30 Comp. Jazbec, 2005.

31 It is important to note that the OSCE performs its mission through three dimensions: the politico-military, the economic and the environmental. But generally, it is known as the biggest regional security arrangement.

Regional provision of global peace and security, if we follow the terminology of the UN Charter, is in the case of the European integration process also a rather complex issue. Hence, we have to have a look at it from a holistic point of view.

At the top of its vertical position, there is the UN with its universal mission. On the second vertical level, one could find the four herein discussed organizations, namely NATO, the EU, the Council of Europe, and the OSCE. Formally speaking, they are regional arrangements, but de facto, they have a global impact on maintaining peace and security. The third level would be housed by institutionalized regional forms of cooperation, like the European Economic Area (EEA), the Central European Free Trade Agreement (CEFTA), the Nordic Council, the Council of the Baltic Sea States, etc. The next level would see less formal arrangements, like the Višegrad Group, while there are numerous other arrangements in a form of Charters or just cooperation initiatives, like the Adriatic Charter, the Danube Cooperation,[32] the Alpine Convention, etc.

From one point of view, there is a clear vertical distribution of arrangements and from another one, also rather clear horizontal distribution. Their formal, regular, and informal ad hoc activities, initiatives, and behaviour, all depending on the arrangement in question or on the level of positioning, take a variety of actions that contribute to the richness of the European integration process as a whole. Nevertheless, they also contribute to its complexity and occasionally to its complicated nature. There is a variety of crisscross relations and interactions in place that produce a dynamic, fluid, and flexible policy and a pragmatic oriented picture. However, there is no need to doubt, in particular when we discuss activities of actors on lower vertical levels, that they would not have a mission or a goal that is not welcomed within a given regional context, serving interests of their protagonists.

Following this stream of thought, it would be quite logical or expected to see also the complicated nature of those actors, given an outstanding level of their complementarity as well as complexity. We could say this stems to a certain extent automatically from their number, various positions, and numerous missions.

Continuing from the notions of complementarity and complexity, the

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32   The International Commission for the Protection of the Danube River.

complicated nature of the European integration process rests basically on the fact of the overlapping of members and missions of the organizations in question.[33] But while each of their core missions remains basically the same (adjusting to the ever changing international environment), the number of their members increased heavily during the previous three decades.

The EU comprises 27 members, NATO 29 (with North Macedonia as the future thirtieth when the ratification proces is finished), the Council of Europe 47, and the OSCE 57 participating states. All the EU members are also members of the Council of Europe and participating states in the OSCE. The majority of them are also members of NATO. Due to their participation in the OSCE, the US, Canada, and the Russian Federation are part of this process as well. The fact of having both, the US and the Russian Federation on board of the process makes it additionally complex and complicated (organizationally, policy-, and political-wise). The US is heavily involved in the Pacific and Asian bilateral and multilateral affairs (in the latter through the Asian Pacific Economic Council – APEC). The Russian Federation is involved in the Asian affairs as well, particularly in the Central Asian ones, also in both bilateral and multilateral (in the latter primarily through the Organization for Security Cooperation, where China is also a member). This aspect could serve as an advantage for the European integration process, since it could strengthen it and make it globally efficient, inclusive, and acceptable. Nonetheless, this will depend primarily on two points. Firstly, on the EU's capability to improve its capacities to be an organizationally efficient player, capable of adopting global policies and value based decisions, and secondly, on its relations with other global actors (the US, the Russian Federation, and China) and on the relations among them.

However, for the core mission of this process, it is not least important to have a look at those countries that are active in all four roles. Those countries form the driving force of the process. Therefore, having in mind a highly complex structure of the EU that covers practically all aspects of social life of modern societies and due to the already mentioned membership overlapping, one could say that the EU membership presents the main thread of the European integration process.

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33 Formally speaking, in the case of the OSCE we do not speak of *member* states, but of *participating* states. Having in mind this basic difference that adds to a particular profile of the OSCE, we use in this contribution the term »member« as a general form for countries that figure both as members (in the cases of the UN, NATO, the EU and the Council of Europe) and as participating states (in the case of the OSCE).

With an additional step of deduction, we could say that the inner circle of this process consists of those countries that are members of both, the Schengen area and of the Euro zone. Here, to a much of an extent, we come to those countries that formed the European nucleus in the period from the Peace of Westphalia till the Second World War.

Dwelling on the complementarity, complexity, and complicated nature of the European integration process, therefore, brings us to the very understanding of what this process is and how it has been formed.

PRODUCTION OF VALUES

The production of values stems directly from the triangle of complementarity, complexity, and complicated nature. This could be seen as the very heart of the European integration process. One could even claim that it is the production of values what this process stands for and is all about. Synergetic output of various levels, aspects, and areas of overlapping within the structure of this process is the issue of values that define the European integration process and which are at the same time its result. They are – or the set of those values is – a crystallization of a century's long process of aggregation, articulation, and implementation as well as the final peak of a structural achievement of what the European identity, a notion and a differentia specifica represents.

The set of values, produced by the process in question, has one very clear characteristic: in its evolution, it is directly bound to an individual. Individuality, as an emanation of a human being that is free in its original position, derives directly and clearly from the heritage of the 1789 French Revolution: equality, brotherhood, and freedom. From then on, an individual is in the focus of social affairs as a whole. This focus points out, in particular, two aspects of the status of a modern individual: emancipation and protection. An individual is free and protected by a set of legal instruments that shall guarantee his or her rights at both national and international levels. In relation to the latter, the individual has a political right and legal possibility to seek protection by international institutions when being oppressed by national institutions of his or her own state.[34] Together with the abolition of the death penalty, this is one of the most far reaching

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[34] There exists a legal possibility to seek protection/justice from one's own state at the European Court for Human Rights, when legal venues in one's own state are procedurally exhausted. This de facto means that a citizen can sue his/her own state before the international legal institution.

advancements of the heritage of the French Revolution and of the European integration process.

From the number of values that form the whole set, seven of them stand out: democracy, rule of law, human rights, freedom of individuals, market economy, free and fair elections, and freedom of media. They form the core part of the whole set and are its synergetic output. Among many of them and without having the ambition to list them all, one shall also point out the four freedoms of the EU: freedom of movement of persons, goods, services, and capital.[35] Lately, the issue of equal opportunities is becoming increasingly important and present as one of the values that qualify the outstanding role of the EU as well as the global trend setter.[36] The same goes for the abolition of the death penalty.[37] Largely speaking, these values could be generalized as peace, welfare, and stability/security.

We mentioned earlier that the power of the European integration process rests, from one point of view, on the hard power provided by NATO, and from another point of view, on the soft power provided by the EU, the Council of Europe, and the OSCE. This set of values, therefore, also represents the essential part of the EU's soft power. Nonetheless, at the same time, this soft power – and the produced values included – is a very sensitive and vulnerable phenomenon. The discussed process is still far from having clear, firm, and permanent institutions that would have been able to keep on producing those values, regardless of the changed international circumstances. Lessons learned from the 2015–2016 migrant crisis show how soft power achievements, such as free movement of persons (within the Schengen area) and capital (within the euro zone), could be put under question mark.

Production of values comes out of the discussed proces that has its own evolution and dynamics. It is a dynamic social process that continues to produce values that evolve, advance, and upgrade. At the same time, these values also present criteria and standards. They define the ways in which societies mature and are able of further democratic metamorphosis.

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35   One could also add here free movement of knowledge as the de facto fifth freedom.

36   Comp. also Jazbec et all., 2011.

37   Comp. Jazbec, 2008.

POST–COLD WAR ASPECTS

The third period – the structural one – is marked by some specific aspects that additionally point out the uniqueness of the European integration process.

Due to the changes that the end of the Cold War brought to the international community and social affairs in general, this has been the period in which the European integration process witnessed its strongest increase so far throughout its history. It has expanded, strengthened, and synergized its outreach, results, and influence. The same goes for its acceptance as well as implementation track. However, it also brought along difficulties.

There have been four enlargements of NATO during the post-Cold War period: in 1999 by three new members (the Czech Republic, Hungary and Poland), in 2004 by seven (Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovenia and Slovakia), in 2008 by two (Albania and Croatia), and by Montenegro in 2018; all together by thirteen. In the same period, there have been four enlargements of the EU: in 1995 by three countries (Austria, Finland, and Sweden), in 2004 by ten (the Czech Republic, Hungary, Cyprus, Estonia, Latvia, Lithuania, Malta, Poland, Slovenia, and Slovakia), in 2007 by two (Bulgaria and Romania), and in 2013 by Croatia; all together by sixteen. The number of NATO members almost doubled (from 16 to 29), while of the EU more than doubled (from 12 to 27). The number of member countries in the Council of Europe increased from 22 to 47, and the number of participating states in the OSCE from 22 to 57, in both cases more than doubled. These numbers confirm an unusually high and parallel enlargement dynamics during the previous three decades.

One could claim that the break-even point was reached in 2004, with dual enlargements of both NATO and the EU. Of course, numbers do not tell everything and are by themselves not necessarily the most important indicator. However, they point out a growing organizational and procedural complexity, an increased proportion of discussed topics, advanced internal dynamics of the decision making process, all in all with strong influence on the management process in general. This shows on the surface from one point of view, particularly at the OSCE (and to a certain extent also at NATO), where the decision making re-

sts on consensus and not on voting, but also at the EU due to a rather complex system of voting and weighing votes.

As of autumn 2019, only a handful of the Western Balkan countries are still not formally members of NATO and the EU. Nonetheless, they all have a kind of institutional cooperation with both organizations, as follows: NATO – for North Macedonia as the future thirtieth member the ratification process is well on track, while Bosnia and Herzegovina, Kosovo, and Serbia participate in the NATO Partnership for Peace Programme (Serbia does not share the membership ambition). As for the EU, Montenegro and Serbia are negotiating for the membership, Albania and North Macedonia are candidate countries and waiting to receive the date to start the negotiation proces, while Bosnia and Herzegovina, and Kosovo concluded the Stabilization and Association Agreement with the EU. One should note here that there has not been any EU enlargement in the Western Balkans since 2013, while between the last two enlargements of NATO there was a period of ten years (2008 and 2018). This standstill has not served as an encouragement as well as stimulation for the European integration process and its perception in the region of the Western Balkans.

This was the period of crises that hit international community and, in our opinion, also slowed down the integration dynamics. Moreover, the global financial crisis and the migration crisis hit decisively the dynamics of the European integration process in the third decade after the end of the Cold War. In comparison with the first two decades that can count as successful ones, the third one took an opposite turn. The emergence of the crises and the way in which the EU handled them uncovered a certain inefficiency of this complex bureaucratic machinery.[38] However, it should not have been like this. In 2009, the Lisbon Treaty entered into force with cementing the post-Cold War advancement of the EU as a core of the whole integration process. Among other things, it gave, the EU a legal personality, meaning that, strictly formally, only then the EU became an international organization. Additionally, only after that legal advancement, the European External Action Service was able to develop as a diplomatic service of a legal subject, similar to a service of compared with a nation state. The third decade after the end of the Cold War coincided with the legal

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38 A popular comment to the response of the EU to the migration crisis was that the EU was constructed to manage the European affairs and not external crises. However simplified this might be, it pointed out the lack of crisis management mechanisms for such type of a global challenge.

advancement, as said, but because of facing two major global crises, almost one after another, it was neither the decade of any further major advancement in their structures, nor of efficiency and improvement.

Moreover, such organizational structure depends, in many ways, on leadership capabilities, which is exactly the point of the existence of the European Council as the top political body, which decides on crucial issues as far as the functioning, management, and global appereance of the EU are concerned.[39] The praxis has shown that this body functions well when there is a core small group of strong leaders, with almost a precondition that the German Chancellor and the French President are at its very center. After the departure of Helmut Kohl and Jacques Chirac from these two positions, the generation change became a definite fact. Even more so, since these two leaders were the last ones, among the European top leaders, who personally experienced the Second World War period. This point of view has been important since the EU was formed with an ambition to overcome the atrocities and divisions from that War. Having a first-hand account of that period was somehow a natural guarantee to have this aim permanently in mind. The question of European leaders determines the EU's global positioning as well as promotion of its values.[40]

Finally, the post-Cold War period and the structural changes in the international relations, i.e. in the world order, brought an undeniable possibility for Europe to become a global actor. Throughout this period, the integrated Europe as the main driver of the European integration process has been facing the competitive challenges emerging from the actions of the US and the Russian Federation. The slowdown in the enlargement process, the decade of crises, and the leadership question have disabled Europe to be self-assured and compete within this triangle. The question of China with its steady appearance during exactly the same period in global affairs has posed another top challenge to this major test.

EXPERIENCES AND PERSPECTIVES

The post-Cold War period presents the most dynamic, intensive, and structurally rich advancement of the European integration history. At

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39   To serve as a real top political body, the EU Council also has, as of the Lisbon Treaty, its full time President.

40   The German Chancellor Angela Merkel is a leader with far the longest period in power and is at least from this point of view the only exemption, when speaking of the leadership crisis in Europe.

the same time, it is also a period during which this process became crystal clear, wide spread as well as put to a multilayered test. We have tried to dwell on these aspects and contemplate on them as well throughout this contribution.

Since the whole process rests on states that are involved in its functioning, it is their number (of members or participants) that gives the initial push to the dynamics of the process. Therefore, one could claim that the states, via their performance in the related international governmental organizations, build the process itself. There rests a direct connection to the Peace of Westphalia and to the importance of a nation state today as well as there is also the ground for contemporary multilateral performance of those nation states.

From this – not only statistical – circumstances, derive other characteristics and processual achievements. Herein, we discuss some of the most visible and outstanding ones from the discussed period.

It became clear that enlargement is the main driving force of the European integration process. This has been confirmed, in particular on the cases of the NATO's and the EU's post-Cold War enlargements, their dynamics, number of new members, and the time span in between the different enlargements. To much of the extent, we think this could be additionally proved if one would make a comparison between the post-World War Two and the post-Cold War enlargements, new members, and in particular the similarities between the international circumstances, present when various enlargements took place.

Due to the number of new members, after each post-Cold War enlargement, this influenced internal management capabilities of a given organization. Each increase of the number of states that participate in modus operandi, and thus in the decision making process, influences directly the advancement of its management. Consequently, also the scope and dynamics of integration – which is at the end of the day the administrative procedure with top political decisions – was influenced, if not already significantly determined. Simultaneously, relations between member states and the organization, as well as between member states in pursuing their own interests and those of the organizations, gained on complexity, but got also more complicated.

The issue of values additionally affirmed its central position in the

whole process. One could possibly argue that without a strong pursue of values, the whole process would be only – though still useful – a technical and administrative endeavor. To repeat, generally the process stands for peace, welfare, and stability/security. Yet, from a more theoretical point of view, we could claim that, during the discussed period, the European integration process arrived to a point where its two dimensions are obvious. From one point of view, the process is a territorial topic and from another one, it is a value based and oriented topic.

Having in mind the structural dynamics, including the candidate and aspirant countries and the significant slowdown in the negotiation process with Turkey, the biggest EU candidate country so far, the primary geographical focus of the Process currently lays on the Western Balkans region. Nevertheless, the possible completion of the enlargement is far from foreseeable and certain, even there. Therefore, it could be argued that the geographical dimension of the Process at the time being is rather known.[41] Another significant geographical focus is put on the countries of the Eastern Neighborhood Policy. Though, the enlargement in that case is not a topic of discussion, this example could serve as the illustration of the European integration process being value oriented. This dimension and its applicability depend neither on the geographical dimension nor on the level of structural cooperation between the countries and the institutions of the Process. The acceptability and implementation of values, produced by the process discussed, depend only on the interests of various third parties (states in particular). The set of values, produced by the process, is a universal one. This could be at least argued upon the Universal Convention on Human Rights. It is possible to conclude that there is a spreading trend of these values taking place globally, without being enforced by any institution. All in all, one could state that the set of values, produced by the European integration process is an example of a geocentric approach of the continent that throughout its history often tended to be Eurocentric, at least from the beginning of the overseas economic expansion after the signing of the Peace of Westphalia.[42]

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41 In both cases, the enlargement dynamics in the Western Balkans as well as with Turkey is not direct point of this paper. It primarily serves as a reminder of what has not been done so far and what is still to be finished, along the procedures, but also along the policy and political contemplation. One can hardly overlook an impression that more could have been done in the last decade and a half.

42 The period and the form of classical diplomacy, broadly accepted as one of the major periods in the development of diplomacy, serves as a typical example of a Eurocentric approach in international relations. Comp. Benko, 1998: 54–55.

In the third – and the last here discussed – decade, one can also notice few structural challenges that the process faces currently. We understand them as contradictions and they will have to be dealt with the policy approach of related institutions with the aim not only to get away with them, but in particular with the aim to further advance the Process, upon the recent political experiences.[43]

Strictly structurally speaking, we see two kinds of those challenges. One is the contradiction of the integration vs. disintegration and the other one the integration vs. nationalism/populism. It would be difficult to claim these two are new types of challenges. However, with the immense growth in the membership, particularly of NATO and the EU, within the discussed period, they became more obvious and present. One could additionally claim they have been increasingly spreading, for various reasons. An example of this phenomenon is the UK's exit from the EU, popularly known as Brexit.

Two value oriented challenges are the abolition of the death penalty and the necessity of addressing the climate change. The abolition of the death penalty could be viewed as the peak of the value system pursued by the process in discussion. It could serve as its global ID, provided the Process (and its institutions) will have the capability, power, and a unanimous will to enforce it. And as for the climate change issue, as the current (and as well future) reality, it is another example and test for the Process and its relevance. Like the world's nuclear arsenal determined the question of survival of the international community till the end of the previous millennia, it is now urgent to determine how to respond to the climate change. It represents the peak in understanding what nowadays poses the question of survival. This is not the issue of war and peace anymore, but it is a threat that the human race is facing as a whole. However, this threat consequently leads again to the issue of war and peace. This means that the current issue of survival of the international community is an advanced, synergetic case of what it used to be not that long ago.

And last but not least, the already mentioned issue of the EU's global appearance (as the process' structurally most advanced part) presents a multivectorial test for the credibility and efficiency of the European

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43 The author of this contribution believes that they do not pose an existential threat to the process. Nevertheless, they have to be dealt with consistently, in order to keep the post-Cold War momentum of the process running with the advancing tempo.

integration process. Judging from its long, steady, and ever advancing evolution, one could argue the process by itself possesses capability to continue this way.

CONCLUSION

This contribution aims to present and generally point out on the structural policy level, the importance of the European integration process for the current stage of development of the international community, as well as for the recent European history as one of its major policy characteristics.

We define the European integration process as a structural output of the activities of the key international governmental organizations on the broader European as well as on the global level. With these actors, we have in mind the EU, NATO, the OSCE, and the Council of Europe. They all work in compliance with the UN policies, upon the Chapter VIII of its Founding Charter. This approach delivers a unique understanding of their synergetic functioning that has, in the period after the Second World War – and after the end of the Cold War, in particular –, transformed Europe into the continent with the highest living standard, an outstanding system of values as well as with other achievements. European integration process is a European diplomatic, political, and historical innovation with an almost half a millennia long evolution that rests on the five decades of the integration shaping and the thirty years of an intensive structural growth. It has changed European geography, values, as well as its structure and institutions.

It consists of a complex web of institutions that are able to produce system of values, i.e. the way of life that is acceptable to every human being, has a firm ethical component, and offers potential for its further development along that track. Because of its complex structure and variety of interdependent structures that cover practically all areas of human life, the EU is at the very core of this endeavor. However, it is possible to produce this unique Process only in synergy with other listed actors. Hence, it was possible to develop this phenomenon only after the end of the Cold War when globalization took over.

Geographically, the European integration process spans across much of the Northern hemisphere, but in practice, it functions on the Eu-

ropean continent. And even here, it is an unfinished project. Thirty years after the end of the bipolar world order, the central part of the Western Balkans is not yet a full part of this integration effort. It is our belief that the three previous decades should had ended with this accomplishment. But they did not. There is no clear, all-encompassing explanation why it did not happen (and it is also not the aim of this paper to dwell on this). However, one issue seems to be clear enough: in the post Second World War history, the enlargement process served as the main driving force for the advancement of the European integration process. There have been global crises that affected Europe during the previous thirty years and it reacted to them well. But enlargement, as the top policy response, was not complete as it should and could have been.

We see the future of the European integration process in two tracks: in a substantial enhancement with the enrichment of its core values and structures, and in a geographical sense, in the inclusion of the Western Balkan countries in the whole spectrum of its structures. Only with such substantial and geographical round up, the European integration process will remain attractive for other world regions as well as a source of achievements and best practices.

References

Anderson, M.S., 1993. *The Rise of Modern Diplomacy*. London and New York: Longman.

Ash, T., 2000. Conclusion. In: Antohi, Sorin, Tismaneanu, Vladimir (Eds.). 2000. *Between Past and Future: The Revolutions of 1989 and Beyond*. Budapest: Central European University Press. pp. 395 – 402.

Benko, V., 1997. *Zgodovina mednarodnih odnosov*. Ljubljana: Znanstveno in publicistično središče.

Benko, V., 1998. Mesto in funkcije diplomacije v razvoju mednarodne skupnosti. In: Jazbec, M., 1998. *Diplomacija in Slovenci*. Celovec: Založba Drava. pp. 39–58.

Benko, V., 2014. Sociology of Diplomacy. In: Jazbec, M., *Sociology of Diplomacy (Ed.)*. Istanbul: Istanbul Kültür Universitesi. pp. 51–89.

Berridge, G., 2015. *Diplomacy: Theory and Practice*. Hampshire: Palgrave.

Böttcher, W., 1995. Europäische Identitätsbildung durch Regionalisierung. In: Langer, J., Pöllauer, W. (Eds.)., 1995. *Kleine Staaten in grosser Gesellschaft / Small States in the Emerging New Europe*. Eisenstadt: Verlag für Soziologie und Humanethologie, pp. 149 – 160.

Cooper, R., 1996. *The Post-Modern State and the World Order*. London: Demos.

Criekemans, D., 2014. Introduction to the English Edition. In: Jazbec, M. (Ed.). 2014. *Sociology of Diplomacy: Initial Reading*. Istanbul: Istanbul Kültür Üniversitesi. pp. xii – xxvi.

Fukuyama, F., 2011. T*he Origins of Political Order: From Prehuman Times to the French Revolution*. New York: Farrar, Straus and Giroux.

Fukuyama, F., 2014. *Political Order and Political Decay: From the Industrial Revolution to the Globalization of Democracy*. New York: Farrar, Straus and Giroux.

Jazbec, M., 2002. *Diplomacija in varnost*. Ljubljana: Vitrum.

Jazbec, M. 2005. Evropski varnostni procesi – splošne značilnosti. In: Haček, M., Zajc, D. (Eds.). *Slovenija v EU : zmožnosti in priložnosti*. Ljubljana: Fakulteta za družbene vede. 2005, pp. 447–462.

Jazbec, M., 2006. Diplomacy and security after the end of the cold war: the change of the paradigm. In: *Jahrbuch der Diplomatischen Akademie*. Vol. 5, No 4, pp. 163–177.

Jazbec, M., 2007. *Postmoderna diplomacija*. In: Teorija in praksa, Vol. 44, No. 6, pp. 877–895.

Jazbec, M., 2008. Diplomacy and Ethics: focusing on an individual. In: Juhant, J., Žalec, B. (Eds.). 2008. *Surviving globalization: an uneasy gift of interdependence*. (Theologie Ost-West, Europäische Perspektiven, Bd. 13). Berlin: Lit. 2008, pp. 253-   266.

Jazbec, M., 2009.a *Dvajseta obletnica konca hladne vojne: 1989–2009*. Ljubljana: Ifimes.

Jazbec, M., 2009.b *Osnove diplomacije*. Ljubljana: Založba FDV.

Jazbec, M. (Ed.). 2014. *Sociology of Diplomacy: Initial Reading*. Istanbul: Istanbul Kültür Üniversitesi.

Jazbec, M. et all. 2011. *Equal Opportunities in Slovenian Diplomacy*. Ljubljana: ZRC Publishing Scientific Research Centre of the Slovenian Academy of Sciences and Arts.

Kissinger, H., 1994. *Diplomacy.* New York: Simon and Schuster.

McMahon, R. J., 2003. *Cold War: A Very Short Introduction*. Oxford: University Press.

Roberts, J. M., 1996. *History of Europe.* London: Helicon.

Robinson. P., 2007. *Tear Down This Wall*. In: Prologue Magazine, Summer 2007, Vol. 39, No. 2, available at:
https://www.archives.gov/publications/prologue/2007/summer/berlin.html

Satow's Guide to to Diplomatic Practice. 1994. London, New York. Edited by Lord Gore-Booth.

Sen, B., 1988. *A Diplomat's Handbook of International Law and Practice*. Dordrecht: Martin Nijhoff Publishers.

Tunjić, F., 2003. *Vmesna Evropa: konfliktnost državnih teritorialnih meja*. Koper: Univerza na Primorskem.

Wedgwood, V., 2005. *The Thirty Years War*. New York: New York Review Books Classics.

The Presidentialisation of Political Parties in the Western Balkans
Gianluca Passarelli (Ed.)
Amella Bashoviq

The Fight Over Freedom in 20-th and 21-st Century International Discourse: Moments Of 'Self-Determination'
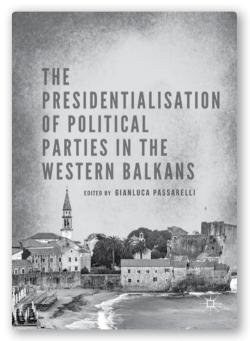Rita Augestad Knudsen
Petra Kocen

Amella Bashoviq

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Gianluca Passarelli (Ed.)
THE PRESIDENTIALISATION OF POLITICAL PARTIES
IN THE WESTERN BALKANS

Montenegrin think tank Centar za monitoring i istraživanje – CeMI (Centre for Monitoring and Research) organized within the framework of international scientific research project on the presidentialisation of political parties in February 2017 its second Balkan Comparative Electoral Study Conference, which findings are published in the book reviewed here.

Its editor, an Associate Professor at Sapienza University, states that "the presidentialisation of politics is a widespread and ongoing political phenomenon that has affected most of the so-called contemporary democracies". Therefore it is important to point out that concept "presidentialisation" also refers to "personalization" and "centralization", where a "centre", respectively a person, mainly President has political influence.

The book aims to comprehensively explain levels of party presidentialisation in the Western Balkan countries, including semi-presidential cases (Croatia, Macedonia[1], Montenegro, Serbia and Slovenia), parliamentary regime cases (Albania and Kosovo) and peculiar presidential case (Bosnia and Herzegovina).

The first chapter dwells on common undemocratic past of political parties in the Western Balkans, which

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1 The book was published before the country changed its name to North Macedonia.

derives from communist governments such as Yugoslavia and Albania. The legacy of the past stands out: Albania as one of the most closed societies under the communist ruler Enver Hoxha had to heavily face with its authoritarian past, while Bosnia appears as the case of a failed democracy. Croatia had strong impact of its past and faced with "incipient democratization and residual authoritarianism" (Cohen and Fraser 1997), but managed to become quite democratic state. Kosovo, after the war, created space for political pluralism, establishment of democratic institutions and multi – party system. Macedonia faced with ethnical division and conflict, which affected the electoral reform and the situation in general. Montenegro in terms of becoming democratic state was quite unique comparing to other states and its democratization was preceded with Europeanisation. Serbia's path towards democracy was quite difficult due to Milošević's legacy, abuse of power and democratic procedures. Slovenia was the only country, which was regarded since its independence as "free" and still is considered as state with good democratic status, even though it deals with some recent weaknesses.

The nature of political parties has changed since the beginning of 1990's and they all resulted with different outcomes. Nowadays, the political parties in the Western Balkans are considered as different in general and are also considered different comparing to the European parties

in the aspect of their origins, organization and structure. However, these political parties do show similarities in terms of centralization of power of the leadership.

Passarelli and other 14 experts from the Western Balkan countries gave a valuable contribution about current status of presidentialisation of political parties in the Western Balkan counties. Editor briefly summarizes the book in the first chapter, where he comments main elements of Western Balkans governments, such as process of democratization, legacy of the past, creation of new states and formation of governments, political parties and presidentialisation.

Eight countries are presented in each chapter by their experts in which differences and similarities as well as various issues are discussed, such as institutional change, direct election of President, mitigated presidentialism, role of etnics, limited semi-presidentialism, leaders and parties, parliamentary constrains and institutional limits.

Author Dario Nikić Čakar, an Assistant Professor at the Faculty of Political Science, University of Zagreb, argues in the chapter on Croatia that institutional change matters. Čakar analyzed presidentialisation on political parties from 1990 to 2016, focusing on question if presidentialisation of political parties is a force to be reckoned with. He clarified that political parties in Croatia are characterized as leader-centered organizations

and that leaders are prominent "public faces" having an impact on electoral performances of their parties. He further argued that the growing presidentialisation dynamics in Croatian political parties can be better explained by their genetic features than by constitutional factors considering that Croatia, even after constitutional reform in 2000, remained centralized and presidentialised.

Author stated that party system in Croatia is an interesting social lab for testing thesis on presidentialisation of political parties as it proves high variability in the independent variables, which explain the phenomenon of presidentialisation of political parties. Čakar took into consideration party genetic approach when analyzing Croatia and thus proved clear trend towards presidentialisation of political parties. Genetic features established a path for development of highly cohesive, disciplined and centralized parties where leaders are independent and autonomous from organizational restrains and internal mechanisms of accountability. Čakar concluded that party leaders are characterized with a high degree of autonomy in intra-party decision-making, strong power, leader-oriented campaigns, and monarchial style of prime ministerial leadership.

Authors Spasojević Dušan, Assistant Professor, and Stojiljković Zoran, Professor, both at the Faculty of Political Science, University of Belgrade, argue in the chapter on Serbia about the direct elected President. Authors analyzed the impact of institutional design and party genetic characteristics. They also indicated that political parties in Serbia are perceived based on their leaders and that the study of presidentialisation of political parties in Serbian case is interesting for the following reasons four reasons.

Firstly, Serbia belongs to a group of countries with weak, institutionalized and relatively young party systems; secondly, existing constitutional rules in new democracies are not exogenous for political parties but imposed by the most influential amongst them to support their particular interests; thirdly, party leaders in post-communist democracies operate within institutional frameworks of minimal or electoral democracy with without functional check and balances which makes party leaders and presidents strong, influential and potentially damaging for democratic regime (partitocracy and party despotism); fourthly, the outcome of presidential election can lead to cancellation of agreed governing coalition and formation of a new government.

Author Suad Arnautović, Associate Professor of Political Science at the University of Sarajevo, argues in the chapter on Serbia about mitigated presidentialism. According to author, strengthening presidentialisation of political parties is based on several factors which can be found in the constitutional structure, elector-

al system and genetic features of ethnic political parties. Political parties and their structures are influenced by divisions based on religious and ethnic characteristics. The presidentialisation is present in Bosnian parties and its importance is increasing.

Authors Dane Taleski, an Adjunct Professor at the South Eastern European University in Tetovo, Viktor Dimovski an Adjunct Professor at the University American College in Skopje and Lura Pollozhani, PhD Candidate as well as University Assistant at the Center for Southeast European Studies at University of Graz, argue in the chapter on Macedonia about the role of Ethnics. They researched intra party democracy, which resulted with diverging results, where left-oriented party have more intra-party democracy and all other parties have similar and low intra party democracy. Main political parties analyzed by the authors are main centre-left SDSM, the main centre-right VMRO-DPMNE and the dominant Albanian Party DUI. According to the authors, political parties' features proved to be relevant in the process of presidentialisation and there is difference between parties created by diffusion and parties created through penetration. The former faced barriers to party presidentialisation due to the need to balance the different groups in the dominant coalition, while the latter were able to combine the charisma and centrality of the leader in order to go towards centralization.

Authors Zlatko Vujović, a co-founder and President of Montenegrin Think Tank CeMI as well as a PhD candidate at the Faculty of Political Science at University of Zagreb, and Nikoleta Tomović, a PhD candidate at the Faculty of Political Science in Belgrade argue, in the chapter on Montenegro about a limited semi-presidentialism. It is well known that political parties in Montenegro are established even before the new institutions and party presidents are dominant figures. They analyzed impact of constitutional structure and impact of party's genetic of presidentialisation of political parties in Montenegro and they are of opinion that party presidentialisation is possible based on increased impact of party's origin. Authors, amongst others, concluded that Montenegro is an atypical model and can be seen as strong "presidentialisation" in a political system with weak president.

Authors Danica Fink – Hafner, a Professor at the Faculty of Social Sciences, University of Ljubljana as well as Head of the Political Science Research Programme, and Alenka Krašovec, a Professor at the same faculty, argue in the chapter on Slovenia about leaders and parties. Slovenia, in many comparative political analyses, is perceived as semi – presidential system but more as premier – presidential form (Samuels and Shugart 2010: 31, 41).

Authors measured scope of presidentialisation of parties (as proces of centralisation of leadership) by us-

ing indicators such as: candidate-process selection processes, leader – selection processes, policy-making powers, and electoral campaigns, what resulted in that presidentialisation in Slovenia is rather a process than a fixed situation. According to them, political parties in Slovenia were strongly influenced by the centrality of party leaders at the beginning of their development and in the process of adaptation to the new political and institutional context. Eventually, personalization and presidentialisation of political parties are present in Slovenian political parties.

Author Afrim Krasniqi, an Executive Director of Albanian Institute for Political Studies and Professor at Academy of Albanian Studies, presents the chapter on Albania about parliamentary constrains. According to him, Albania faced with many shortcomings during its transition from a closed society to a functional democracy. Constitutional and legal framework on political parties and elects contain elements of great powers of political leaders and vertical system of decision – making. Political parties and party system in Albania do not really differ in programmatic and ideological aspect. Party leaders are in their position for long time, parties are highly centralized and share common political background and as they are quite closed they should be more competitive, developed and representative.

Author Albert Krasniqi, a Senior Researcher at Kosova Democratic In-

stitute (KDI), prepared the chapter on Kosovo about institutional limits. He assessed trends of presidentialisation in Kosovo's political parties which were formed in three stages. Firstly, 1989 – 1999 as social opposition against the oppressive regime – *catch all model and no clear ideology with centralized decision making*; secondly, 1999 – 2004 post war new political parties, political pluralism – *catch all model and no clear ideology with centralized decision making*; and since 2004 – cadre and mass parties.

Kosovo political parties main division is based on parties' attitude towards the war, respectively parties are divided into military wing and pacifist wing. Political parties transformed from a leftist one–party communist system into a right–wing one party system. Author stated that various differences of political parties in reality represent similarities in terms of internal organization, non – inclusion of members in decision making, influencing members of Assembly in their decision – making, lack of financial transparency and election of leaders without counter – candidates through open voting.

The book "The Presidentialisation of Political Parties in the Western Balkans" has its targeted audience, but other interested readers will find it useful, since it book offers a very comprehensive and in-depth quality information on presidentialisation of politics in Western Balkan countries.
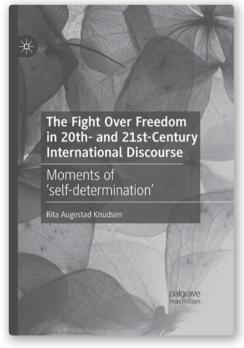
Petra Kocen

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Rita Augestad Knudsen
THE FIGHT OVER FREEDOM IN 20-th AND 21-st CENTURY INTERNATIONAL DISCOURSE: MOMENTS OF 'SELF-DETERMINATION'

Palgrave Macmillan, United Kingdom, forthcoming, 320 pages
ISBN 978-3-030-46428-8

In her upcoming book, Rita Augestad Knudsen, a senior researcher focusing on counter-terrorism and anti-radicalization at the Norwegian Institute of International Affairs and the managing director of the Consortium for Research on Terrorism and International Crime, discusses self-determination through some of the key historical moments, while probing the underlying values of freedom guiding the political discussions.

The research pins the stretch of the World War I and its early aftermath as the first key moment of self-determination. It is then when the two competing ideas of freedom as equality and freedom as peace are developed, the echoes of which can still be found in today's international and domestic setting as well as in the discourse.

A radical idea of freedom, a variant of Marxism, which emphasized freedom as equality, was forwarded by Russia. Vladimir Lenin, its profound advocate asserted that a political unit is only truly free when it is released from oppression or any other type of dependence. This goal should be pursued regardless of the means necessary, which at times meant supporting violent uprisings and armed hostilities. Lenin saw this as a fight of the proletariat against the *bourgeoisie*, which would lead to the ultimate goal of internationalist socialism.

His goals were not retained in the

later calls for freedom, however, the underlying motivation of achieving international equality was. The idea of freedom as equality was again used as the main legitimating standard by political units seeking self-determination in the 20th and 21st centuries. Organized political groups would seek to manifest their goal either by the creation of a new State or by secession and the joining of an existing State. The concept caused significant tensions due to its apparent support for violence and was seen as a threat to the existing world order.

As a response to the radical idea, a liberal-conservative approach was developed, whose most vocal supporter was American president Woodrow Wilson. The primary aim of his approach was to pacify and water down the radical rhetoric due to the fear of it sparking mass unrest among the stateless minorities and others wishing to live in a different political regime. A common conception among the liberal-conservatives was that self-determination through new statehood would lead to anarchy and chaos.

Therefore, the competing idea put forward by Wilson supported freedom as peace. Its principal goals were a stable international order and respect for existing states' sovereignty. More specifically in his context, this meant freedom from interference into internal matters and free trade. With this, Wilson removed the radical tone from the idea of freedom and attempted to detach from

it the option of self-determination through the creation of new states. The only time this would be acceptable is when such new statehood is more likely to contribute to international peace and order than the existing status quo. Meaning, only in exceptional circumstances, when a people are severely interfered with or oppressed, and consequently, the continued existence of such a situation presents a threat to stability. Certain scholars call self-determination as a last resort remedy against oppression, a remedial self-determination.

The next important moment covered in the research, arose right after the war, when Wilson and the League of Nations adopted the mandate system as an expression of the self-determination of their time. The arrangement was put in place to assist the mandated peoples, who were deemed not 'mature' enough for self-governing. It was presented as a positive relationship between the mandatory – a member state of the League, and the mandate – a body politic that did not live up to the League's somewhat arbitrary standards of peaceful adherence to the law. The system significantly obstructed the mandated peoples' independence by excluding them from the governance of their state affairs, until they are determined to have reached a sufficient 'maturity'.

The mandate system demonstrated the degree to which the idea of freedom as peace could restrict freedom

as equality. A controversial decision concerned Albania, in 1912 already an independent state that was still placed under the mandate system after the war. It was not until in 1920, when Albania overthrew the provisional government, that it was again recognized as an independent state.

During the same moment in the history of self-determination, in 1920, the Aaland Islands wished to secede from Finland to unify with Sweden, with whom they shared more cultural similarities. This sparked an international discourse, involving the League because of its potential threat to stability in the region. The League of Nations' international lawyers elucidated on their understanding of self-determination, by stating that the clear goal of this concept is the creation of a new state, or a unification with an existing one. Interestingly, this elaboration is according to the radical idea of freedom. However, the end decision was differently based on the liberal-conservative viewpoint, that as the Aaland Islanders were not being oppressed by force, they do not have a legitimate right to self-determination. Instead, they ought to be satisfied with internal minority rights which, at that point, were not directly connected to self-determination. Later in history, this would come to be called internal self-determination.

Following the tragedy of the World War II, the Organization of the United Nations was established, providing the main platform for the continuation of discussions. Indeed, already in the 1950s, in yet another key moment in the development of self-determination, a call was made in the General Assembly, for the independence of nations subjugated to the 'outdated' colonial regimes. Again, the echoes of the ideas of freedom put forward by Wilson and Lenin were heard in the Assembly. This time, it was clear, that the liberal-conservative idea was dominant and preferred. Likely to appease the opposing parties, the states previously favouring the radical idea, adjusted their position to come closer to the liberal-conservative. They modified their support of achieving statehood regardless of means, by bringing to attention, that freedom of colonial states would benefit the global peace. Accordingly, the continuation of the regime would only incite further violence and internal insurgencies. Their shared goal of peace had merited wide support in the Assembly, culminating in the 1960s adoption of the Decolonisation Declaration. Though, the Declaration had also narrowed the reach of self-determination, arguably precluding political groups outside the colonialist regime from making a call for independence.

It was not until, in 2008, a group of representatives of the Kosovo nation, issued a Declaration of Independence, that the understanding of self-determination as a creation of states, was again in the high-level political arena. The belief of many was that Kosovo declaring independence

was illegitimate or illegal. However, the International Court of Justice (ICJ), in its much-awaited Advisory opinion in 2010, stated that there is nothing in international law to make such a declaration illegal. The ICJ explained that when declaring independence, the representatives of Kosovo had stepped outside their current political framework and have established a new one. With this, it is implied that a claim for independence may result in a new state, possibly leading to the radical goal of achieving sovereign equality in international relations. The Court implicitly acknowledged the radical idea as legitimate, if its role is to prevent further unrest and is in line with achieving global peace and stability.

However, many issues remain, before a State can truly become independent. Several UN members that supported Kosovo's independence also supported intense involvement of the international community, after the establishment of a liberated Kosovo. A few even asserted the latter as a condition for the first. Indeed, a particularly invasive UN territorial administration was set up in Kosovo, alongside missions of the EU, NATO, and the OSCE, even before it declared independence.

The author points out a critical observation towards the international presences and highlights some similarities between today's international community involvement and the past colonial systems and trusteeships. This is an issue that is very much relevant today in Kosovo as well as in other parts of the world, where there is strong involvement by international organizations. To add, the book presents some of the more common grievances of the locals, subject to international territorial administration, which also sheds light on the perceived legitimacy of international organizations currently deployed in Kosovo or the lack of it.

Certainly, this research on self-determination contributes keen insight into the historical, political, and legal background governing the concept in key moments in history, in particularly during the previous hundred years. It indicates that self-determination remains a highly important concept, which is subject to changes through time, while at the same, retaining its core underlying ideas of freedom in many aspects unchanged.

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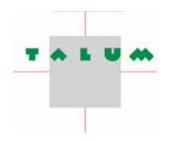
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