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STUDIA POLITICA

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The end of the Cold War, and the extinction of communism both as an ideology and a practice of government, not only have made possible an unparalleled experiment in building a democratic order in Central and Eastern Europe, but have opened up a most extraordinary intellectual opportunity: to understand, compare and eventually appraise what had previously been neither understandable nor comparable. *Studia Politica. Romanian Political Science Review* was established in the realization that the problems and concerns of both new and old democracies are beginning to converge. The journal fosters the work of the first generations of Romanian political scientists permeated by a sense of critical engagement with European and American intellectual and political traditions that inspired and explained the modern notions of democracy, pluralism, political liberty, individual freedom, and civil rights.

Believing that ideas do matter, the Editors share a common commitment as intellectuals and scholars to try to shed light on the major political problems facing Romania, a country that has recently undergone unprecedented political and social changes. They think of *Studia Politica. Romanian Political Science Review* as a challenge and a mandate to be involved in scholarly issues of fundamental importance, related not only

to the democratization of Romanian polity and politics, to the “great transformation” that is taking place in Central and Eastern Europe, but also to the make-over of the assumptions and prospects of their discipline. They hope to be joined in by those scholars in other countries who feel that the demise of communism calls for a new political science able to reassess the very foundations of democratic ideals and procedures.

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ARTICOLI

WHO HOLDS THE POWER IN DIGITAL PARTIES? THE CASE OF THE CZECH PIRATE PARTY*

MICHAL MALÝ**
(Charles University)

Abstract. Digital platforms play a dominant role in shaping (part of) the public sphere and are increasingly being adopted by political parties. These platforms connect people to various services, such as taxis and food delivery, by utilizing social media and Big Data to personalize their offerings. Political parties have embraced a similar approach, leading to the digitalization of political movements in two distinct forms: the gradual adaptation of existing parties, and the emergence of new (digital) parties. Most existing research on digital parties has primarily focused on movements in Western Europe, such as the Spanish Podemos, the Italian Five Star Movement, and the German Pirate Party. Shifting the focus to Eastern Europe and examining the case of the Czech Republic provides a unique opportunity. This paper specifically delves into the Czech Pirate Party, offering a comprehensive analysis of its intra-party democracy and power relations within the digital landscape. The analysis draws upon seven interviews conducted with party members, and an examination of party documents and websites. By addressing the question of who wields power in Czech Pirate Party, this study aims to contribute to the ongoing discourse surrounding digital parties.

Keywords: Czech pirate party, digital party, intra-party democracy, power, pirate parties

Introduction

The internet, along with the rise of social networks, has revolutionized the operations of political parties, transforming aspects such as campaigning,

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supporter engagement, and member mobilization. Consequently, the structure and functioning of political parties have undergone fundamental changes. For digital parties, the technological landscape offers opportunities to enhance intra-party democracy by facilitating member and supporter participation and mobilization through online platforms and dedicated software. Examples include the Plaza Podemos platform of the Spanish Podemos party, and the Rosseau platform of the Italian Five Star Movement, which are used for primary elections, program approval, party referenda, and more. While digital platforms have the potential to enhance intra-party democracy, recent research indicates that they have increasingly become tools for party leaders to exert control, leading to the centralization and personalization of digital parties.¹ The case of the German Pirate Party illustrates that digital platforms can also backfire, undermining a party's electoral success. The LiquidFeedback platform, deployed by the German Pirates for transparency and efficiency, faced resistance from members who perceived open ballots as an invasion of privacy. Sometimes, good intentions behind software innovations can pave the way to a digital party's downfall.²

Therefore, the crucial question arises: *Who holds the power in digital parties?* This article aims to address this question by focusing on one of the most successful Pirate Parties, the Czech Pirate Party. The Czech Pirate Party is often referred to as a digital or network party; however, it has not yet been thoroughly analyzed from the perspective of digital participatory platforms (except for the study of Andrea Lucarelli, Gregorio Fuschillo, and Zuzana Chytkova, which examines the role of technology in brand building).³ Moreover, it is one of the few examples of digital parties in Eastern Europe.

¹ Paolo Gerbaudo, "Are Digital Parties More Democratic than Traditional Parties? Evaluating Podemos and Movimento 5 Stelle's Online Decision-Making Platforms," *Party Politics* 27, no. 4 (November 5, 2019), <https://doi.org/10.1177/1354068819884878>.

² Marco Deseriis, "Is Liquid Democracy Compatible with Representative Democracy? Insights from the Experience of the Pirate Party Germany," *Partecipazione E Conflitto* 15, no. 2 (July 15, 2022): 466-81, <https://doi.org/10.1285/i20356609v15i2p466>.

³ Andrea Lucarelli, Gregorio Fuschillo, and Zuzana Chytkova, "How Cyber Political Brands Emerge: A Socio-Material Analysis of the Italian Five Star Movement and the Czech Pirate Party," *European Journal of Marketing* 55, no. 4 (November 13, 2021): 1130-54, <https://doi.org/10.1108/ejm-04-2019-0336>.

The Czech Pirates made significant strides by securing twenty-two mandates (11%) in the national Parliament in 2017. They continued to expand their influence across Czech regions, major cities, the Senate, and the European Parliament. Before the 2021 Parliamentary elections, the Czech Pirate Party formed a coalition with the Mayors and Independents movement. The coalition garnered 15% of the vote and secured thirty-seven seats, of which the Pirates obtained only four due to preferential voting. Despite this setback, the Pirates became part of the government coalition, with three ministers in their ranks.

To date, only Petr Voda and Petra Vodová have explored intra-party democracy within this digital party, using the example of forming a local municipal coalition in the city of Brno; they identified distinct deliberative elements in its internal party communication.⁴ In this study, we apply Susan Scarrow's conceptualization of intra-party democracy to analyze the Czech Pirate Party.⁵ Scarrow's framework allows for a comprehensive examination of key components: inclusion, centralization, and institutionalization. To operationalize these concepts, we draw on two types of data: party statutes and documents, and semi-structured interviews conducted with seven party upper echelon members and employees.

The structure of this article is organized as follows: first, we provide an overview of current research on digital parties and pirate parties. Next, the theoretical section outlines the analytical framework of intra-party democracy and its constituent elements. Following this, we present the selected case, describe the data and methods employed, and proceed with the analysis results. Finally, the article concludes, shedding light on the intricate dynamics of power within digital parties, with the Czech Pirate Party serving as a compelling case study.

⁴ Petra Vodová and Petr Voda, "The Effects of Deliberation in Czech Pirate Party: The Case of Coalition Formation in Brno (2018)," *European Political Science* 19, no. 2 (January 9, 2020): 181-89, <https://doi.org/10.1057/s41304-019-00233-1>.

⁵ Susan Scarrow, "Political Parties and Democracy in Theoretical and Practical Perspectives: Implementing Intra-Party Democracy," National Democratic Institute For International Affairs (2005), accessed May 15, 2024, https://www.ndi.org/sites/default/files/1951_part_scarrow_110105_5.pdf.

The Crisis of Political Parties

In the realm of politics, profound transformations and crises have been unfolding within political parties since the 1990s. These transformations primarily revolve around the organizational evolution of political parties and the prevalence of specific models of party functioning. It commenced with mass parties that dominated the industrial era, transitioned through post-war catch-all parties, and has further evolved into contemporary concepts like cartel parties, business-firm parties, franchise parties, personal parties, and digital parties.⁶ Each of these types represents a response to the enduring crisis faced by political parties. Parties have ceased to fulfill their functions and have instead started behaving like factions – personal and self-serving organizations.⁷

Piero Ignazi highlights the decline of mass parties and the emergence of non-partisan parties, which he categorizes into two types.⁸ The first type comprises social movements, such as left-libertarian and green parties, while the second type consists of right-wing movements advocating for order, tradition, identity, and security. A non-partisan party is characterized by the absence of a membership structure, lack of a broader decision-making process, and a dominant leader. This transformation

⁶ Maurice Duverger, *Political Parties: Their Organization and Activity in the Modern State* (London: Methuen, 1967), 490; Otto Kirchheimer, "The Transformation of the Western European Party Systems," in *Political Parties and Political Development*. (SPD-6), eds. Joseph La Palombara and Myron Weiner (Princeton Legacy Library, 2016), 496; Richard S. Katz and Peter Mair, "Changing Models of Party Organization and Party Democracy," *Party Politics* 1, no. 1 (January 1995): 5-28, <https://doi.org/10.1177/1354068895001001001>; Jonathan Hopkin and Caterina Paolucci, "The Business Firm Model of Party Organisation: Cases from Spain and Italy," *European Journal of Political Research* 35, no. 3 (1999): 307-39, <https://doi.org/10.1023/a:1006903925012>; R. Kenneth Carty, "Parties as Franchise Systems," *Party Politics* 10, no. 1 (January 2004): 5-24, <https://doi.org/10.1177/1354068804039118>; Mauro Calise, "The Personal Party: An Analytical Framework," *Italian Political Science Review/Rivista Italiana Di Scienza Politica* 45, no. 3 (October 8, 2015): 301-15, <https://doi.org/10.1017/ipo.2015.18>; Paolo Gerbaudo, *The Digital Party: Political Organisation and Online Democracy* (London: Pluto Press, 2019), 224.

⁷ Giovanni Sartori, *Parties and Party Systems: A Framework for Analysis* (Colchester: ECPR Press, 2005), 368.

⁸ Piero Ignazi, "The Crisis of Parties and the Rise of New Political Parties," *Party Politics* 2, no. 4 (October 1996): 549-66, <https://doi.org/10.1177/1354068896002004007>.

in party dynamics is a reaction to the fundamental symptom of the political parties' crisis – the declining of the membership.

The decline in party membership is observable across Europe, resulting in reduced party mobilization and diminished intra-party democracy.⁹ In extreme cases, parties may have virtually no members.¹⁰ However, the decrease in membership does not necessarily signify detachment from social segments.¹¹

Parties are striving to counter this crisis with novel strategies. One essential approach involves leveraging digital tools, especially social networks, which significantly influence political attitudes.¹² Through social networks, parties can attract new members and supporters. Scarrow also introduces the concept of multi-speed cyber membership, signifying the opportunity for online membership.¹³ Parties utilize digital platforms to share information with members or sympathizers, via email or social networks. However, she points out the limitations of online membership, exemplified by digital parties like the Movement of 5 Stars and the German Pirate Party, where the disconnect between the party's online presence and its central offices deepens significantly.¹⁴

⁹ Ingrid van Biezen and Thomas Poguntke, "The Decline of Membership-Based Politics," *Party Politics* 20, no. 2 (January 30, 2014): 205-16, <https://doi.org/10.1177/1354068813519969>; Russell J. Dalton and Martin P. Wattenberg, eds., *Parties without Partisans: Political Change in Advanced Industrial Democracies* (Oxford: Oxford University Press, Druk, 2002), 314; Piero Ignazi, "The Four Knights of Intra-Party Democracy," *Party Politics* 26, no. 1 (February 2018): 135406881875459, <https://doi.org/10.1177/1354068818754599>.

¹⁰ Oscar Mazzoleni and Gerrit Voerman, "Memberless Parties," *Party Politics* 23, no. 6 (January 25, 2016): 783-92, <https://doi.org/10.1177/1354068815627398>.

¹¹ Susan E. Scarrow and Burcu Gezgor, "Declining Memberships, Changing Members? European Political Party Members in a New Era," *Party Politics* 16, no. 6 (May 11, 2010): 823-43, <https://doi.org/10.1177/1354068809346078>.

¹² Gideon Rahat and Ofer Kenig, *From Party Politics to Personalized Politics? Party Change and Political Personalization in Democracies* (Oxford: Oxford University Press, 2018), 304; Andrew Chadwick and Jennifer Stromer-Galley, "Digital Media, Power, and Democracy in Parties and Election Campaigns," *The International Journal of Press/Politics* 21, no. 3 (April 28, 2016): 283-93, <https://doi.org/10.1177/1940161216646731>.

¹³ Susan E. Scarrow, *Beyond Party Members: Changing Approaches to Partisan Mobilization* (Oxford: Oxford Univ. Press, 2015), 240.

¹⁴ Richard S. Katz and Peter Mair, "The Evolution of Party Organizations in Europe: The Three Faces of Party Organization," *American Review of Politics* 14, no. 4 (January 1, 1994): 593, <https://doi.org/10.15763/issn.2374-7781.1993.14.0.593-617>.

The Digital Party – Can Digital Platforms Bring Power Back to Members?

Although research on the influence of the internet on politics has been active since the early twenty-first century, the focus on political parties has only become significant recently. Pippa Norris's pioneering study on digital parties defines them as political organizations leveraging the internet to enhance civic engagement and democratic processes. Norris identifies key platforms such as party websites, email communication, social media, online voting systems, discussion forums, online newsletters, and virtual conferences. These platforms aim to increase transparency, inclusiveness, and participation. Norris concludes that while many parties have used the internet conservatively for campaign propaganda, it provides significant opportunities for smaller and insurgent parties to mobilize support and enhance visibility.¹⁵

Helen Margetts coins the term "cyber party," which she defines as a party whose key feature is using digital technologies to strengthen relations within the party and between voters.¹⁶ This theme gained further attention with the development of new parties, namely the German Pirate Party and the Movement of 5 Stars. Analyzing these two parties, Florian Hartleb expands on the term with the attribute "anti-elitist cyber party," which he divides into two sub-types: (1) centrally controlled personalized cyber party, (2) bottom-up, horizontal organization aiming at deliberative and participatory elements.¹⁷

This conceptual severance is still valid within digital parties' research, as the scientific community is thus divided into cyber-optimists and cyber-pessimists.¹⁸ Cyber-optimists believe that digitization's influence on political parties has been repeatedly shown as something that increases

¹⁵ Pippa Norris, "Digital Parties: Civic Engagement & Online Democracy," ECPR Joint Sessions, January 2001, 1-20.

¹⁶ Helen Margetts, "Cyber Parties," in *Handbook of Party Politics*, eds. Richard S. Katz and William Crotty (Thousand Oaks: Sage Publications Ltd, 2006), 560.

¹⁷ Florian Hartleb, "Anti-Elitist Cyber Parties?," *Journal of Public Affairs* 13, no. 4 (July 8, 2013): 355-69, <https://doi.org/10.1002/pa.1480>.

¹⁸ Oscar Barberà, Giulia Sandri, Patricia Correa, and Juan-Rodriguez Teruel, eds., *Digital Parties: The Challenges of Online Organisation and Participation* (Cham: Springer Nature, 2021), 304.

intra-party democracy. On the contrary, cyber-pessimists believe that current research has shown that the influence of technology on processes leads to party centralization and so-called hyper-leadership.¹⁹

The first to use the term “digital party” as a new type of political party, and to analyze it in depth is Paolo Gerbaudo. In his book, Gerbaudo defines digital parties as those that replace traditional organizational structures with digital participatory platforms and communication tools. These parties aim to replace conventional local branches with virtual meetings, streamline party membership through online registration, and empower all registered members to vote on internal party matters. This digital framework is designed to reduce organizational costs and attract a broader membership base.²⁰ Building on Gerbaudo’s work, Marco Deseriis introduces the concepts of “platform party” and “networked party.”²¹ In the realm of ideal types, a platform party embodies a highly centralized structure led by a charismatic leader whose sole objective is active participation in electoral competitions. In sharp contrast, a networked party represents a decentralized digital party that encourages interactions within a network of members.

Within the framework of digital parties, the research focus was mainly on new political parties from Western Europe. The most frequent research objects in this field are the Movement of 5 Stars, Podemos, the German Pirate Party, and the Labor Party, especially its internal faction Momentum.²² Studies focus mainly on party organizational innovations, the relationship between digital platforms, intra-party democracy, and online voting and digital platforms.²³

¹⁹ Gerbaudo, *The Digital Party*.

²⁰ Ibid.

²¹ Marco Deseriis, “Two Variants of the Digital Party: The Platform Party and the Networked Party,” *Partecipazione E Conflitto* 13, no. 1 (April 21, 2020): 896-917, <https://doi.org/10.1285/i20356609v13i1p896>.

²² James Dennis, “A Party within a Party Posing as a Movement? Momentum as a Movement Faction,” *Journal of Information Technology & Politics* 17, no. 2 (December 12, 2019): 97-113, <https://doi.org/10.1080/19331681.2019.1702608>.

²³ Marco Lisi, “Party Innovation, Hybridization and the Crisis: The Case of Podemos,” *Italian Political Science Review/Rivista Italiana Di Scienza Politica* 49, no. 3 (November 12, 2018): 245-62, <https://doi.org/10.1017/ipo.2018.20>; Francesco Raniolo

New digital parties are examined mainly from the point of view of the development of their digital structure and its influence on the membership and voter base.²⁴ The digitization of the internal structure may lead to greater participation by members and citizens and brings new deliberative space. The relationship of digital platforms to intra-party democracy yields results that align with the direction cyber-pessimists take. Using the example of Movement of 5 Stars and Podemos, Gerbaudo describes digital parties as less democratic than traditional ones.²⁵ On the contrary, he notes that digital parties tend to have a high degree of centralization and a lower degree of institutionalization, and overall, the power is in its leaders' hands. In his study, Davide Vittori finds again,

and Valeria Tarditi, "Digital Revolution and Party Innovations: An Analysis of the Spanish Case," *Italian Political Science Review/Rivista Italiana Di Scienza Politica* 50, no. 2 (September 18, 2019): 1-19, <https://doi.org/10.1017/ipo.2019.27>; Víctor Sampedro and Lorenzo Mosca, "Digital Media, Contentious Politics and Party Systems in Italy and Spain," *Javnost – the Public* 25, no. 1-2 (January 31, 2018): 160-68, <https://doi.org/10.1080/13183222.2018.1423959>; Antonella Seddone and Marco Valbruzzi, "Beyond the Crisis ... Resilience and Adaptation. Italian Political Parties and Their Organizational Transformations," *Contemporary Italian Politics* 12, no. 4 (October 1, 2020): 394-410, <https://doi.org/10.1080/23248823.2020.1853376>; Marco Deseriis and Davide Vittori, "The Impact of Online Participation Platforms on the Internal Democracy of Two Southern European Parties: Podemos and the Five Star Movement," *International Journal of Communication* 13, no. 1 (2019), <https://doi.org/5696-5714>; Katharine Dommett, Luke Temple, and Patrick Seyd, "Dynamics of Intra-Party Organisation in the Digital Age: A Grassroots Analysis of Digital Adoption," *Parliamentary Affairs* 74, no. 2 (May 17, 2020), <https://doi.org/10.1093/pa/gsaa007>; García Lupato, Fabio, and Marco Meloni, "Digital Intra-Party Democracy: An Exploratory Analysis of Podemos and the Labour Party," *Parliamentary Affairs* 76, no. 1 (June 21, 2021), <https://doi.org/10.1093/pa/gsab015>; Davide Vittori, "Membership and Members' Participation in New Digital Parties: Bring Back the People?," *Comparative European Politics* 18, no. 2 (December 18, 2019), <https://doi.org/10.1057/s41295-019-00201-5>; Marco Deseriis, "Digital Movement Parties: A Comparative Analysis of the Technopolitical Cultures and the Participation Platforms of the Movimento 5 Stelle and the Piratenpartei," *Information, Communication & Society* 23, no. 12 (June 14, 2019): 1770-86, <https://doi.org/10.1080/1369118x.2019.1631375>; Marco Deseriis, "Direct Parliamentarianism: An Analysis of the Political Values Embedded in Rousseau, the «Operating System' of the Five Star Movement,» *JeDEM - EJournal of EDemocracy and Open Government* 9, no. 2 (December 18, 2017): 47-67, <https://doi.org/10.29379/jedem.v9i2.471>.

²⁴ Gerbaudo, "Are Digital Parties More Democratic."

²⁵ Ibid.

using the example of Podemos and the Movement of 5 Stars, that although digital parties might appear to be a suitable tool for increasing and mobilizing the membership base, the opposite is true.²⁶ Vittori's research indicates a decline in both membership and mobilization within digital parties. From current research, it follows that digital parties have become a tool of power for leaders and their political goals.

The Pirate Party Family

The Pirate Party family is recognized as the original digital party originating from Sweden, where the first pirate party emerged in response to government policies on file sharing.²⁷ The ideology of Pirate Parties, as explored in the article, has evolved from its initial focus on file sharing and copyright reform to encompass broader issues of digital rights, freedom of expression, and privacy. Initially catalyzed by the Swedish Pirate Party's response to the raid on The Pirate Bay (a popular peer-to-peer file sharing service) in 2006, Pirate Parties across Europe began advocating for cyberliberties, net neutrality, and a criticism of restrictive copyright laws. Over time, these parties have integrated a wider range of cultural and participatory ideals, emphasizing transparency, civil liberties, and democratic engagement. Despite initial successes in raising awareness and influencing policy, the challenge remains in balancing their foundational digital rights agenda with broader political participation and adapting to local political contexts.²⁸

The Swedish Pirate Party gained prominence in May 2006 following a police raid on the Pirate Bay hosting facility, sparking rapid growth in its membership. However, subsequent electoral setbacks led to a decline

²⁶ Vittori, "Membership and Members' Participation in New Digital Parties."

²⁷ Johanna Jääsaari and Daniel Šárovec, "Pirate Parties: The Original Digital Party Family," in *Digital Parties: The Challenges of Online Organisation and Participation*, eds. Oscar Barberà, Giulia Sandri, Patricia Correa, Juan Rodríguez-Teruel (Springer Nature, 2021), 304.

²⁸ Johanna Jääsaari and Jockum Hilden, "From File Sharing to Free Culture: The Evolving Agenda of European Pirate Parties," *International Journal of Communication* 9 (March 26, 2015): 870-99.

in its influence.²⁹ Notably, the Swedish pirates achieved a significant victory in the 2009 European Parliament elections, securing 7.1% of the vote and one seat. Despite this success, the party lost momentum and eventually became a marginal entity without political mandates.³⁰

Emulating the Swedish model, Germany established its own pirate party in September 2006, focusing on issues such as free information access and privacy protection.³¹ The party distinguished itself by adopting LiquidFeedback software, incorporating elements of *liquid democracy*, allowing voters to delegate their votes to fellow members for policy decisions.³² The German Pirates managed to secure one seat in the European Parliament in 2009, and four seats in the Land Parliament in 2014.³³ However, internal disputes, particularly related to the use of LiquidFeedback, led to a decline in the party's significance and membership, paralleling the fate of its Swedish counterpart.³⁴

Despite these challenges, certain Pirate Parties found success in national parliaments, notably the Czech, Icelandic, and Luxembourgish iterations.³⁵ Among them, the Czech Pirate Party stood out, securing positions in various political institutions. Previous research focused on election outcomes, anti-corruption efforts, digital structures, and deliberative processes, as demonstrated by a municipal coalition.³⁶ This article aims

²⁹ Nicole Bolleyer, Conor Little, and Felix-Christopher von Nostitz, "Implementing Democratic Equality in Political Parties: Organisational Consequences in the Swedish and the German Pirate Parties," *Scandinavian Political Studies* 38, no. 2 (January 21, 2015): 158-78, <https://doi.org/10.1111/1467-9477.12044>.

³⁰ Simon Otjes, "All on the Same Boat? Voting for Pirate Parties in Comparative Perspective," *Politics* 40, no. 1 (March 5, 2019): 38-53, <https://doi.org/10.1177/0263395719833274>.

³¹ Deseriis, "Two Variants of the Digital Party."

³² Deseriis, "Is Liquid Democracy Compatible with Representative Democracy?"

³³ Hartleb, "Anti-Elitist Cyber Parties."

³⁴ Bolleyer, Little, and von Nostitz, "Implementing Democratic Equality in Political Parties;" Deseriis, "Is Liquid Democracy Compatible with Representative Democracy?"

³⁵ Lukáš Novotný and Daniel Šárovec, "Contemporary Pirate Parties in the Post-Material Era: Comparing Success Cases," *Studia Politica. Romanian Political Science Review* 21, no. 1 (July 2021): 29-51.

³⁶ Vladimír Naxera, "'Let Us Blow Them Down!': Corruption as the Subject of (Non)Populist Communication of the Czech Pirate Party," *Politics* 43, no. 4 (May 5, 2021): 026339572110109, <https://doi.org/10.1177/02633957211010984>; Jääsaari and Šárovec, "Pirate Parties;" Voda and Vodová, "The Effects of Deliberation in Czech Pirate Party."

to bridge the research gap concerning the Czech Pirate Party, delving into the functioning of its digital structures and exploring how intra-party power relations are set up.

Intra-party Democracy

Intra-party democracy is primarily associated with power distribution within political parties, *i.e.*, where power is located, who holds it, and how members participate.³⁷ These questions include, for example, the candidate selection process, the leader selection process or the organizational side.³⁸ Scarrow offers a three-dimensional framework, thanks to which it is possible to answer these questions: institutionalization, inclusiveness, and centralization.³⁹ This structure is also used in research on digital parties or deliberative parties.⁴⁰

³⁷ William P. Cross and Richard S. Katz, eds., *The Challenges of Intra-Party Democracy* (Oxford: Oxford University Press, 2013).

³⁸ Shlomit Barnea and Gideon Rahat, "Reforming Candidate Selection Methods," *Party Politics* 13, no. 3 (May 2007): 375-94, <https://doi.org/10.1177/1354068807075942>; Reuven Y Hazan, Gideon Rahat, *Democracy within Parties: Candidate Selection Methods and Their Political Consequences* (Oxford: Oxford University Press, 2010); Richard S. Katz, "The Problem of Candidate Selection and Models of Party Democracy," *Party Politics* 7, no. 3 (May 2001): 277-96, <https://doi.org/10.1177/1354068801007003002>; Gideon Rahat, "Which Candidate Selection Method Is the Most Democratic?," *Government and Opposition* 44, no. 1 (2009): 68-90, <https://doi.org/10.1111/j.1477-7053.2008.01276.x>; Nicholas Aylott and Niklas Bolin, "Managed Intra-Party Democracy," *Party Politics* 23, no. 1 (July 9, 2016): 55-65, <https://doi.org/10.1177/1354068816655569>; William Cross and André Blais, "Who Selects the Party Leader?," *Party Politics* 18, no. 2 (January 26, 2011): 127-50, <https://doi.org/10.1177/1354068810382935>; Thomas Poguntke, Susan E Scarrow, Paul D Webb, Elin H Allern, Nicholas Aylott, Ingrid van Biezen, Enrico Calossi, Marina Costa Lobo, William P Cross, Kris Deschouwer, Zsolt Enyedi, Elodie Fabre, David M Farrell, Anika Gauja, Eugenio Pizzimenti, Petr Kopecký, Ruud Koole, Wolfgang C Müller, Karina Kosiara-Pedersen, Gideon Rahat, Aleks Szczerbiak, Emilie van Haute, and Tània Verge, "Party Rules, Party Resources and the Politics of Parliamentary Democracies: How Parties Organize in the 21st Century," *Party Politics* 22, no. 6 (September 23, 2016): 661-78, <https://doi.org/10.1177/1354068816662493>.

³⁹ Scarrow, "Political Parties and Democracy in Theoretical and Practical Perspectives."

⁴⁰ Gerbaudo, "Are Digital Parties More Democratic than Traditional Parties?," Nino Junius and Joke Matthieu, "Who Rules the Deliberative Party? Examining the Agora Case in

First, inclusiveness outlines how wide the circle of people who participate in intra-party processes within the party, whether it is a narrow circle around the leader, or a wider field of the membership base. A prerequisite for a high degree of intra-party involvement is the possibility of involving all members, possibly also sympathizers or citizens, in voting on the program, selecting candidates, voting on leadership, *etc.*⁴¹ The more inclusive a party is, the more room there should be for intra-party deliberative communication.⁴² Deliberative processes in political parties increase the rights and opportunities of the member base, *i.e.*, overall internal party democracy.⁴³

Second, centralization describes how large the group of party members decides the direction and functioning of the party. An extreme case of centralization is when only its leader, or a narrow elite group around the leader, decides for the party. This can lead to extreme cases of personal parties that serve their lead figure only as an electoral vehicle when members are needed only during the election campaign, after which they are no longer considered. There is no effort to involve them in the party's functioning.⁴⁴ In contrast, excessive decentralization and involvement of the entire membership (or even the civic base) in the decision-making process can lead to a gap between the party in the central office and the party on the ground. The party on the ground, with its demands, may hinder the central office party from governing cohesively. In this context, the German Pirates can be considered an illustration of this attempt.⁴⁵

Belgium," *Party Politics* 29, no. 5 (July 14, 2022): 135406882211144, <https://doi.org/10.1177/13540688221114404>.

⁴¹ Susan E. Scarrow, Paul D. Webb, and Thomas Poguntke, "Intra-Party Decision-Making in Contemporary Europe: Improving Representation or Ruling with Empty Shells?" *Irish Political Studies* 37, no. 2 (March 4, 2022): 1-22, <https://doi.org/10.1080/07907184.2022.2046430>.

⁴² Scarrow, "Political Parties and Democracy in Theoretical and Practical Perspectives".

⁴³ Sergiu Gherghina, Sorina Soare, and Vincent Jacquet, "Deliberative Democracy and Political Parties: Functions and Consequences," *European Political Science* 19, no. 1 (January 9, 2020), <https://doi.org/10.1057/s41304-019-00234-0>.

⁴⁴ Glenn Kefford and Duncan McDonnell, "Inside the Personal Party: Leader-Owners, Light Organizations and Limited Lifespans," *The British Journal of Politics and International Relations* 20, no. 2 (February 6, 2018): 379-94, <https://doi.org/10.1177/1369148117750819>.

⁴⁵ Deseriis, "Is Liquid Democracy Compatible with Representative Democracy?"

Third, institutionalization focuses on the extent to which the party is organizationally stable.⁴⁶ Scarrow considers it essential to monitor two elements that determine the degree of institutionalization. The first is the extent to which intra-party decision-making processes are transparent and formalized. The second is the level of coordination that occurs between the various structures of the party.

Built upon the selected concept, it is essential to assess the indicators that enable measurement of the levels of inclusiveness, centralization, and institutionalization: *membership and decision-making process, deliberation, formal power divide, party leadership centralization, intra-party consultations procedures, party structures*. By leveraging these indicators, we can delve into the intricate workings of internal power dynamics within the Czech Pirate Party to determine whether the party is centralized or decentralized, as well as assess the extent to which members are given the opportunity to participate in decision-making processes, and whether these processes are governed by clear and transparent rules. The aim of the analysis is to provide insights into the organizational structure to answer the following research question: *Who holds the power in the Czech Pirate Party?*

Case Description

The Czech Pirate Party was established in 2009, when programmer Jiří Kadeřávek initiated a petition for its formation on the web portal *AbcLinuxu.cz*.⁴⁷ This online petition soon garnered one thousand signatures, leading to the official founding of the party. The influence of digital technologies on the party's operations can be traced back to its inception. The Czech Pirate Party differentiates itself from other Pirate Parties primarily through its strong emphasis on transparency and participatory democracy. Unlike its counterparts, the Czech Pirate Party has implemented a robust system for internal party communication and

⁴⁶ Vicky Randall and Lars Svåsand, "Party Institutionalization in New Democracies," *Party Politics* 8, no. 1 (January 2002): 5-29, <https://doi.org/10.1177/1354068802008001001>.

⁴⁷ Jiří Kadeřávek, "Petice Pod Vznik Česká Pirátské Strany," [Petition for the Establishment of the Czech Pirate Party] www.abclinuxu.cz, April 19, 2009, accessed May 15, 2024, <https://www.abclinuxu.cz/blog/BoodOk/2009/4/petice-pod-vznik-ceska-piratske-strany>.

decision-making that leverages digital platforms to a greater extent. This approach allows all registered members to participate actively in discussions and vote on key issues, thus promoting a more direct form of democracy. Additionally, the Czech Pirate Party places a unique focus on local issues and integrates its digital rights agenda with broader civic and social concerns specific to the Czech context, such as privacy and anti-corruption measures. This blend of local focus and advanced digital participation distinguishes the Czech Pirate Party from other Pirate Parties across Europe.⁴⁸

The electoral trajectory of the Czech Pirate Party illustrates its progressive establishment and growing influence within the Czech political landscape. Initially, the party struggled to secure significant traction, as evidenced by the 2010 parliamentary elections, where it garnered a mere 0.80% of the vote, failing to obtain any seats. Similarly, in the 2013 parliamentary elections, the party's vote share increased to 2.66%, yet it remained insufficient to secure representation in the Chamber of Deputies. A notable breakthrough occurred during the 2014 European Parliament elections, where the Czech Pirate Party achieved 4.78% of the vote, though this was still insufficient for any seats. The major turning point arrived in the 2017 parliamentary elections, where the party's distinctive anti-establishment campaign, featuring an old prison bus highlighting corruption, and the slogan "Let us blow them down!" resonated with the electorate. This resulted in 10.79% of the vote and twenty-two seats in the Chamber of Deputies, marking their first significant parliamentary representation. The party continued its upward trajectory in the 2019 European Parliament elections, securing 13.95% of the vote, which translated into three seats. The 2018 municipal elections were also noteworthy, with the Pirates securing the pivotal post of Mayor of Prague, highlighting their increasing local influence. The 2021 parliamentary elections were contested in coalition with the Mayors and Independents (STAN). Discussions about forming a coalition of at least some opposition democratic parties had been ongoing since 2017, primarily due to the electoral system's disadvantageous nature for smaller parties. In 2020, speculation regarding a coalition between the

⁴⁸ Jääsaari and Hilden, "From File Sharing to Free Culture".

Czech Pirate Party and the STAN movement intensified. These two entities had already tested their collaboration under the name Pirates and Mayors during the 2020 regional elections in the Olomouc Region, where they secured the position of governor for Josef Suchánek. Despite the coalition achieving 15.6% of the vote and thirty-seven seats, preferential voting allocated only four seats to the Pirates. Nonetheless, they managed to secure three ministerial positions in the new government.⁴⁹ Most recently, in the 2024 European Parliament elections, the Czech Pirate Party obtained 6.20% of the vote, securing one seat. This result marked a setback for the party, as it represented a loss of two seats compared to the previous European Parliament elections.⁵⁰

The Pirate Party Forum

The Czech Pirate Party utilizes an internet forum as a central platform for communication and organization. Despite its longevity since the early days of the party, the forum's appearance may be perceived as outdated by some. Structured into several sections, the forum serves multiple purposes, with its primary role being membership acquisition. Those interested in joining the party introduce themselves on the forum within a specific regional section.⁵¹ To formalize their membership, applicants submit their applications through Onboarding, where they receive a pirate identity upon registration, granting access to a wide array of digital tools within the Czech Pirate Party's ecosystem.⁵²

⁴⁹ iDNES.cz and ČTK, "Piráti Budou Mít Tři Ministry, ODS Pět a Premiéra, TOP 09 Jen Dva," [Pirates Will Have Three Ministers, ODS Five and a Premier, TOP 09 Only Two] iDNES.cz, November 3, 2021, accessed May 15, 2024, https://www.idnes.cz/zpravy/domaci/vlada-ministerstva-koalice-ods-kdu-csl-top-09-pirati-stan.A211103_143825_domaci_remy.

⁵⁰ "Volby.cz – Český Statistický Úřad | ČSÚ," [Czech Statistical Office | CZSO] volby.cz, accessed November 13, 2023, <https://volby.cz/>.

⁵¹ "Fórum Pirátské Strany – Stát Se Členem," [Pirate Party Forum - Become a Member] forum.pirati.cz, accessed November 13, 2023, <https://forum.pirati.cz/viewforum.php?f=418>.

⁵² "Nalodění," [Registration] nalodeni.pirati.cz, accessed November 13, 2023, <https://nalodeni.pirati.cz/>.

The forum's second important objective is facilitating communication. Members and registered supporters engage in discussions on various topics, including legislative proposals, candidacies, and even everyday matters unrelated to politics. At the same time, members can submit their own proposals, comments, and candidacies. The forum also plays a pivotal role in organizing individual regional and local associations, each of which has its dedicated section for discussions ranging from new member admissions and financial budgets to primary elections and coalition agreements.

An additional function of the forum is the Public Tenders section, offering a comprehensive overview of job positions available within various party bodies. It also outlines selection procedures for filling positions in administrative and supervisory boards occupied by the Pirates.⁵³ This multifaceted approach emphasizes the forum's significance in the party's internal workings. As evidenced by its diverse functionalities, the forum stands out as the Czech Pirate Party's primary tool for intra-party functioning.

Onboarding and Octopus

Individuals interested in becoming members can register through the Onboarding platform, where they obtain a unique "pirate identity" for accessing party systems and applications.⁵⁴ Onboarding functions as a self-service portal addressing the needs of party members and registered supporters participating in party events. Here, interested individuals can subscribe to newsletters, manage their profiles, and fulfill membership fee payments.

The verification of identity, membership status, or registered supporter status is handled through the Octopus platform. Due to the sensitive nature of the personal data managed, access to the platform is restricted. Regional chairpersons, coordinators of regional organizations, and representatives of party expert teams are granted access, with all users required to sign a confidentiality agreement. The platform

⁵³ "Veřejná Výběrová Řízení – Fórum Pirátské Strany," [Public Selection Procedures – Pirate Party Forum] forum.pirati.cz, November 9, 2023, https://forum.pirati.cz/view_forum.php?f=572.

⁵⁴ "Nalodění."

operates akin to task management software, registering each request and assigning it to the relevant party members or personnel. Octopus also features data synchronization with other systems.⁵⁵

Helios

Helios is an open-source online voting system designed with a built-in ballot tracker, ensuring that technical staff or administrators cannot modify votes in any way. The system employs encryption directly in the voter's browser, guaranteeing the security of each individual vote. Importantly, only the sum of all votes for a given option is decrypted, not the individual choices. The integrity of voting anonymity is safeguarded through the involvement of designated trustees.⁵⁶ This system finds extensive use among pirates for voting in various types of meetings, particularly within the National Forum. In the Czech Pirate Party, the management of Helios falls under the jurisdiction of its technical department.⁵⁷

Data, Methods and Operationalization

The article is based on a single case study of the Czech Pirate Party, aiming to dissect both its formal and informal dynamics within power relationships. The formal aspect of the study involves a thorough analysis of sources provided by the party itself, publicly accessible for scrutiny. This primarily encompasses the party's statutes, offering insights into the formal configuration of membership and organizational structures. Furthermore, the study will leverage the party's official websites and its own Wikipedia platform, which contain comprehensive information on the operation of digital platforms, party structures, voting mechanisms, as well as historical data pertaining to the evolution of the party.

⁵⁵ "Chobotnice," [Octopus] pirati.cz, accessed November 13, 2023, <https://wiki.pirati.cz/ao/chobotnice>.

⁵⁶ "Helios Voting," vote.heliosvoting.org, accessed November 13, 2023, <https://vote.heliosvoting.org/>.

⁵⁷ "Hlasovací Systém Helios," [Helios Voting System] pirati.cz, accessed November 13, 2023, <https://wiki.pirati.cz/ao/navody/helios?s>.

Turning to the informal facet of the analysis, a method employing semi-structured interviews has been adopted, involving discussions with seven politicians and party employees. The respondents in this study comprise a diverse cohort with varied roles and statuses within the Czech Pirate Party. This includes a regional structure coordinator who is a registered supporter, a former head of the media department who is now no longer a party member, the head of the administrative department who is also a former MP, the head of the technical department, a current Member of the European Parliament, a chairman of a local organization, and a current member of parliament. This diverse representation facilitates a comprehensive examination of the party's internal dynamics. This approach facilitates the acquisition of insider perspectives from diverse positions within intra-party structures. The goal is to compare these perspectives with the outcomes of the formal source analysis, providing a comprehensive understanding of the Czech Pirate Party's multifaceted functioning. An overview of the respondents' background and details can be found in the appendix (Table 2).

As previously indicated, this article adopts the conceptual framework proposed by Scarrow, employing the specified indicators to assess three integral components: inclusiveness, centralization, and institutionalization.⁵⁸ This evaluation will focus on six chosen indicators.

Inclusiveness, a critical dimension, will be gauged through the indicators of *membership and decision-making process* and *deliberation*. The former will be examined by delving into the party statutes, wherein an analysis will reveal the requisite steps for acquiring membership and whether the process leans towards selectivity or inclusivity. A parallel analysis of the decision-making process will be conducted using the party statutes, complemented by insights derived from semi-structured interviews. Moreover, the deliberative process will be investigated by analyzing not only the party statutes but also by probing its practical implementation. The article will delve into a specific case study, namely the debate on entering the government, recognized as a pivotal juncture for any political party.⁵⁹

⁵⁸ Scarrow, "Political Parties and Democracy in Theoretical and Practical Perspectives".

⁵⁹ Oscar Barberà and Juan Rodríguez-Teruel, "The PSOE's Deliberation and Democratic Innovations in Turbulent Times for the Social Democracy," *European Political Science* 19, no. 2 (January 9, 2020): 212–21, <https://doi.org/10.1057/s41304-019-00236-y>.

Focusing on the 2021 Forum debate on government entry, the analysis will encompass the temporal scope of the discourse, the participants involved (categorized as members, registered sympathizers, or citizens), the quantity of contributions, and the diversity of perspectives presented during the debate.

Centralization will also be scrutinized utilizing the previously mentioned indicators: *party leadership centralization* and *formal power divide*. The analysis of party-leadership centralization will draw upon responses obtained from interviews. Participants were queried on their perception of whether the Czech Pirate Party exhibits centralization or decentralization, as well as their views on the role of a leader within the party. The assessment of *formal power divide* will be conducted through a thorough examination of the party statutes to discern the formal mechanisms by which power is distributed within the party.

In the final segment, the analysis will shift its focus to the process of institutionalization, gauged through *intra-party consultation procedures* and *party structures*. Regarding the analysis of *intra-party consultation procedures*, party statutes and interviews will be employed to ascertain whether the initiation of these procedures is a complex process, reserved solely for the party central body, or if ordinary members can also instigate them. Furthermore, insights from interviews will be utilized to understand the practical aspects of this procedural process. The exploration of *party structures* will entail a thorough examination of both party constitutions and party websites. This analysis aims to discern the presence of internal party structures and shed light on their powers and operational mechanisms between them.

Empirical Evidence

Membership and the Decision-making Process

As previously detailed in the section discussing the digital platforms of the Czech Pirate Party, individuals interested in joining must initiate the membership process through Onboarding, which is facilitated by Octopus. The approval of membership applications is contingent upon review by

either the regional organization board or the local organization.⁶⁰ Respondent 6 underscores that prospective members typically need to introduce themselves to a local organization, where they undergo a comprehensive interview conducted by other members probing their political views and visions.⁶¹ In addition, candidates are required to regularly attend party and other meetings. The acceptance of a new member typically takes weeks or a few months. However, there are instances where applicants are not accepted and are instead encouraged to engage as registered sympathizers.⁶² Consequently, the membership registration process in the Czech Pirate Party is a selective and protracted procedure, reminiscent of the membership processes seen in cadre parties. This exclusive membership is an unusual characteristic in digital parties.⁶³ For example, the Swedish and German Pirate Parties have completely open membership processes, requiring only online registration and identity verification.⁶⁴ The same approach is observed in the Movement of 5 Stars and Podemos.⁶⁵ This deviation from Gerbaudo's concept of digital parties contributes to the Czech Pirate Party's minimal membership base.⁶⁶ While the Swedish Pirate Party peaked at 50,000 members, the German party had 35,000, Podemos had 480,000, and the Movement of 5 Stars had 250,000.⁶⁷ In contrast, the Czech Pirate Party had a maximum of 1,238 members in 2023, an exceptionally low number compared to other digital parties.

On the other hand, membership itself is highly inclusive. Every party member enjoys equal rights and opportunities. In terms of rights, each party member has the privilege to vote in any National Forum poll, predominantly conducted online throughout the year. Voting options for each member include selecting leadership, choosing candidates for political and party positions, coalition agreements, changes to statutes,

⁶⁰ "Stanovy České Pirátské Strany," [Statutes of the Czech Pirate Party] pirati.cz, February 25, 2021, <https://wiki.pirati.cz/rules/st>.

⁶¹ Respondent 6, Zoom online call, March 25, 2023.

⁶² Respondent 1, Zoom online call, April 20, 2023.

⁶³ Deseriis, "Two Variants of the Digital Party".

⁶⁴ Bolleyer, Little, and von Nostitz, "Implementing Democratic Equality in Political Parties."

⁶⁵ Gerbaudo, "Are Digital Parties More Democratic than Traditional Parties?"

⁶⁶ Gerbaudo, "The Digital Party."

⁶⁷ Bolleyer, Little, and von Nostitz, "Implementing Democratic Equality in Political Parties;" Gerbaudo, "Are Digital Parties More Democratic than Traditional Parties?"

government entry, and the removal of members from party functions. Members also have the right to vote in their respective regional and local organizations.⁶⁸ Regarding the options available to members, Respondent 6 describes them as diverse, although the full extent of these options is not easily understood, and it generally takes time for members to fully utilize their rights.⁶⁹ In comparison to the selective member selection process, membership itself is inclusive, with all members enjoying equal rights and possibilities to get involved.

Deliberation

The research conducted by Voda and Vodová serves as a conclusive demonstration of the presence of deliberative elements within the local branch of the Czech Pirate Party situated in the city of Brno.⁷⁰ As elucidated in the dedicated section on the National Forum, a predefined temporal framework is allocated for deliberation and contemplation during voting processes, exhibiting temporal variability yet generally encompassing periods of several days or even a week. The analytical focus is directed towards the pivotal vote on governmental accession in the year 2021. Commencing on November 8, 2021, the deliberative process on the Forum continued until November 12, 2021. During this deliberative phase, a substantial corpus of 350 contributions was submitted by 126 distinct contributors, comprising 123 party members, two registered sympathizers, and one unaffiliated Forum user. The termination of the debate witnessed the exposition of positions by both the proponent and antagonist, culminating in the initiation of the voting procedure. Notably, an impressive 91% of the party membership actively participated in the voting process, constituting the highest turnout recorded since the party's inception into parliamentary proceedings in 2017. This decisive engagement led to the successful integration of the Czech Pirate Party into the government. The analytical scrutiny unequivocally substantiates

⁶⁸ "Stanovy České Pirátské Strany."

⁶⁹ Respondent 6, Zoom online call, March 25, 2023.

⁷⁰ Voda and Vodová, "The Effects of Deliberation in Czech Pirate Party."

the existence of deliberative structural components within the operational framework of the Czech Pirate Party. Respondent 7 affirms that the intentional inclusion of deliberative elements was ingrained in the party's founding ethos.⁷¹ Nevertheless, an astute observation is made regarding instances where the deliberative process diminishes in significance, as participants lacking expertise in the pertinent subject matter contribute, thereby considerably attenuating the expeditiousness of the decision-making process.

This procedural modality, delineated within the context of governmental voting, is uniformly applicable to all other voting scenarios across various hierarchical levels. The temporal extent of the deliberative discourse may exhibit variability but typically extends over several days.⁷²

Formal Power Divide

The Czech Pirate Party operates with a tripartite structure at the national level, comprising the apex entity known as the National Forum. This paramount organ encompasses the entire membership, each vested with voting rights. The National Forum exercises jurisdiction over all party affairs, including the establishment and dissolution of commissions and expert teams. Additionally, it holds the authority to elect and dismiss the other two integral organs of the party: the Republic Committee and the Republic Presidency, led by the party chairman. Functioning akin to a party parliament, the Republic Committee is constituted by fourteen members elected by regional organizations, with each organization appointing one representative. The National Forum further elects an additional ten to thirty members to the Republic Committee. The prerogatives of the Republic Committee encompass pivotal responsibilities such as determining the value of membership fees, sanctioning budgetary and financial reports, assigning tasks to the Republic Presidency, and endorsing programmatic and conceptual documents. In extraordinary circumstances, the Republic Committee holds the right to modify the list of candidates. The final

⁷¹ Respondent 7, Zoom online call, March 28, 2023.

⁷² "Stanovy České Pirátské Strany."

organizational body is the Republic Presidency, comprising five members, one of whom assumes the role of chairman. As the statutory and executive body, the Republic Presidency assumes responsibility for the party, executing the mandates issued by the National Forum and the Republic Committee. Externally, the party's chairman represents the party.⁷³

An analysis of the formal distribution of power, as per the party's statutes, indicates a concerted effort by the Czech Pirate Party to decentralize power. This is evident in the predominant authority vested in the National Forum, a body inclusive of all members. The party chairman, in turn, wields minimal authority within the party's formal structure. From a formal perspective, it is thereby discerned that the Czech Pirate Party adheres to a decentralized model, dispersing power across a broad spectrum of its membership.

Party Leadership Centralization

From a formal power division standpoint, the Czech Pirate Party appears decentralized; however, an examination of its actual operational dynamics yields varied perspectives among respondents. Three participants characterized the party as centralized, while the remaining four deemed it decentralized. Respondent 1 contends that centralization is evident in the active management of the party by thirty-five individuals, namely, the Republic Committee and the presidency.⁷⁴ These entities play a proactive role in formulating party policies, subject to endorsement by the National Forum through plebiscite voting. Respondents 2 and 4, who assert an even higher degree of centralization.⁷⁵ In contrast, Respondent 3 challenges the characterization of the party as centralized, citing the substantial regional control over nearly two-thirds of the party's financial resources.⁷⁶ Respondent 7 contributes that all candidate selection processes, excluding European elections, transpire at the regional and local levels, thereby limiting the central leadership's influence

⁷³ "Stanovy České Pirátské Strany."

⁷⁴ Respondent 1, Zoom online call, April 20, 2023.

⁷⁵ Respondent 2, Zoom online call, April 5, 2023; Respondent, Zoom online call, April 18, 2023.

⁷⁶ Respondent 3, Zoom online call, March 20, 2023.

over these processes.⁷⁷ Additionally, Respondent 5 acknowledges a minimal role for the central leadership within the party, but highlights their advantageous position in terms of media visibility and the potential for building personal notoriety, thereby enhancing their power and popularity within the party.⁷⁸ The respondent notes a perceptible uptick in centralization after the party's entry into Parliament in 2017. The analysis reveals subtle centralization tendencies within the Czech Pirate Party, although it falls short of indicating dominance by a singular leader or a narrow group of elites. This increment in centralization could be attributed to the personalization of party leadership. Conversely, the noteworthy decentralization is underscored by the substantial financial autonomy of regional party organizations, acting as a safeguard against undue centralization of power.

Intra-party Consultation Procedures

As mentioned above, the highest body of the Czech Pirate Party is the National Forum, where members can vote and submit membership proposals. A membership proposal may concern a legislative proposal, a recall proposal, a request for an extraordinary review, changes to statutes, or the nomination of a candidate for a political or party position. A member submits their proposal and creates a survey with options: *for*, *against*, and *abstain*. The proposal must obtain the required number of votes to be sent by the administrative department to all party members. The required number of votes is always the square root of the total number of members. For a membership of 1238, thirty-six votes are needed, representing the support of 2.9% of the membership base. For the proposal to be included in the national forum agenda and be subject to voting, it needs to garner two square roots of the total number, which is seventy-two votes and 5.8% of the membership base. Additionally, the proposal must have more positive votes than negative ones. Following this procedure, the consultation is submitted to all members for voting.⁷⁹

⁷⁷ Respondent 7, Zoom online call, March 28, 2023.

⁷⁸ Respondent 5, Zoom online call, March 19, 2023.

⁷⁹ "Členské Podněty – Fórum Pirátské Strany," [Member Suggestions – Pirate Party Forum] forum.pirati.cz, November 13, 2023, <https://forum.pirati.cz/viewforum.php?f=350>.

A member can calculate the current number of required votes using the web calculator, which is part of the party platform Tools.⁸⁰ Submitting a proposal for a vote in the national forum is not demanding. Respondent 3 considers this system functional because most National Forum votes come from membership proposals, aligning with the party's vision of direct democracy.⁸¹ Respondent 6 describes the risks associated with a low threshold for proposal submission.⁸² According to him, situations arise where a portion of the membership can disrupt the party's continuity in the central office by making decisions that weaken their position. He suggests that a high level of membership inclusion can, in certain phases of party development, pose more of a problem than a solution, citing the example of the government engagement of the Czech Pirate Party.

Party Structures

In accordance with its statutes, the Czech Pirate Party features a comprehensive organizational framework.⁸³ Beyond the pivotal National Forum, the party encompasses regional and local organizations within its membership structures. These entities wield substantive powers, with regional organizations exercising control over approximately 60% of the party's financial resources, thereby enjoying significant autonomy. This financial autonomy is further distributed among local organizations. In matters pertaining to the selection of candidates and leaders, considerable autonomy is afforded to regional organizations. The election of the board, both at the regional and local levels, is within the purview of the respective organizations. Additionally, regional organizations exercise autonomy in selecting candidates through primary elections for regional, parliamentary, and senate elections. Noteworthy, however, is the exception in the case of local elections, where candidates are nominated by the local

⁸⁰ "Kalkulačka Velikosti Skupiny Členů," [Member Group Size Calculator] tools.pirati.cz, accessed November 15, 2023, <https://tools.pirati.cz/vypocet-skupiny-clenu/>.

⁸¹ Respondent 3, Zoom online call, March 20, 2023.

⁸² Respondent 6, Zoom online call, March 25, 2023.

⁸³ "Stanovy České Pirátské Strany."

association.⁸⁴ The territorial coverage of regional and local organizations extends across all Czech regions, encompassing regional and major urban centers.

Beyond membership structures, the Czech Pirate Party has established expert teams sanctioned by the National Forum. These teams specialize in diverse domains such as technical administration, HR management, administrative affairs, *etc.*

Conclusion

This study has investigated the structure and functioning of the Czech Pirate Party, aiming to answer the question of who holds power within this digital party and whether it is organized top-down or bottom-up. The analysis, grounded in both formal and informal processes and structures, has been evaluated according to Scarrow's criteria. The Czech Pirate Party exhibits a medium degree of inclusiveness, a low degree of centralization, and a high degree of institutionalization.

Unlike other digital parties with open membership processes, the Czech Pirate Party requires new members to attend local organization meetings and undergo detailed interviews, making it cadre oriented.⁸⁵ However, once individuals become members, they experience a high degree of inclusiveness, with the ability to vote on all party matters and propose alternative suggestions.

The party adopts a deliberative approach, allowing members to express their opinions on all votes and present alternative proposals. However, this open deliberative process has drawbacks, such as slowing down decision-making, and reducing its quality due to a lack of expert knowledge. Deeper research is necessary to better understand the overall functioning of the deliberative space within the party. The current analysis focused primarily on structures and formal processes, while practical aspects of deliberation, such as the quality of discussions, the level of expertise, and the efficiency of decision-making processes, remain underexplored.

⁸⁴ "Stanovy České Pirátské Strany."

⁸⁵ Deseriis, "Two Variants of the Digital Party."

The Czech Pirate Party is decentralized, with leadership positions being mainly representative without substantial powers. Most processes occur either at the National Forum level or within regional structures, which also manage 60% of the party's annual budget, preventing centralization by the party leadership.

The analysis of institutionalization indicated that the Czech Pirate Party has well-defined roles in the decision-making process, which is highly transparent. The option to submit member proposals for voting in the National Forum is not overly demanding and requires a relatively small portion of the membership for validity. However, this inclusiveness also has negative impacts, such as weakening the party's position in the central office and reducing its legitimacy, creating a gap between the membership and the central office.

This study contributes new insights to the existing literature on digital parties. While existing research suggests that digital parties are organized top-down, with decision-making controlled by the central leadership, as seen in Podemos and the Five Star Movement, our study demonstrates that digital parties can also be organized bottom-up, where members play a significant role in the decision-making process.⁸⁶

It is important to note that the general conclusions of this study are limited by the small membership size of the Czech Pirate Party and the specific conditions of the Czech political context. The maximum number of members in 2023 was 1,238, which is very low compared to other digital parties. This fact may affect the generalizability of the results to other digital parties.

Future research should test the generalizability of these findings in other digital parties, especially Pirate Parties. A quantitative analysis of intra-party voting could provide a closer look at the distribution of power in these digital parties. Additionally, in-depth qualitative research focused on deliberative processes within parties should be conducted to better understand their functioning, efficiency, and impact on the overall dynamics of party decision-making.

⁸⁶ Deseriis and Vittori, "The Impact of Online Participation Platforms on the Internal Democracy of Two Southern European Parties;" Gerbaudo, "Are Digital Parties more Democratic than Traditional Parties?;" Gerbaudo, "The Digital Party;" Vittori, "Membership and Members' Participation in New Digital Parties."

Overall, this study reveals that power in the Czech Pirate Party is held by its members, who control the direction of the party through the National Forum. The party is thus organized in a bottom-up manner, which can bring a high degree of democracy but also some negative consequences, such as a loss of continuity between the leadership and the membership and reduced efficiency in decision-making processes.

Appendix

Table 1

Electoral results of the Czech Pirate Party

Candidate Party	Year	Election Type	Vote Share	Seats
Czech Pirate Party	2010	Parliamentary	0,80%	0/200
Czech Pirate Party	2013	Parliamentary	2,66%	0/200
Czech Pirate Party	2014	European	4,78%	0/21
Czech Pirate Party	2017	Parliamentary	10,79%	22/200
Czech Pirate Party	2019	European	13,95%	3/21
Pirates and Mayors (Coalition)	2021	Parliamentary	15,6%	4/200
Czech Pirate Party	2024	European	6,20%	1/21

Source: volby.cz

Table 2

Description of respondents.

Designation of the respondent	Function	Status
Respondent 1	Regional structure coordinator	Registered supporter
Respondent 2	A former head of the media department	Former Member
Respondent 3	Head of the administrative department, former member of Parliament	Member
Respondent 4	Head of the technical department	Member
Respondent 5	Member of the European Parliament	Member
Respondent 6	Chairman of the local organization	Member
Respondent 7	Member of the Parliament	Member

Source: author's own elaboration, based on the semi-structured interviews.

THE CONTINUED CHALLENGES OF THE BOSNIAK RETURNEES IN *REPUBLIKA SRPSKA* AND THE THREAT OF SECESSIONISM

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Abstract. The war in Bosnia and Herzegovina (BiH) had two notable consequences. The first is the complex institutional structure, and the second is the war-induced displacement. The article's exclusive emphasis is on the latter consequence. The violent ethnic homogenization and territorialization between 1992 and 1995 permanently altered and severely damaged the ethnic composition of the country. Even though the non-Serbs were forcibly displaced and then returned voluntarily to their home of origin, the returnees are confronted with the secessionist threat and the continuous challenge of life in *Republika Srpska* (RS). The article aims to address the continuing challenges faced by Bosniak returnees in the RS, with particular emphasis on the connections between returnee experiences and the unresolved threat of secession. To explore the social, political, and economic challenges faced by returnees and the impact of increasing separatist agitation and tendencies in the RS on Bosniak returnees, a field study was carried out in six municipalities located in East Bosnia: Zvornik, Bratunac, Vlasenica, Milići, Srebrenica, and Višegrad.

Keywords: Bosnia and Herzegovina, secessionism, refugees, IDPs, returnees, Republika Srpska

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Introduction: The *Leftovers* of the Dayton Peace Agreement

Two notable effects of the 1992-1995 aggression on Bosnia and Herzegovina have occurred. The first involved a *de facto* division of the country, which was achieved by forming two entities that turned into ethnically more homogeneous zones and a complicated power-sharing system. The post-Dayton political organization of BiH, whose constitution appears in Annex 4 to the Dayton Peace Agreement (DPA), represents a politics of complexity, which weakens and mitigates the reform progress. The second main effect, which this article focuses on, involved the massive migration of approximately two million internally and externally displaced individuals — *the war-induced displacement*, as a result of the *wartime strategic objectives* pursued by the Serbian forces. The strategic objectives were: the creation of a border separation with the other two national communities, the creation of a corridor between Semberija and Krajina, the creation of a corridor in the Drina Valley, namely the elimination of the Drina as a border between Serbian states, the creation of a border on the Una and Neretva rivers, division of the city of Sarajevo into Serbian and Muslim parts and implementation of a compelling state government in each of these parts, and access of the Republika Srpska to the sea.¹

The paramilitary forces of Bosnian Serb Army, which were irregular forces on the territory of BiH, have carried out the violent persecution of Bosniak and Croat civilians from their homes, where they lived until the beginning of the war in 1992. Since the redrawing of borders and creating ethnically pure Serb territories in BiH could not be achieved through voluntary resettlement, violent means, including intimidation, expulsion, and mass killings of Bosniaks, were used to “liberate” imaginary Serb ethnic territories.² In fact, because of their dispersion, an

¹ Hikmet Karčić, *Torture, Humiliate, Kill: Inside the Bosnian Serb Camp System* (Michigan: University of Michigan Press, 2022).

² Marko Attila Hoare, “The War of Yugoslav Succession,” in *Central and Southeast European Politics since 1989*, ed. Sabrina P. Ramet and Christine M. Hassenstab (Cambridge: Cambridge University Press, 2019), 117–22; Klejda Mulaj, “A Recurrent Tragedy: Ethnic Cleansing as a Tool of State Building in the Yugoslav Multinational Setting,” *Nationalities Papers* 34, no. 1 (March 2006): 21–50, 35.

obstacle to establishing a Greater Serbia in the specific geopolitical context, Bosniaks in eastern Bosnia have been repeatedly targeted by Serb attacks, historically before the last instance of genocide during the 1992-1995 war. For example, during World War II, the Chetnik movement, led by Draža Mihailović, committed acts of genocide against Muslims in eastern Bosnia to establish a mono-ethnic Serbian state.³ The violent *ethnic homogenization* and *ethnic territorialization* (against the non-Serb population) during the 1992-1995 war brought about significant changes in the ethnic composition throughout the country, including the municipalities of Zvornik, Bratunac, Vlasenica, Milići, Srebrenica, and Višegrad. They lost their pre-war multi-ethnic composition, and Serbs became predominant.

The parties (*i.e.*, those that fought the war) to the DPA agreed to fully respect and promote fulfilling the commitments to returning refugees and internally displaced persons (IDPs) to their homes. Annex 7 to the DPA was designed to address the displacement, and it stressed that all citizens should be allowed to return to their homes of origin. Many argue that the success of DPA rests on the implementation of Annex 7, but it remains a concern and is far from being fixed. The importance of Annex 7 is also accentuated in the 2019 European Commission's Opinion on BiH's European Union membership application.⁴ Although Annex 7 specifically grants refugees and IDPs the right to return to their home of origin since 1995, the topic remains relevant and worthwhile to address almost thirty years after the war's end. The authorities have not made sufficient efforts to maximize the implementation intentions of Annex 7.

The article focuses exclusively on Bosniaks who suffered the most significant losses and have returned to their home of origin, now in RS.⁵

³ Sonja Biserko, *Yugoslavia's Implosion: The Fatal Attraction of Serbian Nationalism* (Oslo: Norwegian Helsinki Committee, 2012), 41; Norman Cigar, *Uloga Srpskih Orijentalista u Opravdavanju Genocida Nad Muslimanima Balkana* [The Role of Serb Orientalists in Justifying the Genocide of the Balkan Muslims] (Sarajevo: Institute for Study of Crimes Against Humanity and International Law, Sarajevo, and Bosnian Cultural Centre, Sarajevo, 2000), 21.

⁴ European Commission, "Commission Opinion on Bosnia and Herzegovina's Application for Membership of the European Union" (Brussels, 2019), 16, accessed March 13th, 2024, <https://neighbourhood-enlargement.ec.europa.eu/system/files/2019-05/20190529-bosnia-and-herzegovina-opinion.pdf>.

⁵ Michael B. Bishku, "Bosnia and the Middle East: Current Political, Economic and Cultural Ties," *Journal of Muslim Minority Affairs* 36, no. 2 (April 2016): 202-18.

It scrutinizes not only the trajectories of returnees, but also their experiences with post-war livelihoods. By returning, Bosniaks expected to rebuild their lives in RS but witnessed once again secessionist tendencies and narratives in the place of return. BiH's RS entity, whose territorial space was claimed through large-scale ethnic cleansing and approved by the International Community with the DPA, currently exists in a state of ambiguity, operating simultaneously in opposition to and as an integral part of the state of BiH.⁶ Despite its lack of full sovereign status, it has effectively operated with considerable autonomy by invoking *ethnic sovereignty*. It uses all mechanisms to block the multi-ethnic state of BiH and attempts to operate as if it possessed sovereignty at the military, political, social, and institutional levels.⁷ Insisting on celebrating January 9 as a national holiday, "Republika Srpska Day," glorifying convicted war criminals, threatening to form parallel institutions in the areas of justice, defense, security, and taxation, blocking state-level legislative and executive institutions, adopting laws rendering state-level Constitutional Court decisions invalid in the RS and openly disregarding the decisions of the High Representative is among the several most prominent recent examples of RS secessionist tendencies.⁸

⁶ Roberto Belloni, *State Building and International Intervention in Bosnia* (London: Routledge, 2007); Rick Fawn and Oliver P. Richmond, "De Facto States in the Balkans: Shared Governance versus Ethnic Sovereignty in Republika Srpska and Kosovo," *Journal of Intervention and Statebuilding* 3, no. 2 (June 2009): 205-238, 215.

⁷ Fawn and Richmond, "De Facto States in the Balkans."

⁸ Annika Björkdahl, "Republika Srpska: Imaginary, Performance and Spatialization," *Political Geography* 66 (September 2018): 34-43, 40; Euronews, "Night Wolves and Praise for Putin Mark Milorad Dodik's Unconstitutional Fête," *Euronews*, 2023, accessed March 13th, 2024, <https://www.euronews.com/2023/01/09/night-wolves-and-praise-for-putin-mark-milorad-dodiks-unconstitutional-fete>; Denic Džidić and Denis Džidić, "Karadzic 'Sacrificed Himself for Serbs', Says Dodik," *Balkan Insight*, 2013, accessed March 13th, 2024, <https://balkaninsight.com/2013/04/04/karadzic-s-request-to-subpoena-oric-denied-again/>; Admir Muslimovic, "Bosnia: Serb Leaders Intensify Political Crisis After Genocide Denial Ban," *Balkan Insight*, 2021, accessed March 11th, 2024, <https://balkaninsight.com/2021/12/24/bosnia-serb-leaders-intensify-political-crisis-after-genocide-denial-ban/>; Fawn and Richmond, "De Facto States in the Balkans," 217; Danijel Kovacevic, "Bosnian Serbs Condemned Over Blockade of State Institutions," *Balkan Insight*, 2020, accessed March 5th, 2024, <https://balkaninsight.com/2020/02/12/bosnian-serbs-blockade-institutions-over-constitutional-court-ruling/>.

This article aims to argue that reactionary right-wing and secessionist politicians, which have thrived in the political landscape of RS, hijacked the sustainable return and livelihood of Bosniaks. A permanent, safe, and dignified return to RS does not sound like a possible scenario under such a condition – *a repeated call for secession and unification with Serbia*. Importantly, the threats of secession of RS are not a strategy for achieving more limited goals but the centuries-old ideologies and projects – ‘Great Serbia.’ The roots of Serbian secessionism in BiH trace back to nineteenth-century Serbian nationalism and the formation of modern Serbia. Driven by the desire to revive the medieval Serbian Empire of the fourteenth century, Serbian secessionism is fueled by the idealization of a homogeneous Greater Serbia state. This concept gained prominence in Serbian foreign policy after it was articulated in 1844 as the “Načertanije” (or “Draft Plan”) by Ilija Garašanin, who served as Minister of the Interior in the government of Prince Aleksandar Karađorđević. Načertanije aimed to consolidate all territories inhabited by Serbs, regardless of their majority or minority status, into a unified state. It also sought to assimilate individuals from other ethnic groups and religions into the Serbian nation and the Orthodox Church. Another strategic document that outlined plans to expand Serbian influence throughout the region was “Serbs, all and everywhere” by Vuk Stefanović Karadžić in 1849. After a century, the resurgence of Serbian territorial ambitions to unite all Serbs in a single state was triggered by the emergence of Stevan Moljević’s concept of “Homogeneous Serbia” in 1941. This ambition persisted, as evident in the Memorandum of the Serbian Academy of Arts and Sciences (SANU) in 1986, almost five decades later. The Memorandum encapsulated the history of the Serbian people, documented their grievances, and delineated the guiding principles that would shape Serbian national policy, reaffirming their aspirations for territorial unification.⁹

⁹ Barbara Jelavich, *History of the Balkans: Twentieth Century* (Vol. 2) (Cambridge: Cambridge University Press, 1983), 109-110; Mark Biondich, *The Balkans: Revolution, War, and Political Violence since 1878* (Oxford: Oxford University Press, 2011), 199; Biserko, *Yugoslavia’s Implosion*, 33-34, 79-83; Cathie Carmichael, *Ethnic Cleansing in the Balkans: Nationalism and the Destruction of Tradition* (Oxon & New York: Routledge, 2002), 17-18; Norman Cigar, *Genocide in Bosnia: The Policy of “Ethnic Cleansing”* (Texas:

Concurrently, the return programs tend to fall short of bringing Bosniaks back to RS. The conception of the RS territory as an exclusively Serb homeland,¹⁰ which was multi-ethnic before the conflict of the 1990s, and emphasizing symbols of statehood¹¹ have played a role in fostering ethnic nationalism, empowering groups unwilling to cooperate with the peace settlement, hindering peacebuilding efforts, post-war reconciliation and coexistence, and creating insecurity for non-Serb communities and ethnic minorities.¹² It generates an environment where non-Serbs, including minority returnees, are marginalized.¹³ In more extreme cases, their presence is often overlooked and unwelcome, met with rejection and hostility. Comparatively, the 1991 census recorded 441,077 Bosniaks (28.0 percent) and 144,129 Croats (9.2 percent) residing in the territory of today's RS. This indicates that by 2013, 269,241 individuals of Bosniak nationality and 114,484 individuals of Croat nationality were no longer present in that area, presumably due to various reasons such as wide spread atrocities, displacement, or relocation. According to the 2013 census, 171,839 Bosniaks (14.0 percent) and 25,640 Croats (2.1 percent) reside in RS.¹⁴

In line with the above discussion, this article is based on the assumption that the future of the returnees is not satisfied by restoring their homes of origin. Secessionist tendencies hinder the peaceful living conditions and sustainable livelihood of previously forcibly displaced persons by bringing uncertainty to their lives and affecting communal trust in RS. Accordingly, the objective has been to investigate the experience of Bosniaks, as returnees in the RS, *vis-à-vis* the existence of separatist tendencies and the threat of separatism. Secessionist tendencies

Texas A&M University Press, 1995), 23; Hamza Preljević, "The Role of the Islamic Community in Peacebuilding in Post-War Bosnia and Herzegovina: Case Study of East Bosnia," *Insight Turkey* 19, no. 3 (July 2017): 207-230, 218.

¹⁰ Dejan Stjepanović, "Territoriality and Citizenship: Membership and Sub-State Politics in Post-Yugoslav Space," *Europe-Asia Studies* 67, no. 7 (August 2015): 1030-55.

¹¹ Björkdahl, "Republika Srpska."

¹² Fawn and Richmond, "De Facto States in the Balkans."

¹³ Lara J. Nettelfield and Sarah E. Wagner, *Srebrenica in the Aftermath of Genocide* (New York: Cambridge University Press, 2014), 12.

¹⁴ Agency for Statistics of Bosnia and Herzegovina, "Population by ethnicity and sex, by municipalities and settlements, 1991-2013 Census," accessed April 4th, 2024, <http://www.statistika.ba/?show=12&id=29800>.

pose a significant problem for politics and policy in both the domestic and international spheres. The central focus of this article was the domestic sphere, which is addressed in the research question, *How does the upswing of separatist agitations and tendencies in RS affect the Bosniak returnees?*. Returning to the home of origin in RS resembles the *Norman doors* among the Bosniaks. People are unsure whether to go for it – secessionism is still on the radar. Thus, the reintegration process, *i.e.*, bringing the Bosniaks to areas of prior lives in RS, represents a complex problem. The challenge lies, on the one hand, in bringing Bosniaks to RS, and keeping them living in the place of return, on the other hand. As the returnees, the Bosniaks did not remain living in their place of return in RS but looked for better life opportunities. Emigration is a widespread problem in RS, affecting all people but impacting Bosniak returnees (along with Croats) more, whose demographics were changed as a result of the 1992-1995 war.

Methodology

This study comprises intensive in-country data collection derived from six municipalities (towns) in BiH's entity RS: Zvornik, Bratunac, Vlasenica, Milići, Srebrenica, and Višegrad. A purposive sampling approach was used by selecting as participants Bosniaks living in these municipalities, to understand how the upswing of separatist tendencies in RS affects the peaceful living conditions and sustainable livelihoods of Bosniaks. It focused on these municipalities because of the large number of human lives and capital lost during the 1992–1995 war, but also because these municipalities have not received attention in describing and explaining the effects of secessionist tendencies on the livelihood of Bosniaks in their place of return.

Semi-structured interviews were used in this study. Two interviews with returnees were conducted in each selected returnee area (in total, twelve interviews). Snowball sampling, a suitable method for data collection in conflict and post-conflict regions, was used to identify interviewees.¹⁵

¹⁵ Nissim Cohen and Tamar Arieli, "Field Research in Conflict Environments: Methodological Challenges and Snowball Sampling," *Journal of Peace Research* 48, no. 4 (July 2011): 423-35.

Permission for recording the interviews was obtained from the research participants. The interviews were conducted in Bosnian between June 2023 and July 2023, translated into English and anonymized to ensure ethical considerations, such as the participants' privacy. Thematic analysis was utilized as the primary analytical tool to identify and interpret the qualitative data obtained from the in-depth interviews, generating meaningful insights and rich findings that were key to addressing the research objective.¹⁶ A systematic process of coding and identifying recurring themes was used to explore participants' perspectives, experiences, and underlying patterns.

Literature Review

The post-conflict settlement in BiH is one of the leading examples where the International Community has recognized the return of displaced populations as the most urgent imperative for reversing ethnic cleansing, building peace, restoring human rights, reconciliation, and transitional justice in the country.¹⁷ Following the peace agreement, the country

¹⁶ Virginia Braun and Victoria Clarke, "Using Thematic Analysis in Psychology," *Qualitative Research in Psychology* 3, no. 2 (January 2006): 77-101.

¹⁷ Belloni, *State Building and International Intervention in Bosnia*; Richard Black, "Return and Reconstruction in Bosnia-Herzegovina: Missing Link, or Mistaken Priority?," *SAIS Review* 21, no. 2 (2001): 177-99; Richard Black, "Conceptions of 'Home' and the Political Geography of Refugee Repatriation: Between Assumption and Contested Reality in Bosnia-Herzegovina," *Applied Geography* 22, no. 2 (April 2002): 123-38; Barbara Franz, "Returnees, Remittances and Reconstruction: International Politics and Local Consequences in Bosnia," *The Whitehead Journal of Diplomacy and International Relations* 11, no. 1 (2010): 49-62, 51; Daniela Heimerl, "The Return of Refugees and Internally Displaced Persons: From Coercion to Sustainability?," *International Peacekeeping* 12, no. 3 (October 2005): 377-90; Catherine Phuong, "'Freely to Return': Reversing Ethnic Cleansing in Bosnia-Herzegovina," *Journal of Refugee Studies* 13, no. 2 (June 2000): 165-83; Deniz S. Sert, "Reversing Segregation? The Property Restitution Process in Post-War Bosnia," *Ethnopolitics* 10, no. 2 (June 2011): 219-33; Sebina Sivic-Bryant, "Kozarac School: A Window on Transitional Justice for Returnees," *International Journal of Transitional Justice* 2, no. 1 (March 2008): 106-15; Anders H. Stefansson, "Coffee after Cleansing? Co-Existence, Co-Operation, and Communication in Post-Conflict Bosnia and Herzegovina," *Focaal*, no. 57 (June 2010): 62-76; Gearóid Ó Tuathail and Carl Dahlman, "The Effort to Reverse Ethnic Cleansing in Bosnia-Herzegovina: The Limits of Returns," *Eurasian Geography and Economics* 45, no. 6 (September 2004): 439-64; Gearóid Ó Tuathail and John

witnessed the largest return movement in Europe since World War II.¹⁸ Partial successes in the minority return process were achieved, especially from 2000 to 2005, through the policies of the OHR (such as the 1999 action plan of the Task Force for Reconstruction and Return), international pressure for property restitution, security assistance provided to returnees by NATO forces, and initiatives developed by various international actors such as the UNHCR, the IOM, and the World Bank to promote sustainable minority returns.¹⁹ Since the mid-

O'Loughlin, "After Ethnic Cleansing: Return Outcomes in Bosnia-Herzegovina a Decade Beyond War," *Annals of the Association of American Geographers* 99, no. 5 (October 2009): 1045-53; Ondřej Žíla, "After Coming Home: Forms and Meanings of Return in Dayton's Bosnia and Herzegovina," *Glasnik Etnografskog Instituta* 67, no. 3 (2019): 523-43.

¹⁸ Richard Black and Khalid Koser, *The End of the Refugee Cycle?* (New York: Berghahn Books, 1999), 3.

¹⁹ Black, "Conceptions of 'Home' and the Political Geography of Refugee Repatriation"; Huma Sebina Sivic-Bryant, *Re-Making Kozarac: Agency, Reconciliation and Contested Return in Post-War Bosnia*, Palgrave Studies in Compromise after Conflict (London: Palgrave Macmillan, 2016); Djordje Stefanovic and Neophytos Loizides, "The Way Home: Peaceful Return of Victims of Ethnic Cleansing," *Human Rights Quarterly* 33, no. 2 (2011): 408-30; Selma Porobič, "Bosnian 'Returnee Voices' Communicating Experiences of Successful Reintegration. The Social Capital and Sustainable Return Nexus in Bosnia and Herzegovina," *Südosteuropa* 64, no. 1 (January 2016); Florian Bieber, *Post-War Bosnia: Ethnicity, Inequality and Public Sector Governance* (London: Palgrave Macmillan, 2006), 112; Sean Metivier, Djordje Stefanovic, and Neophytos Loizides, "Struggling for and Within the Community: What Leads Bosnian Forced Migrants to Desire Community Return?," *Ethnopolitics* 17, no. 2 (March 2018): 147-164, 148; Gerard Toal and Carl Dahlman, *Bosnia Remade: Ethnic Cleansing and Its Reversal* (New York: Oxford University Press, 2011); Black, "Return and Reconstruction in Bosnia-Herzegovina"; Heimerl, "The Return of Refugees and Internally Displaced Persons," 381-82; Ayaki Ito, "Politicisation of Minority Return in Bosnia and Herzegovina - The First Five Years Examined," *International Journal of Refugee Law* 13, no. 1 and 2 (January 2001): 98-122; Lynn Hastings, "Implementation of the Property Legislation in Bosnia Herzegovina," *Stanford Journal of International Law* 37, no. 2 (2001): 221-54; Stef Jansen, "Refuchess: Locating Bosniac Repatriates after the War in Bosnia-Herzegovina," *Population, Space and Place* 17, no. 2 (March 2011): 140-52; Charles Philpott, "Though the Dog Is Dead, the Pig Must Be Killed: Finishing with Property Restitution to Bosnia-Herzegovina's IDPs and Refugees," *Journal of Refugee Studies* 18, no. 1 (March 2005): 1-24; Anders H. Stefansson, "Homes in the Making: Property Restitution, Refugee Return, and Senses of Belonging in a Post-War Bosnian Town," *International Migration* 44, no. 3 (August 2006): 115-39; Belloni, *State Building and International Intervention in Bosnia*; Djordje Stefanovic and

2000s, however, the return process has stagnated and even shown signs of *reverse returns*, with returnees increasingly choosing to leave their places of origin again due to unfavorable living conditions.²⁰ Current circumstances suggest that returns are insufficient to reverse ethnic cleansing, nor are the conditions for sustainable minority returns met.²¹

Despite concerted efforts, for many, a major shortcoming of the International Community has been the inadequate recognition of the complex and multifaceted nature of the sustainable return, which encompasses not only the physical act of relocation but also the post-return period, requiring substantial improvements in the socio-economic and political conditions in the areas of return, as well as a comprehensive and dynamic approach to the long-term viability and integration of returnees into their communities.²² Moreover, the limited

Neophytos Loizides, "Peaceful Returns: Reversing Ethnic Cleansing after the Bosnian War," *International Migration* 55, no. 5 (October 2017): 217-234, 219; Toal and Dahlman, *Bosnia Remade*; Black, "Conceptions of 'Home' and the Political Geography of Refugee Repatriation;" Huma Haider, "(Re)Imagining Coexistence: Striving for Sustainable Return, Reintegration and Reconciliation in Bosnia and Herzegovina," *International Journal of Transitional Justice* 3, no. 1 (2009): 91-113; Selma Porobić, "Daring 'Life-Return Projects' to Post-Dayton Bosnia and Herzegovina," *International Migration* 55, no. 5 (October 2017): 192-204; Žila, "After Coming Home."

²⁰ Petr Čermák, "Minority Refugee Return as a Tool to Reverse Ethnic Cleansing: The Case of Bosnia and Herzegovina," *Forum Za Sigurnosne Studije* 2, no. 2 (2018): 6-45; Patricia Weiss Fagen, "Peace Processes and IDP Solutions," *Refugee Survey Quarterly* 28, no. 1 (January 2009): 31-58, 44-45; Jansen, "Refuchess"; Žila, "After Coming Home;" Jasmin Agić, "Šta Se Desilo Sa Povratkom: Ima Li Bošnjaka u Republici Srpskoj?," [What Happened to the Return: Are There Bosniaks in Republika Srpska?] *Al Jazeera*, 2021, <https://balkans.aljazeera.net teme/2021/1/30/sta-se-desilo-sa-povratko-m-ima-li-bosnjaka-u-republici-srpskoj>; Metivier, Stefanovic, and Loizides, "Struggling for and Within the Community," 149.

²¹ Porobić, "Daring 'Life-Return Projects' to Post-Dayton Bosnia and Herzegovina," 196; Sert, "Reversing Segregation?"; Ondřej Žila, "Managing Mass Migration after the War: The Case of Sarajevo's Unification in 1996," *Political Geography* 96 (June 2022).

²² Richard Black and Saskia Gent, "Sustainable Return in Post-Conflict Contexts," *International Migration* 44, no. 3 (August 2006): 15-38; Patricia Weiss Fagen, "Refugees and IDPs after Conflict: Why They Do Not Go Home," Special Report (New York, Washington: United States Institute of Peace, 2011); Stef Jansen, "The Privatisation of Home and Hope: Return, Reforms and the Foreign Intervention in Bosnia-Herzegovina," *Dialectical Anthropology* 30, no. 3-4 (2006): 177-99; Stef Jansen, "Troubled Locations: Return, the Life Course, and Transformations of 'Home' in Bosnia-Herzegovina,"

success in facilitating minority returns has also been attributed to the contradictory nature of the DPA, intended to facilitate returns to reverse ethnic cleansing, yet divided the country into largely autonomous entities whose territorial and demographic composition was closely linked to the campaign of ethnic cleansing, thereby cementing ethno-nationalist divisions, and impeding the return process.²³

The experience of violence and trauma during the conflict, the risk of post-conflict violence against returnees, and how displacement unfolded are significant predictors that play a critical role in shaping the outcomes of post-conflict repatriation efforts.²⁴ A further important

Focaal – European Journal of Anthropology, no. 49 (June 2007): 15-30; Philpott, "Though the Dog Is Dead, the Pig Must Be Killed"; Porobić, "Bosnian 'Returnee Voices' Communicating Experiences of Successful Reintegration. The Social Capital and Sustainable Return Nexus in Bosnia and Herzegovina," *Comparative Southeast European Studies* 64, no. 1 (2016), 5-26, <https://doi.org/10.1515/soeu-2016-0002>; Porobić, "Daring 'Life-Return Projects' to Post-Dayton Bosnia and Herzegovina;" Stefansson, "Homes in the Making;" Žila, "After Coming Home;" Marita Eastmond, "Transnational Returns and Reconstruction in Post-War Bosnia and Herzegovina," *International Migration* 44, no. 3 (August 2006): 141-66; Haider, "(Re)Imagining Coexistence;" Porobić, "Bosnian 'Returnee Voices' Communicating Experiences of Successful Reintegration."

²³ Sophie Albert, "The Return of Refugees to Bosnia and Herzegovina: Peacebuilding with People," *International Peacekeeping* 4, no. 3 (September 1997): 1-23; Belloni, *State Building and International Intervention in Bosnia*; Carl Dahlman and Gearóid Ó Tuathail, "The Legacy of Ethnic Cleansing: The International Community and the Returns Process in Post-Dayton Bosnia–Herzegovina," *Political Geography* 24, no. 5 (June 2005): 569–99; Franz, "Returnees, Remittances and Reconstruction," 52; Haider, "(Re)Imagining Coexistence"; Toal and Dahlman, *Bosnia Remade*; Žila, "After Coming Home," 527-28; Rob Aitken, "Cementing Divisions? An Assessment of the Impact of International Interventions and Peace-Building Policies on Ethnic Identities and Divisions," *Policy Studies* 28, no. 3 (September 2007): 247-67; Jelena Golubović, "Beyond Agency as Good: Complicity and Displacement after the Siege of Sarajevo," *Journal of Refugee Studies* 35, no. 3 (October 2022): 1344-1363, 1346; Argyro Kartsonaki, "Twenty Years After Dayton: Bosnia-Herzegovina (Still) Stable and Explosive," *Civil Wars* 18, no. 4 (October 2016): 488-516.

²⁴ María Alejandra Arias, Ana María Ibáñez, and Pablo Querubin, "The Desire to Return during Civil War: Evidence for Internally Displaced Populations in Colombia," *Peace Economics, Peace Science and Public Policy* 20, no. 1 (January 2014): 209-33; Faten Ghosn, Tiffany S. Chu, Miranda Simon, Alex Braithwaite, Michael Frith, and Joanna Jandali, "The Journey Home: Violence, Anchoring, and Refugee Decisions to Return," *American Political Science Review* 115, no. 3 (August 2021): 982-98; Metivier, Stefanovic,

domestic factor influencing the repatriation process is the change in the population structure due to the armed conflict. As the case of BiH shows, after a displacement process that has deepened ethnic divisions, changed demographic dynamics, and thus worsened the political and socio-economic conditions for potential returnees, people are less likely to return to their places of origin, to areas where they would be in the minority.²⁵ Instead, a notable trend observed among many returnees is their preference to settle in areas where their ethnic group has a demographic majority.²⁶ Nevertheless, Metivier and colleagues have shown that people who are still more likely to return where they would be a minority are those who would return to rural and often mono-ethnic townships or villages rather than urban areas. These people would return as a community rather than individually, and have less nationalistic tendencies.²⁷ Furthermore, Jansen has observed that older displaced persons are more committed to return than young people who have little memory of pre-displacement life.²⁸

The influence of national policies and local authorities in facilitating or impeding the repatriation process has been mentioned as a relevant issue with a significant impact on the outcome of minority returns. Since it is closely linked to the fragile and controversial political

and Loizides, "Struggling for and Within the Community," 151; Akisato Suzuki, Djordje Stefanovic, and Neophytos Loizides, "Displacement and the Expectation of Political Violence: Evidence from Bosnia," *Conflict Management and Peace Science* 38, no. 5 (September 2021): 561-79; Abbey Steele, "Civilian Resettlement Patterns in Civil War," *Journal of Peace Research* 56, no. 1 (January 2019): 28-41.

²⁵ Kara Ross Camarena and Nils Hägerdal, "When Do Displaced Persons Return? Postwar Migration among Christians in Mount Lebanon," *American Journal of Political Science* 64, no. 2 (April 2020): 223-39; Jansen, "Refuchess;" Sandra F. Joireman, "Ethnic Violence, Local Security and Return Migration: Enclave Communities in Kosovo," *International Migration* 55, no. 5 (October 2017): 122-35; Lloyd Lyall, "Diverse Neighbors and Post-Conflict Recovery at the Village Level: Evidence from Iraq after ISIL," *Journal of Peace Research* 59, no. 4 (July 2022): 543-61; Tuathail and O'Loughlin, "After Ethnic Cleansing."

²⁶ Albert, "The Return of Refugees to Bosnia and Herzegovina;" Franz, "Returnees, Remittances and Reconstruction," 51; International Crisis Group, "Preventing Minority Return in Bosnia-Herzegovina: The Anatomy of Hate and Fear," ICG Balkans Report (Sarajevo: International Crisis Group (ICG), 1999), 11.

²⁷ Metivier, Stefanovic, and Loizides, "Struggling for and Within the Community."

²⁸ Jansen, "Troubled Locations."

and demographic dynamics in the post-war period, the issue of minority return has become part of the political and territorial struggle between three constituent nations.²⁹ As representatives of the population disproportionately affected by forced displacement during the conflict, the Bosniak political parties have taken a comparatively more favorable stance toward the minority return movement.³⁰ The main motive behind this attitude is that the minority return is intended to reverse the demographic shifts due to ethnic cleansing during the war, thus preventing the RS from consolidating its political power as a Serb territory with an almost homogeneous population.³¹ Consequently, the repatriation of Bosniaks has often been motivated by a sense of patriotic duty – as a way of reversing ethnic cleansing and reclaiming homeland territory after the demographic shifts resulting from such atrocities during the war – and has been actively encouraged. Conversely, the attitudes of the Serbs and Croats, but especially the Serb authorities in the RS, driven by the desire to preserve their respective demographic dominance gained during the war, tend to oppose the return of displaced persons of their ethnic groups to their pre-war territories while vehemently blocking the minority return of other groups, mainly Bosniaks, to their pre-war locations.³² Although it is acknowledged that

²⁹ Golubović, "Beyond Agency as Good;" Joanna Harvey, "Return Dynamics in Bosnia and Croatia: A Comparative Analysis," *International Migration* 44, no. 3 (August 2006): 89-144; Ito, "Politicisation of Minority Return in Bosnia and Herzegovina," 106-11; Maja Pupovac, "Dvadeset Pet Godina Poslije: Uticaj Rata i Prisilnog Raseljenja Na Kolektivne Identitete Semberaca i Izbjeglica u Bijeljini," [Twenty-five Years Later: The Impact of War and Forced Displacement on the Collective Identities of Semberans and Refugees in Bijeljina] *Tragovi: časopis Za Srpske I Hrvatske Teme* 3, no. 1 (2020): 203-47; Sivic-Bryant, *Re-Making Kozarac*; Stefanovic and Loizides, "Peaceful Returns," 219; Stefansson, "Homes in the Making," 128; Ondřej Žíla, "The Flight of Serbs from Sarajevo: Not the Dayton Agreement's First Failure, but Its First Logical Consequence," *Nationalities Papers* 49, no. 5 (September 2021): 967-85; Žíla, "Managing Mass Migration after the War;" Ondřej Žíla, "'Exodus': The Serb Flight from Sarajevo, Its Legacy, and Its Role in the Political Memory of Republika Srpska," *Nations and Nationalism* 29, no. 3 (2023).

³⁰ Jansen, "Refuchess," 143.

³¹ Toal and Dahlman, *Bosnia Remade*, 167-76.

³² Erin K. Jenne, "Barriers to Reintegration after Ethnic Civil Wars: Lessons from Minority Returns and Restitution in the Balkans," *Civil Wars* 12, no. 4 (December 2010):

the Federation of BiH has also posed challenges to minority return, these obstacles have been comparatively less pronounced than in RS.³³

The apparent hostility of ethno-nationalist authorities to minority returns, and discouragement of repatriation efforts, for example through administrative obstacles to the property restitution process and legal complexities, have been identified as prominent political causes of the unsatisfactory level of repatriation.³⁴ In conjunction with these political barriers, a growing body of literature addresses the challenges of

370-394, 379; Sead Selimović, "Sprječiti Povratak: Provođenje Aneksa VII Dejtonskog Sporazuma Za Mir u Bosni i Hercegovini (1995-2020)," [Prevent Return: Implementation of Annex VII of the Dayton Peace Agreement in Bosnia and Herzegovina (1995-2020)] *Historijski Pogledi* 4, no. 6 (November 15, 2021): 206-32; Toal and Dahlman, *Bosnia Remade*; Black, "Return and Reconstruction in Bosnia-Herzegovina," 191; Carl Dahlman and Gearóid Ó Tuathail, "Broken Bosnia: The Localized Geopolitics of Displacement and Return in Two Bosnian Places," *Annals of the Association of American Geographers* 95, no. 3 (September 2005): 644-62; Franz, "Returnees, Remittances and Reconstruction;" Metivier, Stefanovic, and Loizides, "Struggling for and Within the Community," 149; Toal and Dahlman, *Bosnia Remade*, 169-85; Gearóid Ó Tuathail and Carl Dahlman, "The 'West Bank of the Drina': Land Allocation and Ethnic Engineering in Republika Srpska," *Transactions of the Institute of British Geographers* 31, no. 3 (September 2006): 304-22; Žila, "Exodus."

³³ Golubović, "Beyond Agency as Good;" Pupovac, "Dvadeset Pet Godina Poslije: Uticaj Rata i Prisilnog Raseljenja Na Kolektivne Identitete Semberaca i Izbjeglica u Bijeljini;" Žila, "The Flight of Serbs from Sarajevo;" Žila, "Managing Mass Migration after the War;" Žila, "Exodus;" Selimović, "Preventing Return."

³⁴ Belloni, *State Building and International Intervention in Bosnia*, 170-76; Franz, "Returnees, Remittances and Reconstruction," 54; Jansen, "Refuchess," 145; Phuong, "Freely to Return"; Tuathail and Dahlman, "The Effort to Reverse Ethnic Cleansing in Bosnia-Herzegovina;" José H. Fischel De Andrade and Nicole Barbara Delaney, "Minority Return to South-Eastern Bosnia and Herzegovina: A Review of the 2000 Return Season," *Journal of Refugee Studies* 14, no. 3 (September 1, 2001): 315-30; Philpott, "Though the Dog Is Dead, the Pig Must Be Killed"; Charles Philpott and Rhodri C. Williams, "The Dayton Dialectic: The Significance of Property Deprivation and Repossession in the Context of Ethnic Cleansing," in *Deconstructing the Reconstruction: Human Rights and Rule of Law in Postwar Bosnia and Herzegovina*, ed. Dina Francesca Haynes (London: Routledge, 2008), 149-76; Rhodri C. Williams, "The Significance of Property Restitution to Sustainable Return in Bosnia and Herzegovina," *International Migration* 44, no. 3 (August 2006): 40-61; Franz, "Returnees, Remittances and Reconstruction," 52; Heimerl, "The Return of Refugees and Internally Displaced Persons," 379; International Crisis Group, "Preventing Minority Return in Bosnia-Herzegovina: The Anatomy of Hate and Fear"; Phuong, "Freely to Return."

returning displaced persons to their original residences. These include security concerns of returnees due to intimidation and violent attacks by ethno-nationalist groups; destruction or occupation of displaced persons' homes and vandalizing of properties of the Islamic Community, including mosques; discrimination in the judicial and public administration systems; unfavorable socio-economic conditions such as unemployment, or discrimination in employment; social exclusion, problems in access to education, schools, as well as politicized curricula reflecting the nationalist views of the majority group; and in some cases even lack of access to essential services such as water and electricity.³⁵

While the existing literature on returns in the BiH has addressed numerous aspects of the obstacles in and after the return process, given returnees a voice through valuable fieldwork, and has investigated the features and motivations of individuals who decide to return to their pre-conflict areas of residence, even in the face of discouraging circumstances, limited scholarly attention has been paid to investigating the impact of separatist discourses and the threat of separatism on Bosniaks at the place of return in the RS.³⁶ This research is intended to contribute to the existing body of knowledge by addressing and exploring the ongoing challenges faced by Bosniak returnees, with particular attention to the intersections between returnee experiences

³⁵ Michael J. Boyle, *Violence After War: Explaining Instability in Post-Conflict States* (Baltimore: Johns Hopkins University Press, 2014); Dahlman and Tuathail, "The Legacy of Ethnic Cleansing;" De Andrade and Delaney, "Minority Return to South-Eastern Bosnia and Herzegovina;" Guy Hovey, "The Rehabilitation of Homes and Return of Minorities to Republika Srpska, Bosnia and Herzegovina," *Forced Migration Review*, no. 7 (2000): 8-11; Selimović, "Preventing Return;" Björkdahl, "Republika Srpska," 41; Stjepanović, "Territoriality and Citizenship;" Eastmond, "Transnational Returns and Reconstruction in Post-War Bosnia and Herzegovina," 143; Selimović, "Preventing Return;" Sivic-Bryant, "Kozarac School;" Black, "Return and Reconstruction in Bosnia-Herzegovina," 192.

³⁶ Eastmond, "Transnational Returns and Reconstruction in Post-War Bosnia and Herzegovina;" Metivier, Stefanovic, and Loizides, "Struggling for and Within the Community;" Nettelfield and Wagner, *Srebrenica in the Aftermath of Genocide*; Selma Porobić, "'Invisible' Returns of Bosnian Refugees and Their Psychosocial Wellbeing," in *Return Migration and Psychosocial Wellbeing: Discourses, Policy-Making and Outcomes for Migrants and Their Families*, ed. Zana Vathi and Russell King (London: Routledge, 2017), 108-25; Stefanovic and Loizides, "Peaceful Returns;" Tuathail and O'Loughlin, "After Ethnic Cleansing."

and increasing separatist agitation tendencies in the RS. It posits that secessionist tendencies and persistent calls for secession and unification with Serbia are significant obstacles to achieving a sustainable, safe, dignified return for Bosniaks in the RS. Such tendencies may cause insecurity and uncertainty in the lives of Bosniaks and undermine communal trust within the entity, thereby hampering their prospects for peaceful living conditions.

The Early Return Process

The period following the DPA in 1995 was a critical time for BiH, particularly for Bosniak returnees in RS. Despite the agreement's goal of establishing peace and stability, Bosniak returnees in RS faced significant challenges that hindered their reintegration and reconciliation efforts. Security concerns were paramount for Bosniak returnees, who feared reprisals or discrimination from the local Serb population. The scars of war exacerbated tensions and mistrust between communities, making the return process daunting. Property issues added another layer of complexity, with many Bosniaks encountering obstacles in reclaiming their pre-war properties, often occupied, or confiscated during the conflict. Infrastructure and public services posed further challenges, as areas of return lacked adequate resources to support returning populations. The lack of essential services hindered reintegration efforts and exacerbated economic difficulties for returnees, who struggled to find employment opportunities in the war-ravaged economy.

Efforts to promote reconciliation faced resistance due to deep-seated ethnic tensions and mistrust between Bosniaks and Serbs. Despite international assistance and support, progress was slow, and sustainable reconciliation remained elusive. Over time, modest progress was made in addressing some obstacles to the return process. However, the challenges persisted, with continued calls for secession in the RS, especially after the first decade of the post-war period,³⁷ exacerbating the concerns of

³⁷ James Ker-Lindsay, "The Hollow Threat of Secession in Bosnia and Herzegovina: Legal and Political Impediments to a Unilateral Declaration of Independence by

Bosniak returnees. This was present regardless of the international interventionism strongly contained through the institution of the OHR, and it further worsened when the International Community decided to empower local politicians in the decision-making process.

As of 2010, the concept of “local ownership” over international decision-making (through the OHR) was emphasized. It refers to the idea that the people and institutions within BiH should take responsibility for their own development and governance, rather than relying heavily on the International Community. Through embracing local ownership, the OHR also discreetly reduced reliance on the Bonn Powers. However, the implementation of local ownership in internationally driven peace operations proved to be unsuccessful, leading to domestic crisis. BiH, as a post-conflict country, did not have the capacity to bring about its own democratic reforms without outside influence. Instead of progress, local ownership resulted in a step backwards, with ethno-politics intensifying and the RS entity becoming more vocal in its secessionist aspirations.³⁸

The threat of secessionism could have heightened security concerns, contributed to political uncertainty, and complicated efforts to reclaim property and assert legal rights. Despite these challenges, tens of thousands of Bosniaks returned to RS between 1995 and 2005, marking an important step towards reconciliation and the implementation of the DPA. The return of Bosniaks between 1995 and 2005 marked a significant step towards reconciliation, yet the persistence of discriminatory policies and the threat of secessionism by Serbs underscored the disproportionate burden shouldered by Bosniaks in the reconciliation process.

Republika Srpska,” LSEE Papers on South Eastern Europe (London: LSEE – Research on South Eastern Europe, 2016), 10-13, <https://www.lse.ac.uk/LSEE-Research-on-South-Eastern-Europe/Assets/Documents/Publications/Paper-Series-on-SEE/KerLindsay-Hollow-Threat-of-Secession-in-BiH.pdf>; Soeren Keil and Anastasiia Kudlenko, “Bosnia and Herzegovina 20 Years after Dayton: Complexity Born of Paradoxes,” *International Peacekeeping* 22, no. 5, (2015): 471-489, 482.

³⁸ Sung Yong Lee and Alpaslan Özerdem, *Local Ownership in International Peacebuilding: Key Theoretical and Practical Issues* (New York: Routledge, 2015).

Secessionist Resurgence and the Refugees' Journey

BiH has been grappling with secessionist tendencies that have an indelible mark on the returnees. The secessionist claims are once again reviving in RS. Although much time has passed since the war ended, evidence suggests that the more time passes since the DPA was signed in BiH, the more complicated the situation becomes. This observable trend may signify a confluence of factors, including a perceptible erosion of the International Community's sway and a palpable waning of interest in ameliorating the protracted issue. However, it would not be alarming if the deterioration did not directly impact the lives of returnees and the provisions of what was anticipated in Annex 7 of the DPA. Not all people in BiH are affected equally by the separatist upsurge. Returnees face significant challenges, particularly in areas where horrific crimes were perpetrated through violent ethnic homogenization and ethnic territorialization. It is crucial to shed light on the experiences of those who have chosen to return to their pre-war homes since their lives are impacted by the flow of secessionist policies that (re)emerge. There is concern that Bosnian Serbs are systematically attempting to complete the unfinished ethnic homogenization and ethnic territorialization that was attempted to be established through violence on the territory of the current RS, which is the result of violence committed during the 1992-1995 war.

In a recent example of this ethnic territorialization in the RS, the Municipal Assembly in Srebrenica, composed predominantly of ethnic Serbs, voted to rename several streets in the town and a nearby village, commemorating their community's wartime suffering while ignoring a significant historical event: the 1995 genocide of Bosniaks. Despite objections and a boycott by Assembly members representing other ethnic groups, particularly Bosniaks, the proposal to rename 25 streets was approved on April 15th, 2024, drawing criticism for what was seen as an attempt to erase Europe's worst atrocity since World War II. This situation underscores deep tensions, where Serb members of the Assembly, in the absence of Bosniak representation, made a decision that seemed designed to insult others, particularly Bosniaks. The Serbs disregarded an earlier agreement made in 2002, upon the return of the

Bosniaks, to restore the old pre-war street names, and instead chose names reminiscent of the period when they had sole representation in the Srebrenica Municipal Assembly between 1995 and 1996. The adopted decision by the Srebrenica Municipal Assembly included the renaming of Maršala Tita Street to Republika Srpska Street, Mihajlo Bjelaković Square to Republika Srpska Square, and Srebrenica City Park to Major Kosta Todorović Park.³⁹ Particularly controversial was the proposal to change Reuf Selmanagić Crnog Street to Dubrovnik Street. This change was met with numerous condemnations because in July 1995, after the RS army entered Srebrenica, war criminal Ratko Mladić personally ordered the removal of the name of this street, instructing, “Take down this sign, Selmanagić Reuf-Crni Street. Take it off, come on. Climb up, man, do not tell me ten times and take it with you.”⁴⁰ It could be said that history repeats itself. During the 1992-1995 aggression and the attack on a “safe area” under UN protection, war criminal Ratko Mladić gave the order, and now, a similar situation occurred in a time of peace. There is a very strong symbolism in this, especially because the order to remove the table with the name of the street was recorded and documented. This poignant echo of past atrocities underscores the ongoing tensions and unresolved trauma within the community and amplifies the significance of the decision to rename the streets. Such actions not only reopen old wounds, but also perpetuate divisions and hinder reconciliation efforts in the region. This decision is, among other things, evidence of how Bosniaks, as an ethnic group that faced genocide and other major atrocities, are being treated in their place of return.

Thus, in addition to the non-enforcement of Annex 7 of the DPA, the lives of those who returned are made difficult to the point that it causes them to consider *voluntarily* leaving behind their homes, which were formerly violent. The outcomes are the same, and they cause the Serbs’ ethnic homogenization and territorialization. Neither the RS reflects what it was like before the war nor what was predicted in Annex

³⁹ RFE/RL’s Balkan Service, “Srebrenica To Rename Its Streets...Without Any Mention of The Genocide,” Radio Free Europe, 2024, accessed April 16th, 2024, <https://www.rferl.org/a/32906304.html>.

⁴⁰ “The Mladic Files: Mladic Entering Srebrenica – 11 July 1995,” YouTube, 2011, accessed March 14th, 2024, <https://www.youtube.com/watch?v=QflnjlNoT4Q>.

7 of the DPA. The possessive adjective *Srpska* in the name RS (*i.e.*, the Serb Republic) has profound psychological effects. It initially determines *who* owns or the entity's owner. This impacts the sense of belonging to that region of BiH, and it will have worse impacts once generations who do not remember the war (or life in that region of BiH before the war) will predominate in the country's demographic profile. The future of BiH will be negatively impacted when and if that occurs. Additionally, the degree to which Bosniaks identify with each part of the RS will determine the country's future. The policies of RS are doing everything to make Bosniaks lose their love for this part of BiH and see it exclusively as the *Serb Republic*. If they succeed, the Serbs will strengthen their negotiating position for BiH's peaceful dissolution.

Despite the violations of *jus cogens* (peremptory norms), the RS entity was *de facto* established within BiH in 1995. Importantly, three out of the four criteria for statehood outlined in the Montevideo Convention (1933) – government, population, and territory – were technically achieved during the war in BiH, despite significant violations of international law and *jus cogens* principles. The government was established within the RS entity, formed as a result of the war, while the population and territory were shaped through processes of violent ethnic homogenization and territorialization. However, it is essential to emphasize that the RS entity violated *jus cogens* norms by committing atrocities and lacks a legitimate claim to self-determination as a justification for their actions.

Problems in the Return Process

The ethnic demographic profile of BiH before and after the war is incomparable. It results from mass killings, including crimes against humanity and the forced displacement and expulsion of civilians. The area of Eastern Bosnia was particularly affected by this. Although it was stressed in the peace accord that ended the war in BiH, the return process did not occur. The return of IDPs and refugees falls short of success in BiH.

“Bosniaks lived in patriarchal families before the 1992–1995 war, particularly in Eastern Bosnia, where the father’s position (*i.e.*, the man) was paramount. The consequences of the war affected the traditional family.” – Interviewee 5

“They thoroughly cleaned this region and made the rest of us (*i.e.*, those who remained) – the Bosniaks – «second class» citizens in RS. Our political influence is minimal because there are not enough Bosniaks in this part of BiH. Without our participation, Serbs can bring everything with their votes. It indicates that something built on mass atrocities wins the battle to shape post-war BiH.” – Interviewee 1

Several years after the mass crimes, the return process began. Beginning in the year 2000, IDPs and refugees began to return in sporadic waves. It is surprising how quickly, after the war and genocide, the return began (Interviewee 6), and the Bosniaks can find some satisfaction in the fact that the return process took place at all, considering the atrocities they endured and the obstacles that hindered its success (Interviewee 3). It was anticipated that the return process would never take place. However, because Bosniaks returned to the locations from which they had been exiled and where serious atrocities had been committed against them, the process of return after 1992-1995 is a phenomenon in the history of Bosniaks. This has never happened before (Interviewee 3). An illustration is given for the 1830-1867 persecution of Muslims from Belgrade, Šabac, and Užice. These were areas where 58% of the local population was Muslim. In the historical context, the return is much more significant than its results. Despite their comeback, Bosniaks can no longer play an important political role in RS, given their demography. War atrocities have caused this specifically (Interviewee 9).

However, the interviewees regarded the return process as needing more organization. There needed to be a robust and well-planned strategy. There were omissions in the return process, but there is no way to make up for them (Interviewee 4). There still needs to be a comprehensive strategy for Bosniaks’ position in RS (Interviewee 6). Additionally, the requirements of the refugees needed to be fully taken into account by the state’s programs or foreign donations. The weak status of Bosniaks might also be attributed to the unplanned squandering of funds (Interviewee 9). The returnees have been deceived. Little of what was promised was carried out. After that, the distrust

grew, affecting the return process (Interviewee 7). It was challenging to persuade anyone to return after witnessing the plight of the returnees in East Bosnia (Interviewee 1). The responders also point out that there currently needs to be more foreign donations and return mechanisms for Eastern Bosnia. In today's context, Bosniak returnees in Eastern Bosnia feel neglected by their community and the state's institutions. Political leaders visit regions where Bosniaks have returned less frequently. No one comes to see what life is like for the returnees (Interviewee 3). The interviewees voiced concern that this would be misinterpreted as a sign that the Bosniaks were giving up on their fight.

"We expect that our needs are primarily heard and that our needs are considered. About our true needs, what are our needs? We have some wishes and aspirations to ensure that we can enjoy our rights, which are guaranteed to us by the Constitution, and we expect some help with some finer things. Not to reduce us to a cow and a tiller, but to do something for us. To raise ourselves culturally or with some other performances of life. I usually say, «We squeeze a stone and live from the juice we squeeze.» That is right, and then you are reduced to a tiller. On July 11th, the politicians posed declarative queries on our needs." – Interviewee 4

"Everything suggests that the political messages that were given on July 11th were targeted at FBiH voters. Why am I saying that? We are forgotten every day after that, but on July 11th, we are suddenly in the spotlight. The existence of BiH depends on every day up until July 11th, and our politicians must do more to help returnees in RS. If returnees are not given greater attention, Bosniaks will not continue to reside in this area." – Interviewee 7

Most interviewees argued that the return process was carried out with heart, spite, nostalgia, and patriotism. There was no sense of self-interest. The return to East Bosnia did not mean a return to safety and dignity (Interviewee 12). The Serbs showed significant resistance to the Bosniaks' return. Numerous assaults took place, including the stoning of buses and the murder of Bosniaks. The 1,200 physical assaults and the thirteen murder cases involving Bosniak returnees remain unsolved. Despite these depressing figures, the interviewees stressed the significance of international forces present in the first few years of return. The returnees felt secure because of their presence. They should have stayed in BiH until Annex 7 of the DPA was fully implemented (Interviewee 8).

In contrast to the 2000s, when there were attacks and Bosniaks who wanted to return, now there are neither attacks nor Bosniaks who want to return (Interviewee 2). As a result, safety is increased, but is left alone.

“When people ask me how, 35 months after the concentration camp, I still had the heart to come back here [in East Bosnia], I explain that it’s because I came back to my father’s and grandfather’s home, not theirs [of the Serbs].” – Interviewee 3

According to one respondent (Interviewee 6), “a fool lives where his heart takes him, whereas a wise man lives where he is better off” (adding that he decided to be a fool). The return process meant fighting for the homeland (Interviewee 4). It conveyed a message: “Bosniaks exist in East Bosnia” (Interviewee 2, Interviewee 9 & Interviewee 12). Although there are now fewer Bosniaks in Eastern Bosnia than ever before, there would be no Bosniaks if there were no return process (Interviewee 10). After the battle, RS would have won the war if no Bosniaks remained. However, the interviewees all concurred that it was difficult to decide to come back. Some decided to stay away from this region (Interviewee 4, Interviewee 7 & Interviewee 11). The interviewees named three primary explanations. First, returning after suffering from war trauma was not an easy decision. It is not easy to judge someone for making such a choice. Those people had numerous deaths of close family members, including children, and rapes of women. They wish to put the traumas behind them. Second, others in FBiH or the diaspora established new lives outside of eastern Bosnia. They were referred to as the *conformists*. Instead of the war trauma, this group usually decides not to return because of the new life. Nevertheless, it is unlikely to anticipate that someone will return to Eastern Bosnia from Germany, Austria, or France. Third, the interviewees also addressed the International Community’s hypocrisy in the return process. People were given the choice to emigrate to EU countries in addition to the return process. Many people decided to leave BiH and not go back to Eastern Bosnia. Thus, the open access to Western countries was a deterrent to the return process to East Bosnia (Interviewee 6).

Annex 7 of the DPA, which deals with the resettlement and return of refugees and displaced people, is among the most essential parts of

the peace agreement. This Annex was excellent in concept but needed to be revised in execution. The interviewees concurred that the return process is cumbersome and that the process is now over. The return process is completed, not because Annex 7's conditions have been fulfilled, but because no one can return. Even though everyone in BiH knows this, none dares speak about it (Interviewee 12). Never was the return process treated seriously, and today, we see the consequences (Interviewee 1). The current focus should be on enhancing Bosniaks' standing in RS rather than the return process. The return will only occur after things for Bosniaks improve (Interviewee 9).

"The implementation of Annex 7 could have been much better. Returnees would have more rights, and BiH as a state would be stronger. The omissions are massive, to the point where they may have been intended. It is now too late to discuss Annex 7 implementation. We must consider ways to empower Bosniaks in the RS. Once Bosniaks genuinely depart from RS, BiH's story will end. Also, if RS remains without Bosniaks, secession is unnecessary. It will be an ethnically clean area." – Interviewee 2

Nevertheless, the younger generation's alienation from Eastern Bosnia remains a problem to this day. The parents of this generation had been forcibly displaced and started new lives in FBiH or elsewhere. Eastern Bosnia was not the birthplace of this younger generation. They do not feel as strongly connected as individuals born and bred in East Bosnia, because they did not grow up there. They are bound by nothing but stories and memories of the war crimes of the 1990s. However, this new generation is crucial for the Bosniak people's future in East Bosnia and perhaps the whole of BiH. They are the inheritors (*i.e.*, the new owners) of a sizable plot of land in the towns of East Bosnia. Due to the perpetrated genocide and ethnic cleansing, they are the heirs of their parents' property and their immediate and extended relatives. Bosniaks are still the majority landowners in Eastern Bosnia, even though they are outnumbered because of war crimes (Interviewee 5 & Interviewee 9). The interviewees consider it essential to preserve Bosniaks' property. Demographics and cadaster are two elements that are significant to Serbs in RS (Interviewee 7). War atrocities have left a long-term mark on the demographics. In Eastern Bosnia, Bosniaks used to be the majority

but are now a minority. The following phase would be to seize control of the land in Eastern Bosnia, where the Serbs would predominate. The interviewees voiced concern that those not born in Eastern Bosnia, who have no ties to the region and only know it due to the horrific war atrocities, may be more inclined to sell the property. This will be true for the offspring of this new generation, in particular (Interviewee 8). The interviewees think that Bosniak politics must prioritize resolving this critical issue. It is necessary to raise awareness regarding Eastern Bosnia among the diaspora (Interviewee 10). A precursor to secession is the rise in Serb land ownership in BiH's entity RS (Interviewee 7).

"Another issue is the 2008-adopted immovable property tax law in RS, which was enacted on January 1, 2012. The legal terms of this law should not have been enforced in communities where genocide and ethnic cleansing were committed, even though it could have been passed before Annex 7 ended. So, even if the prerequisites for return were not fulfilled, the entity chose to tax immovable property, and the OHR did nothing. Due to their large ownership and absence from East Bosnia's towns, Bosniaks are the group least favored by the legislation. As a result of being away from BiH following the 1992–1995 war, some Bosniaks are not even aware of their tax liabilities. Some people also have sizable amounts of land that they inherited, but they cannot pay the annual tax since they do not have a reliable source of income or a job. Bosniaks are insufficiently aware of this law or its potential repercussions as individuals and then as a group. A penalty will be applied to anyone who fails to pay the tax on time. Future generations who might not have strong ties to Eastern Bosnia may choose to sell their property due to this law. This is most likely the law's ultimate objective." – Interviewee 9.

The property tax is calculated by multiplying the assessed tax rate, which is 0.20% of the total assessed value of the property, by the property's market value. When the objection period has passed, the tax invoice has the same legal standing as an executive document. It can be enforced through compulsory collection efforts or by placing a lien on the assets subject to unpaid tax invoices. In addition, if it is not paid by the due date, it must also be accompanied by what is known as tax interest, which is equal to 0.03% every day.

The Returnees' Life in RS

The emphasis on Annex 7 should still be applicable today, even if the DPA was signed almost thirty years ago. Although discussing the return process is still vital, more attention must be paid to the lives of returnees. The interviewees are aware that there are some discussions about returning without considering how individuals who chose to do so live in RS. The latter is more crucial and is overlooked (Interviewee 12).

Even if some Bosniaks have resided in RS for twenty years or longer, we frequently refer to them as *returnees* when discussing the Bosniak population there. Most interviewees were dissatisfied with being referred to as *returnees*. Since their return occurred so long ago (up to twenty-one years), they objected to the title *returnee*. They acknowledge that some Bosniaks living in RS could be considered returnees, but these are the ones who have recently decided to return. That someone might think of someone else as a *returnee* for their whole life is humorous and sad (Interviewee 8). Both Bosniaks who just decided to return and those who did so more than twenty years ago are marginalized in the socio-political sense (Interviewee 3). If Bosniaks had more rights in RS, they would no longer be referred to in social contexts as *returnees* (Interviewee 1, Interviewee 7 & Interviewee 9). However, Bosniaks are forced into a “political ghetto” in RS and cannot defend themselves politically due to their low population (Interviewee 1).

“Every effort is being made to convey to Bosniaks that there is nothing they should be looking for in RS. The fight against Bosniaks in RS equals the fight against BiH. This is crystal clear. It appears they [the Serbs] are winning the battle against the Bosniaks.” – Interviewee 5

“I went back to where I was born. However, as I go through the town, I notice it has changed. They severely altered the demographics and rendered us [Bosniaks] helpless. Unlike before the war, I no longer pass by my friends or acquaintances when I stroll. The town’s culture and spirit have been obliterated. That is culturicide. Not only did they destroy our religious and cultural sites during the 1992-1995 war, but they also destroyed the town’s identity. You do not experience the town as before. In the town, there is hardly any evidence of Bosniak identity. Mosques and graves are our [the Bosniaks’] remains. They attest to the presence of Bosniaks in this area. Of course, people who have lived in this town before and

after the war can notice it. It seems to foster an atmosphere where you will begin to experience feelings of being a «stranger» in your town.” – Interviewee 2

“It is not about the continued challenges the Bosniaks as returnees face in what is now known as RS, but about policies that do not favor us [the Bosniaks] in this area. Challenges are produced, not formed by themselves. Even twenty years after their return, Bosniaks still do not have equal rights. The consequences are inexplicable, and our authorities in Sarajevo and the OHR have done little to mitigate them. We appear to be on our own. After the genocide and ethnic cleansing, we have no demographic capability for a political battle.” – Interviewee 7

“Democracy, in which the majority makes decisions, was abused in East Bosnia. The Serbs make decisions. Bosniaks’ voices are not important. During the war, Serbs grew to be the majority; nevertheless, the population before the war was very diverse. War crimes are to blame for this. Bosniaks are now in a precarious situation. Bosniaks suffered politically at the hands of democratic mechanisms.” – Interviewee 4

The interviewees identified several issues that the returnees are confronting in East Bosnia, including (1) subsistence challenges, (2) discrimination, (3) educational system challenges, (4) social exclusion, (5) the lack of intellectual stimulation and opportunity, (6) the perniciousness of democracy in places that have experienced ethnic cleansing and genocide, and (7) uncertain youth future. These problems make it difficult for the returnees in East Bosnia to resume their normal lives. To address these issues, very little has been done (Interviewee 3). The OHR and the local politicians are responsible for addressing these problems. However, OHR ought to have taken a more active role once it became clear that “local ownership” was not a practical option for the return process. Conditions in East Bosnia did not improve politically, socially, or economically enough to entice voluntary return (Interviewee 1). Because of the unresolved problems, few individuals have returned, and of those who have, many opt to go to FBiH or abroad (Interviewee 4 & Interviewee 5). Families with children will not want to return under these conditions (Interviewee 8). By resolving these problems, the Serbs’ ethnic homogenization in RS would have been lessened (Interviewee 7 & Interviewee 9). In addition, the interviewees argued that there cannot be reconciliation without trust and that in the circumstances of these problems, trust cannot exist.

“Furthermore, when some progress was demonstrated, indicating that something was being done for the returnees in East Bosnia, it always ended up being «one step forward, two steps backward.» As a result, nothing has improved the circumstances of the returnees, who continue to face enormous challenges. The major challenge is that there needs to be someone to whom the returnees can complain.” – Interviewee 8

The number of returns has decreased due to unemployment and challenging living conditions. Returnees frequently need help with severe economic difficulties and worse financial positions when they return. Even though East Bosnia has a generally high unemployment rate, the interviewees claimed that Bosniak returnees are more affected by unemployment than Serb residents of East Bosnia. Therefore, the decision of Bosniaks to remain in or return to Eastern Bosnia is influenced by unemployment. The threshold of tolerance for this injustice is lower for families with children since it is challenging to resist when one cannot meet the children’s demands (Interviewee 8). In East Bosnia, life had been reduced to “bare survival” (Interviewee 3). According to the interviewees, Bosniaks are hardly, if ever, employed by the institutions of RS or businesses that are held by this entity. The interviewees claim that this discriminates against Bosniak returnees and is an effort to make their lives more challenging. Another problem brought up by the interviewees was the need for more economic investments. They asserted that while Bosniaks are more negatively impacted by unemployment than Serbs, both groups are highly unemployed. They also claimed that investments are needed in East Bosnia.

“Because of your [the Bosniak] «first and last name,» you are instantly disqualified if you seek a job in East Bosnia. Your first and last names are holding you back. You cannot advance, fulfill your potential, or build a successful career. As a Bosniak, you are not welcome.” – Interviewee 10

“With investments, there is a sustainable return and a sustainable way of life for all citizens. Emigration was also recorded among Serbs. The return can no longer be like it was in the 2000s. When you go with your heart today, you go with your interest. If there is investment, there will be jobs, and when there are jobs, there will be more people in Eastern Bosnia.” – Interviewee 6

For Bosniak returnees, difficulties in the educational system are mentioned as a further issue. The interviewees claimed that Bosniak returnees

experience ongoing discrimination in the educational system. There are three issues with the educational system. First, there are only eighteen primary schools that teach the group of Bosniak national subjects. That is not a right that all Bosniak children have in RS. A class must have more than eighteen Bosniak pupils to introduce the “national group of subjects.” Due to the artificially and forcibly defined demography, Bosniak returnees in many areas cannot attain this condition (Interviewee 4). Furthermore, the Bosnian language is referred to in schools as the “language of the Bosniak people.” The discrimination regarding the ban on the name is unconstitutional and illegal, but it nevertheless occurs without consequences (Interviewee 7). Second, the interviewees raise concerns that Bosniaks are hardly ever employed in the educational sector. Bosniaks make up a very small minority among teachers. Third, the interviewees spoke about the spread of *Svetosava nationalism* through education. Svetosava nationalism, an extreme right-wing political philosophy, combines Serbian nationalism and Orthodox clericalism (Interviewee 9).

“Although the education system is secular in RS, it is burdened internally with the iconography and symbolism of Serbian Svetosava nationalism. In the secondary and primary schools here, you have icons of the Serbian, or Saint Sava, founder of the Serbian Orthodox Church, in every classroom and hallway. In addition, there are schools named after Saint Sava. Also, the Day of Educators in RS is the Day of Saint Sava. Various activities are organized for the needs of this event, among which the students are asked to participate in creating artistic and literary works on topics related to Saint Sava. Although Bosniak students ask to be exempted, they are surrounded by this promotion in the classrooms.” – Interviewee 9

Another problem is social exclusion, which the interviewees defined as the lack of resources for activities, whether in cultural or social areas. Bosniak returnees are consequently marginalized socially and politically. There is a need for various social events for the returnees to develop culturally. This is vital for the youth in particular (Interviewee 2). More events than those for religious holidays should be held in East Bosnia. These events would be *social demonstrations* that Bosniaks reside in this region. For such events, FBiH needs to provide more resources and personnel (Interviewee 5, Interviewee 7 & Interviewee 11). The interviewees’ other concern was the absence of “intellectual stimulation and opportunity” among the Bosniak returnees in East Bosnia.

“There are a lot fewer intellectuals in Eastern Bosnia today than there were before the war. Our society needs more intellectuals. Many people who continue their studies do not return after receiving their university degree. They either decide to remain in FBiH or return briefly until they land a job abroad. With intellectuals, society can advance. If the Bosniaks continue to live in this region, it is unclear who will serve as their leader.” – Interviewee 2

Along with the issues mentioned earlier, interviewees were concerned about the state of youth in East Bosnia. The problems faced by Bosniaks do not inspire young people to choose to live in this region. Young people only have a few opportunities, so the main issue was how a young person would start a family in a given situation. The interviewees asserted that Bosniaks aged sixty and older comprise most of the population and that younger generations lack perspective. While this trend is not unique, as it is also observed in other parts of the Western Balkans, its impact is particularly pronounced among Bosniaks in the RS. This is due to their diminishing influence in key positions and institutions within the entity, driven by population decline. This outcome cannot necessarily be generalized to other areas of the Western Balkans.

“The lack of perspective for returnees in East Bosnia provides no perspective for young people. Young individuals decide to emigrate more readily than older generations do when they lack perspective. As a people, Bosniaks will gradually disappear from this area. For Eastern Bosnia, significant investments are required to avoid this.” – Interviewee 4

“As older generations die off and young people emigrate, the future of Bosniaks in East Bosnia is not looking good. We can only slow this process down, but not halt it. It is irrevocable.” – Interviewee 12

The Impact of Separatist Threats

Through the interviewees’ perspectives, the previous sections described the return process and the ongoing difficulties and challenges Bosniak returnees encounter in RS. The interviewees explained the challenges and how they would pave the way for a potential RS secession. Challenges produce adverse conditions for returnees’ lives in RS but increase the

likelihood of secession. Consequently, the outcome should be considered while analyzing the difficulties faced by the returnees in RS. However, the returnees found it even more challenging to live in East Bosnia due to persistent secession threats. The interviewees also claimed that Bosniak returnees in RS face a greater risk of the secession threat than Bosniaks in FBiH.

“More than ever, there is a secession threat. This is not some political bluster, but it is a danger because it has repercussions for those who have returned. However, there would likely be fewer opportunities for such policies if Bosniak returnees were politically more potent in this region. The consequences of disregarding Bosniak returnees in RS are what is occurring right now.” – Interviewee 5

“That unfair peace accord was signed in 1995. Years went on, and new generations emerged. The message is the same, in any case. The Serbs appear to say, «Hello, we do not want to be with you,» to the Bosniaks. Therefore, the state is the problem, and the Serbs want the land. I do not hold out much hope because things can only worsen.” – Interviewee 3

“The separatist movement’s efforts to win support abroad impact how it is viewed at home. The acceptance at the domestic level will increase if the support is higher. The RS is toughening up its separatist agenda despite the lack of international support – at least in the eyes of the public. There is not much public pushback to this. Election victories have gone to secessionists.” – Interviewee 9

“The prospect of secessionism tells us that the security we see in East Bosnia is only temporary. You never know when it might become violent because there is no such thing as a «peaceful» secession. Then, it will be critical to get out alive from this region.” – Interviewee 6

The interviewees identified several implications of the secessionist threat, ideas, and actions toward Bosniak returnees in RS. First, the returnees are terrified and panicked by the possibility of secession. A legitimate concern is what would happen to the returnees if independence is declared. Second, Bosniaks are deterred from choosing to return by the danger of secessionism because everyone is avoiding an unstable environment. Making a return would result in uncertainty (Interviewee 3). So, in addition to all the issues the interviewees encountered, the possibility of secession also made it less likely for Bosniaks to return to Eastern Bosnia. Third, the returnees’ choice to leave their homes is

influenced by the threat of secessionism. The threat of secession was seen to be an intimidation tactic. As a result, some returnees decided to emigrate permanently from East Bosnia, particularly families with children. Others temporarily fled their homes in search of security but later returned. The interviewees claimed that while the prospect of secession is one factor that prompts returnees to leave their homes, the general atmosphere in RS, which is averse to Bosniak returnees, also plays a significant role. Fourth, the reconciliation process in Eastern Bosnia is hampered by the possibility of secession.

“I would not go, but if it meant my family would be safe, I would. We all have alternatives or can develop new ones, but what would happen to BiH if it were to occur? Although I still live here with my family, I cannot promise to be here forever.” – Interviewee 2

Conclusions

Despite the DPA ending the war in BiH, the consequences of the war continue to cast a long shadow, especially in eastern Bosnia. One of the most prominent post-war challenges has been the return of displaced persons to their pre-war homes. While Annex 7 of the Dayton Peace Agreement granted the right to return, the enduring demographic consequences of violent ethnic homogenization and territorialization between 1992 and 1995 still loom large in Eastern Bosnia. Nearly three decades after the DPA, with a return process marked by limited success and organizational shortcomings, the plight of Bosniaks within the RS entity remains a complex and critical issue today. This issue affects those directly affected and has broader implications for peace, stability, and the entire country's security.

The inability to establish a sustainable return process hampers transitional justice and lasting peace, while the secessionist inclinations of RS authorities create a fragile and unpredictable political environment. Bosniak returnees in RS, who have reclaimed their homes after being forcibly displaced during the war, face ongoing insecurity and uncertainty due to this secessionist threat. The secessionist policies propagated by

RS authorities evoke memories of the war and raise fears of a possible recurrence of such circumstances.

The study's main findings align with previous research highlighting the complex challenges facing Bosniak returnees in the RS, including economic difficulties, discrimination, and insecurity. Bosniaks in the region, whose right to reside in their homeland was violently seized during the war, were treated as *second-class* citizens by the RS entity authorities when they returned to their homes after the war. Consequently, a primary deterrent for people contemplating repatriation or those who have returned but are pondering emigration is the poor living conditions, particularly the economic challenges, notably unemployment and discriminatory employment practices.

Nevertheless, insights from the field study reveal a deep connection between the challenges returnees face and the RS authorities' pursuit of ethnic homogenization and secessionist agendas. Returnees have indicated that efforts at ethnic cleansing, previously attempted through genocide during the war, continue through political and socioeconomic means. In other words, the deliberate engineering of political and socioeconomic conditions by RS authorities aims to make the region inhospitable and unsafe for Bosniaks, thereby laying the groundwork for a future Serbian homeland without a Bosniak presence. Thus, the Bosnian Serb leadership appears to be striving to accomplish the unfinished objective of establishing an ethnically homogenous Serbian territory, this time through political means rather than military force. In terms of Galtung's analysis, direct violence against Bosniaks, which drastically changed the demographic landscape of the region, has now transitioned into structural violence against returnees.⁴¹ Nevertheless, the recurring physical attacks against Bosniaks, documented in the post-war period and recently escalated, indicate that the specter of violence has not been wholly dispelled and remains a concern within the Bosniak community.

Efforts to reverse ethnic cleansing by allowing displaced persons to return are obstructed by the RS authorities' policies to turn the entity into an exclusively Serb territory. The dwindling Bosniak presence in the

⁴¹ Johan Galtung, "Violence, Peace, and Peace Research," *Journal of Peace Research* 6, no. 3 (1969): 167-91.

region, a consequence of the numerous challenges outlined, marks a significant step toward the ambitious goal of *Greater Serbia*. Ultimately, the fate of Bosniaks in the RS entity is not solely a matter of sustainable return but also a litmus test for the viability of BiH as a diverse, united nation. Therefore, the International Community and local actors must collaborate to steer the country toward stability, foster its multicultural identity, and break the cycle of recurrent political crises and deadlocks. In this context, discussions on reforming the controversial power-sharing model established by the DPA, which underlies many ongoing problems, including the return issue and the questioning of top-down peacebuilding approaches involving institutions such as the OHR, deserve further attention. As another avenue for future research, analyzing how NATO, the EU, and other global and regional actors can effectively address the RS entity's political, socioeconomic, and security challenges could contribute substantially to the existing literature.

AT THE BORDER: ILLEGAL REMOVAL OF HERITAGE ASSETS FROM THE SOCIALIST REPUBLIC OF ROMANIA (1969-1989)

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Abstract. The article analyzes the practices and methods of some of the thousands of people who tried to flee Romania with art objects, especially after the introduction of the Heritage Law (Law No. 63/1974), which considerably limited the rights of citizens to possess goods of heritage value, including precious metals. The Nicolae Ceaușescu regime was interested in acquiring gold, in order to pay the loan guarantees for the external debts that the Romanian state had at that time. Therefore, numerous individuals or groups attempted to leave Romania through the western border with heritage assets hidden in their luggage or other methods that often were discovered by the *Securitate*, which prompted extremely harsh measures. It is no coincidence that the border of communist Romania has been declared by many historians “the bloodiest border in post-war Europe.” However, many heritage objects have disappeared without a trace, and confiscations were generally made without an inventory of the property taken. Using provenance research, the study also demonstrates the active role of the *Securitate*, documenting scattered elements of the collections and – ideally – bringing them together. Finally, the article presents several cases relevant to the phenomenon of illegal crossing of the border with objects of patrimonial value, and how the baggage control was performed by the *Securitate*, while also examining why the citizens risked losing their freedom in order to be able to pass these goods outside the Communist state.

Keywords: National Communism, art collecting, confiscations, closed borders, Diamond Action

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Introduction

The aim of this article is to extend the research on Romania's closed borders during its communist period, and to answer the following research question: What represented the illegal crossing of the border with heritage objects, and why did the citizens of the communist state often risk losing their freedom and assets? A secondary focus concerns the way in which the state chose who and who not to pursue, depending on the information obtained from its collaborators. Although a long-gone era, recalling the dramatic efforts of those who attempted to cross the border with their valuable assets to escape the oppressive regime that was blocking their freedom and their right to private property still represents an essential research subject.

The hypothesis of this study is that with the establishment of the Communist regime in 1948, the right to property suffers due to the change of ownership. This period also represents the most intense period related to art looting in Romania. The communist regime was responsible for the massive nationalization of all property, including cultural objects. The analysis is part of an extensive research regarding the phenomenon of confiscation of art collections and heritage assets in the Soviet bloc. The transformation of art collections into state property was part of a larger process: nationalization. The present study will focus on the abuses made by the *Securitate* members at the country's borders, where confiscation of property assets was guaranteed in the absence of a document allowing the passage of those objects.¹ The archive documents show that several works of art of important Romanian artists, such as Nicolae Grigorescu, or Ștefan Luchian, were confiscated at customs without a later mention of their redistribution.

To prove this, the article uses the methodology of provenance research – a new field of interdisciplinary studies (art history, history, anthropology, and the history of political science), with a methodology under construction. This is a highly politicized field – researching the area of communist assets, the normative framework and jurisprudence

¹ The popular term for the *Departamentul Securității Statului* (Department of State Security), the secret police agency of the Socialist Republic of Romania.

under which such regimes operated is both the result of a reflection of museographers, and of high-level diplomatic negotiations (several intergovernmental conferences). Establishing the provenance of art objects involves researching both the history and the course of the work from its origins until today. On the other hand, it consists in determining the traces of the works in collections likely to come from problematic environments, such as spoliations during the Second World War, properties from a colonial context, as well as objects from the Soviet occupation zone.² The analysis and the documentation concerning the historical and contemporary evolution are essential in a museography context, because they allow to gather valuable information for inventorying and documenting the art oeuvres in museum collections, and in order to reconstruct the history of an object.³

The study of provenance is necessary in Romanian historiography, because Romania is a country of the former Soviet bloc, where a very large number of properties, including heritage properties, were confiscated during the communist period.⁴ This period represents at the same time the most intense epoch of art looting in Romania.

The research uses qualitative analysis of several cases identified in the documents safeguarded by the National Council for the Study of Securitate Archives (CNSAS). With the help of CNSAS, researchers can reconstruct the unfolding of elaborate and diverse escape attempts, which unfortunately mostly ended in failure. The main reason for this

² Andrea Baresel-Brand, Michael Franz, Johannes Gramlich, Jasmin Hartmann, Uwe Hartmann, Matthias Henkel, Michael Henker, Maria Kesting, Jana Kocourek, Susanne Köstering, Katja Lindenau, Gilbert Lupfer, Ilse von zur Mühlen, Maria Obenaus, Johanna Poltermann, Tessa Rosebrock, Ulrike Saß, Michaela Scheibe, Carola Thielecke, David Vuillaume, Markus Walz, Petra Winter, Christoph Zuschlag, *Provenance Research Manual to Identify Cultural Property Seized Due to Persecution During the National Socialist Era* (Berlin: German Lost Art Foundation, Berlin, 2019), 7.

³ Patricia Kennedy Grimsted, "Legalizing «Compensation» and the Spoils of War: The Russian Law on Displaced Cultural Valuables and the Manipulation of Historical Memory," *International Journal of Cultural Property* 17 (2010), 2.

⁴ Damiana Oțoiu, *Politique et politiques urbaines dans la Roumanie (post)socialiste. Perdants et bénéficiaires des processus de nationalisation et de restitution des immeubles nationalisés* [Urban Politics and Policies in (Post)socialist Romania. Losers and Winners of the Buildings Nationalization and Restitution Processes] (PhD diss., Université Libre de Bruxelles, 2010).

was the fact that the Securitate received detailed information from informants who were extremely well-infiltrated into the private lives of the prosecuted people. Our study also highlights the evolution of border regulations, the role of the Helsinki Accords and the UN refugee authorities, and the ways in which attempts were made to escape from socialist Romania with cultural heritage assets and national art. There are, however, too few documents regarding the atrocities and crimes committed at Romania's western border by the border guards and their commanders, who used their weapons without mercy and beat those who were discovered, sometimes to their death.

Considering the nature of the archival material which this analysis builds on, a series of methodological clarifications are required. The phenomenon of crossing the state border during the communist period is covered to an exceedingly small extent by specialized literature, being difficult to document primarily due to the lack of direct access to archives, but also the controversies that surround it.⁵ This phenomenon is often located on the border between political and common law crime. Also, among the oral history contributions we can mention the campaign initiated by Marina Constantinoiu and Istvan Deak.⁶

The current study proposes a novel approach in the historiographical landscape, namely the reconstruction of a fragment of the history of this phenomenon starting from 1969 until the end of the communist era in Romania. The analysis will focus on the people who tried to illegally cross the border during the mentioned period with assets of patrimonial value. The current study includes persons who were investigated and/or convicted for this crime and who came into contact with the communist prison system.

⁵ Dan Drăghia, "Apărarea regimului sau apărarea frontierelor? Trupele de grăniceri (1944-1960)" [Defending the Regime or Defending the Borders? The Border Guards] in *Structuri de partid și de stat în timpul regimului comunist. Anuarul Institutului de Investigare a Crimelor Comunismului în România* [Party and State Structures During the Communist Regime. The Annuary of the Institute for Investigating the Crimes of Communism in Romania] ed. Dumitru Lacatusu, vol. 3, (Iași: Polirom, 2008), 157; Dumitru Șandru, *Escape from Communism. A True Story and Commentary* (n.p.: Chivileri Publishing, 2012).

⁶ The campaign initiated by Marina Constantinoiu and Istvan Deak can be researched on www.miscareaderezidenta.ro

The present study focuses on two major directions. The first part of the article pursues a qualitative analysis of the data present in the criminal records, the approach having a series of inherent limitations. Although the fraudulent crossing of the state border was a widespread phenomenon during the entire Communist era, from 1968, after the adoption of a new Criminal Code of Law, this offense became one of common law.⁷ This is the reason why, in the archival fund of criminal records of political prisoners, there are no more people arrested for crossing the border after 1968. Thus, the present study is limited to the analysis of the data for the period 1969-1989, the period in which the fraudulent crossing of the state border was considered a semi-political crime and judged as such in military courts. The mentioned limitations lead us to rather follow the outline of an overall picture starting from specific cases. In the second part of the article, after the qualitative analysis, we want to correlate more extensive research regarding the phenomenon of confiscation of heritage assets with the presentation of several case studies. These studies have the role of outlining a sequence of the picture of the frontier phenomenon from the 1970s – 1980s.

In what follows, the article reconstructs the historical context and the legal framework, as well as the theoretical foundation. In the following sections, the analysis zooms in on the case of the *Diamond Action* and continues with an analysis of the various methods and strategies used to remove property across the border.

Historical Context and Theoretical Framework

The world of art collectors in Romania witnessed, especially after 1947, large-scale confiscations and the nationalization of art objects and collections. The confiscation of private property was evident under the Communist government and included art objects from private art

⁷ Constantin Vasilescu, *Tentația libertății: frontieristele* [The Temptation of Freedom: The Frontier Women] in *Morfologia (ne)vinovației. Alfabetul detentiei feminine in communism* [The Morphology of (Non)guilt. The Alphabet of Female Detention in Communism], ed. Constantin Vasilescu, Clara Mareș, Florin S. Soare, Alin Mureșan, Constantin Petre (Bucharest: Editura Litera, 2022), 251.

collections. Immediately after March 1945, the Communist authorities encouraged the donation of such collections to the state. Some donations were made under fiscal or political pressure, while others under various forms of moral or physical coercion. Some owners of art objects, paintings, sculptures chose the path of donations (to the Town Halls or Popular Councils, to the Ministry of Arts/ the Committee for Art) in order to maintain their positions in the new socio-political system and in the cultural bureaucracy, or to avoid being subjected to repressive treatment.

The western border of the Socialist Republic of Romania (RSR) measures 994 kilometers – 448 kilometers with Hungary and 546 with Serbia, of which 290 kilometers are along the Danube River.⁸ The number of border points during the communist period varied according to needs, with such crossings being established or dissolved from year to year depending on the request of the USSR. Therefore, the study cannot mention an exact number of customs points, but it can approximate along the western border nine crossing points – six by road and three by rail.⁹ The cruelty of the military and the troops who were subordinated to *Securitate* is largely undocumented within the archives. The most valid information comes from statements made by those who crossed the border from communist Romania. Even in the rather liberal Yugoslavia, the press had to refrain from provoking the neighboring state.¹⁰ Doina Magheți stated that “the western frontiers were a mixture of fascination and horror, as they were the barrier of the paradise beyond.”¹¹ This border was also exceptionally well-guarded and controlled, especially in the 1950s, when any attempt to cross was hazardous, if not impossible. The fraudulent crossing of the border or the attempt to cross it remained throughout the Communist era serious crimes with long-term consequences, both for the perpetrator and their family. However, there were several corrupt border guards who, for the right amount of money,

⁸ Johann Steiner and Doina Magheți, *Mormintele tac: relatări de la cea mai sîngeroasă graniță a Europei* [The Graves Are Silent: Stories from Europe's Bloodiest Border] (Iași: Institutul de Investigare a Crimelor Comunismului în România, Editura Polirom, 2009), 11.

⁹ Cezar-Săndel Ioncef, “Arhivele sistemului vamal din România – parte componentă a Fondului Arhivistic Național,” *Revista Arhivelor* 1-2 (2015), 62.

¹⁰ Steiner and Magheți, 12.

¹¹ Steiner and Magheți, 15.

would help people cross the border with heritage goods. Between 1975 and 1979, the number of people arrested at the border for illicit trafficking in artistic goods increased, and it even tripled in 1982.¹²

From a legislative point of view, there have been two major distinct periods regarding border crossing regulations: the period of 1948-1968, respectively the period of 1969-1989, the one on which this article focuses. Law No. 4/1948, which modifies certain provisions of the Criminal Code, tightened the penalties, which included between three and ten years of correctional prison, and a fine ranging from LEI 4.000 to LEI 40.000.¹³ Punishments were also applied for the act of “favoring the criminal.” At the same time, the law provisioned that mitigating circumstances cannot be added, and the assets of the pursued individual had to be mandatorily requisitioned. The legislation was so severe that it limited the individual’s freedom of movement not only abroad, but also within the country. All these provisions were maintained until the appearance of the Criminal Law of 1968, which criminalized the fraudulent crossing of the border through Article 245.¹⁴ The punishments dropped significantly, being comprised between six months and three years of correctional imprisonment, taking into account as crime the attempt of border crossing. According to the Criminal Law of 1968, an attempt was also understood as the procurement of necessary means and instruments, or taking measures from which it would undoubtedly result that the perpetrator sought to fraudulently cross the border.

The establishment of communist totalitarianism at the end of the 1940s and the severe limitation of the possibility to leave the country by legal means led to the inherent appearance of *frontiersmen*, people who tried to cross the border by alternative means, at the cost of losing their freedom and even their lives. The status and nature of their gesture were extremely controversial from the beginning and still are. Under a totalitarian regime, freedom of movement was restricted by violating

¹² Brîndușa Armanca, *Frontieriștii: istoria recentă în mass-media* [Frontiersmen: Recent History in the Media] (București: Editura Curtea Veche, 2011), 18.

¹³ Law no. 4 of January 19, 1948 for amending Art. 267 of Criminal law, published in the Official Gazette, Part One, page 423.

¹⁴ The Criminal Code of June 21, 1968 in the *Official Bulletin* of the Socialist Republic of Romania, no. 79.

Article 13 of the Universal Declaration of Human Rights (December 16, 1948), and Article 2 of the Protocol No. 4 of the European Convention on Human Rights (November 4, 1950) regarding the right to leave a country.¹⁵ Regardless of whether it was about citizenship or residency, the attempt to forcefully cross the border by violating the legislation gains legitimacy, and the common law crime becomes one of political nature. Even in the eyes of the communist state until 1968, the gesture was seen as a “counter-revolutionary action.”

The adoption of a new Criminal Law in 1968 and the transformation of illegal border crossings into a common law crime did not change this view, as the fraudulent border crossing was still in the category of crimes that endangered the security of the state. The thousands informative follow-up files to the *Securitate*, the hundreds actions plans to combat the phenomenon, the violence with which the ones caught were treated, the severity of the punishments, the restrictions, the deprivations, and the stigma to which they and their families were subjected bear witness to this. Moreover, it should be mentioned that, once included among the political prisoners, the frontiersmen were treated as a distinct category of their own, being viewed with suspicion.

Temporally, the study begins with the year 1969, the moment when the fraudulent border crossing was no longer officially classified as a political crime, and the register records were moved to the fund belonging to common law. Moreover, even until 1969, the crime was not considered a political one in itself but it was assimilated to it, and the prisoners suffered from the same treatment and the same restrictions as those that were convicted politically. However, there were cases in which, along with the conviction for fraudulent border crossing, common law penalties were added, such as theft, embezzlement, possession of gold or objects of national heritage, and false documents.

In what concerns the analysis of the relationship between art and politics from the point of view of the communist ideology of heritage, the studies by Cristian Vasile, Magda Cârnelci, Caterina Preda, and Irina Cărbăș focus on an analysis of communist culture in Romania; additionally,

¹⁵ Ibid., 254.

there are also the studies by Damiana Oțoiu, and Emanuela Grama, that analyze the communist heritage.¹⁶

Regarding the fraudulent passing of the border during Communism, this article employs the analysis of Brîndușa Armanca in her book *Frontieriștii* [The Frontiersmen], a work that aims to present the situation of the fraudulent border crossings to Hungary or Yugoslavia between 1969 and 1989.¹⁷ In this book, Armanca notes that the Criminal Law of the Socialist Republic of Romania criminalized, in Article 245, both the fraudulent crossing of the border and its attempt, as “crimes against the authorities,” punishable by imprisonment from six months to three years.

In the volume signed by Cristian Vasile, *Viața intelectuală și artistică în primul deceniu al regimului Ceaușescu: 1965-1974* [The Intellectual and Artistic Life During the First Decade of the Ceaușescu Regime: 1956-1974], communist legislation is carefully researched, and is seen to be increasingly dominated by the imposition of unitary norms and communist education.¹⁸ Thanks to the author, we know how the communist ideological apparatus functioned in Romania, but also how the symbolic field of totalitarian domination was organized throughout the communist decades.

Using the same perspective, Emanuela Grama, in her volume *Socialist Heritage: The Politics of Past and Place in Romania* recalls that the socialist state’s attempt to create its own heritage, as well as the legacy of that project.¹⁹ Based on archival and ethnographic research, the volume brings to light which narratives, objects, aesthetic forms and lifestyles become valued as patrimony, and which of them were marginalized, abandoned or destroyed.

¹⁶ Cristian Vasile, *Viața intelectuală și artistică în primul deceniu al regimului Ceaușescu: 1965-1974* [The Intellectual and Artistic Life During the First Decade of the Ceaușescu Regime] (Bucharest: Humanitas, 2015); Magda Cârneli, *Artele plastice în România (1945-1989)* [Plastic Arts in Romania] (Iași: Polirom, 2013); Caterina Preda, *Uniunea Artistilor Plastici și artistul socialist de stat* [The Plastic Artists Union and the State Socialist Artist] (Cluj: IDEA Design & Print Editură, 2023); Irina Cărăbaș, *Realismul socialist cu fața spre trecut. Instituții și artiști în România: 1944-1953*, [The Socialist Realism Facing the Past. Institutions and Artists in Romania], (Cluj: IDEA Design & Print Editură, 2017), 4; Emanuela Grama, *Socialist Heritage: The Politics of Past and Place in Romania* (Bloomington: Indiana University Press, 2019).

¹⁷ Armanca, *Frontieriștii*, 12.

¹⁸ *Ibid.*, 16.

¹⁹ Grama, *Socialist Heritage*, 21.

These studies reveal how many objects have disappeared without trace, and how confiscations were generally made without elaborating an inventory of the seized property. Provenance research also demonstrates this active role, documenting dispersed elements of the collections and – ideally – bringing them together. Thus, in addition to archival documents, the existing literature is also the basis of our research.

Legislative Framework

A careful investigation of the legislative framework is very important in the present study, because it is the main indicator of the importance of art objects during the Communist regime. The legislative changes demonstrate how the law constrains practices, namely, how the state tries to abolish the right to private property. Thus, cases of illegal crossing with assets of patrimonial value also become a response to abusive law. In many situations, the citizens were trying to save their valuable goods, even at the risk of losing their freedom and that of their family members. Consequently, the study focuses on the notion of a totalitarian state that restricts the rights and freedoms of citizens, and that influences the life of the art-loving, art-collector citizens.

With the robbery of the Brukenthal Museum in Sibiu in 1968, when eight European works of art were stolen, it became very clear to the members of the *Securitate* that the art oeuvres were not just decorating objects, but also some valuable assets that could be exchanged for large amounts of money. The robbery was followed by the increase of the informants' number, who were on the trail of all foreigners who arrived in Romania and who controlled the luggage of those entering and leaving the country. In the archival fund of criminal records of political prisoners, there were more people arrested for crossing the border after 1968 with assets of patrimonial values as a result of the adoption of a new Criminal Law in 1968. However, it is important to investigate the laws before 1968 in order to better understand the communist regime's *modus operandi* regarding the notion of private property.

"It is necessary to provide the principles, skills, attributions and procedure to ensure a complete and centralized registration of the heritage, as a basis for the systematic action of conservation and capitalization, without undermining the integrity and the value of the assets that constitute the heritage. The organization of this complete file has the role of preventing the movement of cultural property of national importance abroad."²⁰

The bill introduced by the Council of Ministers in the Normative Act No. 661/1955 emphasized the principle of lack of prescription of offences to the national heritage, since it is the property of the entire nation. This allowed the State to recover a heritage asset even when it had been illegally taken away from abroad, and also highlighted the principle of the State's right of pre-emption. The system of classification of cultural goods provided the basis on which the control of the circulation of goods could be exercised, both in the country and abroad, and it was aimed at ensuring the enrichment of the national patrimony, having the *Securitate* avoid unwanted disappearances. Thus, to comply with these laws, it was necessary to create new institutions and commissions within the Council for Socialist Culture and Education, such as the Directorate of Libraries, the Central Institute of Museology, the Methodological Center for the Protection of Cultural Heritage, and four central commissions whose role was to classify cultural assets. Certain institutions and commissions were organized under the subordination of ministries and central organizations of the Socialist Council for Culture and Education. First, at the local level, there were the executive committees of people's councils, interdepartmental commissions and services. Second, at the national level, there was the Council of Socialist Culture and Education, consisting of nomenclatures of functions, organizational charts, and training standards for specialists and experts in the conservation of cultural heritage. As such, the institutions dealt with the approval of temporary removal from the country, and the approval of the alienation of cultural property abroad. To obtain this approval, first the objects had to be recognized as heritage pieces by the Departmental Commission of the National Heritage of Cultural Properties of Bucharest. Then the

²⁰ NCSAS (National Council for Studying the Securitate Archives), *Patrimoniul* documentary background, File D013367 – *Patrimoniul, arta, cultura*, vol. 1, file 4.

request to take the objects abroad would have to be approved by the Council for Socialist Culture and Education.

Based on their importance, the cultural goods part of the National Heritage was divided into three categories. The first category of cultural property, and the most important one analyzed in this article was treasury property, which could not be sent abroad. This category included cultural goods containing precious metals and precious stones, historical monuments, works of art (paintings, sculptures, graphic design, decorative art) with specific value created by Romanian artists, foreign artists, or initiators of artistic movements. It also contained works which had a certain importance in the evolution of artistic styles, which were unique, or part of a limited series, as well as art collections. The second category was followed by objects that did not have a very high value from an artistic point of view, being followed by the third category that included handicraft objects. Experts from the registration centers of the Council for Socialist Culture and Education participated in the classification of these properties.

In accordance with Article 22 of the Council of Ministers Decision no. 661/1955, the alienation of national cultural heritage assets to foreign natural or legal persons was strictly prohibited.²¹ National cultural heritage assets could only be sent abroad for presentation in international exhibitions, as well as for restoration work or specialized expertise, only with the approval of the President of the Socialist Republic of Romania, at the proposal of the Council for Culture and Socialist Education (CSCE). Similarly, crossing the border with cultural property, other than that which is part of the national cultural heritage, could only be done with the approval of the Central State Commission for National Cultural Heritage. The types of goods (works of painting, sculpture, graphics, ceramics, porcelain, glassware, textiles, art furniture, old books and engravings), as well as the criteria for approval of their taking across the border, were fixed by presidential decree.

The penalties were also very specific, namely the confiscation of all goods with which individuals attempted to cross the border, as well as

²¹ NCSAS (National Council for Studying the Securitate Archives), *Patrimoniul* documentary background, File D013367 – *Patrimoniul, arta, cultura*, vol. 1, file 53.

imprisonment for two to seven years. Foreign people or institutions were subject to the same penalties, in both cases the property getting confiscated in accordance with criminal law. It is thus underlined the particular importance attached to preventing the removal from the country of goods of national interest, and to the severe restrictions associated with this act. The registration system of national interest art oeuvres is based on the owners' obligation to declare these objects, otherwise risking severe penalties. Consequently, the specialists of the various organizations in charge with protecting cultural property periodically undertook confidential "field research" to find valuable works in private homes.

Temporary exit permits were only granted in the case of participation of the respective works of art in different exhibitions abroad. However, the authorization for temporary exit from Romanian territory was granted to its holder subject to payment of taxes as a precaution. For objects whose export was allowed, the law required a tax payment of up to 30% or even 50% of the value of the object. In the event of an attempted unlawful removal, the state had the right to confiscate the respective object.

With the entry into force of the Law of Heritage No. 63/1974, attempts to illegally remove works of art from the country intensified. A note from the Department of Passports, Evidence of Foreigners and Border Crossing Control of November 11, 1978, underlined the growing complexity of border checks at crossing points, where it was necessary to act more firmly against illegal removal from Romanian territory of goods and valuables likely to be part of the national cultural heritage.²²

During this period, the number of foreign citizens, mostly Romanians with dual citizenship, who wanted to remove works of art that they could not take with them on their last departure, increased and their methods of doing so became more diverse. Thus, measures were taken to re-educate the heads of control teams and customs officers, emphasizing the knowledge of the standards of activity drawn up by the Central State Commission of National Cultural Heritage concerning the illegal removal

²² NCSAS (National Council for Studying the Securitate Archives), *Patrimoniul* documentary background, File D013367 – *Patrimoniul, arta, cultura*, vol. 1, file 159.

of the country's heritage assets. At the border control, the focus was on specific categories of people, such as Romanian citizens who were leaving permanently or visiting relatives abroad; foreign citizens of Romanian origin; foreign students; as well as foreigners whose travel documents showed that they frequently visited Romania. As a result of the measures taken to improve the overall activity and efficiency of *Securitate* collaborators and customs authorities, the number of people who attempted to leave the country with certain objects and valuables presumed to be part of the national cultural heritage decreased. Although they declared the objects at customs control, the people in question did not have the legal documents necessary to take them out of the country and were thus stopped.

Our attention is also drawn to the term "customs waste," which represents all the material goods and valuables which were confiscated by the customs authorities who had issued proofs of object detention to the individuals carrying them.²³ The objects were in theory given to the local museums; however, some would go missing, possibly because they were taken by members of the *Securitate*. Thus, at the Nădlac checkpoint in 1978, the customs issued detention certificates for 229 oil paintings on canvas, forty-five old icons, seventy-five old books published between 1800 and 1900, twelve old vases, three Persian carpets, and twenty-eight clocks. It is also mentioned that most cases of detention took place at customs points in the west of the country.²⁴

On October 8, 1989, the Ministry of Internal Affairs drew up a new plan of measures to increase the effectiveness of the defense of the national cultural heritage, as well as to prevent and thwart the illegal removal of artifacts from the country under the Law No. 63/1974. Although the stipulations are largely the same, much more emphasis is placed on the need to prevent the attempts of unlawfully removing objects and works of art from the country, by identifying and neutralizing "elements subject to a violation in any form whatsoever of

²³ NCSAS (National Council for Studying the Securitate Archives), *Patrimoniul* documentary background, File D013367 – *Patrimoniul, arta, cultura*, vol. 1, file 166.

²⁴ *Ibid.*

the legal norms enforced in the spirit of defending the heritage.”²⁵ It also mentioned the importance of information sources during the identification process, and in the early stages of attempts to cross the border illegally. The executives of the Economic Militia continuously acted to consolidate the specialized information network by recruiting new sources of information able to provide data and information of operational value concerning the intentions and actions of speculators and traffickers, recruits who would be well prepared and capable of interfering with the “domestic and foreign commercial elements” who were trying to illegally alienate or remove from the country goods of scientific, historical, literary, artistic and documentary value belonging to the Romanian cultural heritage.²⁶

In many cases, the information sources were Romanian individuals who initiated communications without revealing their identity, stating that they only wanted to selflessly help the state by providing secret information. For example, a memo from the Ministry of Internal Affairs dated May 26, 1978, includes information from a woman, sent via telephone number 15.76.29 to the official of the Ministry of the Interior that she

“has information that Laslin Elisabeta from the Federal Republic of Germany, who is visiting Timișoara traveling in a black car INK922B.W, is about to leave the Socialist Republic of Romania on May 26, 1978. She intends to smuggle Chinese porcelain and an original 30 x 30 cm painting by Goya out of the country.”²⁷

The Securitate files, now in the custody of the NCSAS, reveal how many individuals were informed on by their parents, husbands, wives, as well as neighbors, colleagues, friends for reasons unbeknownst to us.

The political system in place also wanted to increase the quality and efficiency of the collection, verification and exploitation of information meant to prevent and discover at an early stage the “dangerous elements” that acted individually or in an organized manner to steal, traffic, and alienate the national heritage. In addition to intensifying the exchange of information with the profiling organs of the Department of State Security

²⁵ NCSAS (National Council for Studying the Securitate Archives), *Patrimoniul* documentary background, File D013367 – *Patrimoniul, arta, cultura*, vol. 1, file 184.

²⁶ Ibid.

²⁷ NCSAS, *Patrimoniul* documentary background, File D013367 – *Muzee*, vol. 4, file 98.

and other units of the Ministry of the Interior, the organs of the *Securitate* had to take specific measures to identify assets under the Heritage Act of 1974, belonging to people who had not declared or registered it with state offices in accordance with the law. These measures had been taken to prevent the alienation of artifacts, as well as objects made of precious metals, by confiscating them, making them unavailable, and returning them to heritage units. The General Inspectorate of the Militia, through the Economic Directorate, had to ensure permanent and effective cooperation with the General Directorate of Customs, and the specialized security units. The emphasis was on thoroughly training and preparing all customs agents in order to know both the legislation and their specific tasks to prevent the illegal exit of certain valuables belonging to the national cultural heritage, as well as goods made of precious metals and stones. On a permanent basis, drawing on the information obtained from various sources in the field, and the verifications undertaken, the state founded the Economic Directorate of the General Inspectorate of the Militia for the control of foreign or native individuals suspected of trafficking paintings and other art. The organs of the militia were armed and prepared for the regular and legal use of the weapons provided, in strict observance of the stipulated obligations.²⁸

The *Diamond Action*: Recuperating Romanian Cultural Heritage Abroad

In this part of the article, the analysis focuses on the means used by the Romanian Communist state to exercise its power in terms of property even across the borders. Most often, the state chose to follow the Romanian citizens outside the borders, as the authorities followed the goods that should have been placed in the national patrimony.²⁹ Being outside the borders, these goods were considered of superior value, taking into account the valorization that the international museums or auction houses would have given to these works of art.

²⁸ NCSAS, *Patrimoniul documentary background*, File D013367 – *Muzee*, vol. 4, file 98.

²⁹ Diana Mandache, *Moștenirea Elenei Lupescu și statul communist* [The Legacy of Elena Lupescu and the Communist State] (Bucharest: Curtea Veche Publishing, 2017).

The file *Diamond Action* includes the plan of measures issued by the Department of State Security.³⁰ It concerned the organization and development of the *Diamond Action*. In this part of the research, the analysis relies on this source to demonstrate, through the cases presented, how the objects of patrimonial value were confiscated at the borders (from paintings, sculptures to jewelry or decorative art objects).

The purpose of this action was to identify the assets abroad that belonged to the national cultural heritage, and the holders of accounts, shares, real estate and other assets among citizens who had left the country before and after 1948, whether or not they had Romanian nationality. The members of the *Diamond Action* also had the task of managing the assets confiscated from those who illegally tried to cross the border, as well as the pursuit and supervision of people who had planned operations of removing personal items of heritage value across the border by various means. This action aimed to transfer to the country these assets by the way of restitution to the Romanian people, repatriation of the owners, and liquidation of successive or fictitious rights through donations and/or aid to the country or parents domiciled in Romania. They often resorted to threatening and intimidating the owners who were forced to pass the assets in the form of voluntary donations to the Romanian state. In the *Diamond Action* file, there is ample evidence of telegrams sent to these people or their family members.

To carry out the tasks of identifying the heritage assets which had crossed the border, all the available operational units in the country and abroad were mobilized in cooperation with the other units of the Security Department of the state. The general coordination of the operations conducted for the *Diamond Action* and their centralized archives were carried out by the Department of the Interior. The measures exercised were divided into *national measures* and *international measures*, which consisted of permanent and temporary tasks for certain covert operations.

Regarding the measures exercised inside the country, it was extremely important to complete the list of existing assets belonging to the Romanian State which were known to be in the possession of foreign

³⁰ NCSAS, *Patrimoniul documentary collection*, File no. 52875 – *Diamantul*, inventory 777.

states or people. To this end, the members of *Diamond Action* proceeded to identify Romanian citizens who had wealthy relatives abroad and those who had accounts or assets deposited with banks abroad, regardless of their origin, so they could force the relatives to return the goods which they received from their families. Therefore, from this document, it seems that the valuable goods that belonged to those who were not Romanian citizens, but who had inherited Romanian citizens, had to be returned to the country. Task groups present in each country were responsible for carrying out these activities. The cases considered were communicated to the Special Currency Export (AVS) Service – Special Exchange Contribution – of the Military Unit (UM) no. 0544, which ensured control and effective support for the most important actions.³¹ The AVS service organized the centralized registration of all assets and values identified via *Diamond Action* with the aim of bringing them on Romanian territory, and ensuring the liquidation of estates in accordance with the orders.

Regarding the *international measures*, through the external information network and the consular sections of the embassies and consulates of the Socialist Republic of Romania, the assets belonging to the Romanian state, as well as individuals of Romanian origin from the countries of residence who had movable or immovable property were identified. In this sense, the following measures were implemented: (1) consulting the archival registers of Romanian embassies and consulates in the countries of Romanian emigration, specified in the sources of information of the *Securitate*, as well as consulting the catalogs of works of art, telephone directories, trade registers, *etc.*; (2) drawing up lists of goods and people falling into the category of suspects who had attempted border crossing with hidden valuables in the luggage. The investigations carried out by the surveillance teams aimed at verifying the existence of the identified goods and individuals to establish their real and current situation, as well as sending the data necessary for identifying the still-residing-in-the-country relatives to the headquarters. In addition, another measure was identifying (through both official and operational information means) the banks with which accounts had been opened either by

³¹ Foreign Information Center.

individuals who emigrated from Romania, or by individuals based in the country, and establishing the deposits' value. Information was also sought directly from banks with which it had been established that accounts and deposits placed by Romanian citizens or people originating from Romania existed. *Diamond Action* members also selected assets for which there were clues that their owners might be determined to repatriate or to concede part of their wealth either to the Romanian state or to certain relatives in the country.

The heritage policy drawn up by the Romanian Communist Party was present even in the international space, the most important example represented by members of the former royal family, whose assets were continuously tracked until 1989. This is perhaps the most important example of the abusive recovery of heritage assets. According to the *Diamond Action* plans, the report note dated on July 18, 1970 established the following data on Romanian state-owned assets abroad: approximately forty original paintings taken out of the country by King Carol II, Elena Lupescu and Ernest Urdărianu, including paintings by El Greco, Diego Velasquez, Tiziano Vecellio, Rembrandt van Rijn, and others.³² The same report drew attention to the cultural values left abroad after the closing of the Romanian exhibition in New York in 1939: 130 ancient icons, seven Delacroix paintings, one Francis Șirato painting, one Arthur Verona painting, ten bronze and marble sculptures by Constantin Brâncuși, seven Dimitrie Știubei paintings, twenty-three mosaics, various ancient objects (vessels, helmets, weapons), objects of religious worship, and popular art.

Another ongoing endeavor was to obtain ownership of the Athens building inherited by will from Zoe Șuțu, the wife of the Marshal of the Greek Royal Court, in 1945. The Greek authorities took over the building, as Zoe Șuțu had no heirs, and the Romanian state sued to obtain at least \$3 million, with the building valued at \$150 million. All these files were studied in collaboration with the Consular Department to initiate actions for the recovery of these assets by payment from foreign states. In a note from the report of February 17, 1981, the management of *Diamond Action* proposed to make a levy of approximately \$10 million for actions aimed

³² NCSAS, *Patrimoniul documentary collection*, File no. 52875 – *Diamantul*, vol. 1, inventory no. 777, file 5.

at bringing back the country's assets through the repatriation and inheritance compensation.³³

Another interesting example is that of the Romanian-owned assets left without successors abroad, and taking the necessary steps to bring the assets into the country through security investigation means. When the assets likely to be brought or transferred to the country had been identified, as it was the case with the members of the Romanian monarchy, specific actions were initiated for each case, with Romanian and foreign lawyers or experts involved if necessary. The operational units included in the quarterly work plans were communicating the measures taken for the *Diamond Action* to the headquarters, as well as the data required for the centralization of the identified and confiscated assets. At the end of each month, the AVS service analyzed and centralized the results obtained in the *Diamond Action* and presented proposals for the execution of the operations ordered by the plan of measures under strict conditions.

According to Decree no. 210/1960 on the situation of inheritances, Romanian citizens were obliged to transfer funds in foreign currencies in a bank account or in another form abroad to the National Bank of the Socialist Republic of Romania, as well as the amounts constituting income from estate property abroad, or the partial value of the property. Based on this decree, more than 17,000 declarations concerning the property rights abroad of Romanian citizens were submitted to the bank in 1960.³⁴ Several organizations were responsible for resolving the declarations highlighted in the mentioned documentary fund, respectively the National Bank of the Socialist Republic of Romania, the Ministry of Foreign Affairs, the Ministry of Justice and the Ministry of the Interior.

Through a careful analysis of the document, it can be noticed that the National Bank of the RSR was in charge of receiving declarations from citizens, preparing the files to establish the succession of the declared goods, and procuring the necessary documents regarding the owners' civil status. The bank was also in charge of the translation,

³³ NCSAS, *Patrimoniul documentary collection*, File no. 52875 – *Diamantul*, vol. 1, inventory no. 777, file 8.

³⁴ *Ibid.* file 9.

legalization and issuance of documents abroad, as well as of recommending lawyers abroad in whose favor powers of attorney were drawn up, corresponding with them for the settlement of sums received from abroad in favor of the beneficiary, namely the Romanian State. The Ministry of the Interior dealt with identifying new inheritance cases in which Romanian interests were at stake, contributing to the identification of Romanian heirs and the drafting of civil status documents for external use in order to be sent abroad; the Ministry of Foreign Affairs was in charge of legalizing and sending the necessary documentation to the lawyers abroad, through the embassies of the Socialist Republic of Romania. The embassies were tasked with maintaining a close contact with the lawyers, and with monitoring the settlement of the cases. Finally, the Ministry of Justice and the Office of the Principal State Notary in Bucharest took care of the translation and legalization of the documentation sent abroad, and of the elaboration of certain certificates. They also offered consultation regarding difficult cases, meaning those individuals who had been refusing to cooperate with the Romanian state in order not to risk the confiscation of assets.

In 1981, a note from the *Diamond Action* indicated that there had been a decrease in the number of new cases over the years.³⁵ The reason for this reduction was the fact that those individuals who had left during and after the First World War and who had managed to make a good financial situation had died for the most part, with the cases being settled in favor of the Romanian state, as the law provided that the property of Romanian citizens without heirs who died abroad would be transferred to the Romanian state. Another case is the heirs having refused to capitalize their property in the country, some of them managing to emigrate before receiving their inheritance or taking possession of the property with the help of emigrated relatives, or not declaring the inheritance and trying to emigrate. In this way, most of the inherited assets were not declared to the Romanian state, even if they had been included in the patrimony, because many individuals wanted to either keep them or risk having them illegally extracted from the

³⁵ NCSAS, *Patrimoniul documentary collection*, File no. 52875 – *Diamantul*, vol. 1, inventory no. 777, file 18.

country. There were also heirs who had declared that they wanted to liquidate the estate, but had not the necessary financial means which included the payment of consular fees, legalization fees, and translations.

The Decree no. 259/1982 regulated on issues related to the states that had extremely strict inheritance provisions, and did not accept cooperating with the Romanian state regarding the inheritances of Romanian citizens who had lived in these countries. These were the United States of America, Greece, Turkey, Israel, and Yugoslavia. The expense control of the activities of foreign law proceedings and genealogy companies was not always carried out in a profitable way for the Romanian state, certain differences persisting between the capitalization of assets and the justification of the sums withheld as expenses and fees. Thus, the decree emphasizes the importance of highlighting the activity within the Ministry of Foreign Affairs in liquidating the property rights of Romanian citizens abroad, so that the increase in foreign exchange earnings in favor of the Romanian state takes place. The Decree no. 259/1982 requires consular fees to be increased from 50% to 400% to determine the majority of legal heirs to RSR citizens to refuse to authenticate the necessary documents for claiming the inheritance abroad.

There are many examples in the consulted documents of legacies that were not allowed to cross the border, because they contained objects of national cultural heritage. In November 1982, the Romanian writer Iosif Constantin Drăgan, based in Italy, inherited from the sculptor Oscar Han a number of fifty-seven sculptures, which were transferred from Lugoj to Bucharest in order to have them inventoried in the Romanian heritage.³⁶ Given that the author of these carvings had also realized sculptures of George Enescu, Tudor Arghezi, Mihai Viteazul, as well as of other lead-figures of Romania, the Directorate of Heritage of the Socialist Culture and Education Council did not provide the authorization for these objects cross the border. Another example of heirs with a "inappropriate state of mind" appeared among the heirs of the Vasile Stoica art collection, an extremely important one, which instead of being left to the legitimate heirs, was given to the Museum of

³⁶ NCSAS, *Patrimoniul* documentary collection, File D13367 – *Patrimoniul – Muzeu*, vol. 3, file 228.

Art Collections in November 1978.³⁷ The reason was that the heirs did not reside in Romania, and the alienation of an art collection of national interest abroad was prohibited.

Methods and Strategies of Illegal Property Removal across the Border

Based on the documents analyzed in this study, it appears there were some common methods and strategies which individuals who wanted to cross the border with heritage goods tried to apply to remove them without having them confiscated by the *Securitate*. These most often refer to strategies for hiding items in the luggage so that objects are not identified and retained later by border security officers. The imagination and creativity of the individuals who traveled with hidden art objects are testimony to a scenario imposed by force by a totalitarian regime.

After the adoption of the abusive law of Heritage no. 63/1974, free trade and the passage of art oeuvres across the border became impossible. There were many cases in which officials were stopped at customs with suitcases loaded with art goods (paintings, rare books, antiquities). If an individual sold an art piece without declaring it to the museum, he could have even been arrested. The law brought about a significant control of wealth, forcibly dispossessing only those suspected of being enemies of the regime. Because the law included many ambiguities and verdicts of severe penalties, the Heritage Law introduced the Ministry of the Interior as being in charge with applying the legal provisions. Its issuance caused a dramatic influx of registrations of both works of art and kitsch, because no one had clearly provisioned what an art oeuvre is, and what exactly must be declared. This allowed, following the massive 1977 earthquake, confiscations – justified by the law provisioning for ensuring an adequate climate or the protection of objects of museum value – to be operated by the *Securitate*. The possibilities of assets' preservation and security, as well as the extension of the research sphere in museography and cultural heritage were only a few pretexts under

³⁷ NCSAS, *Patrimoniul* documentary collection, File D13367 – *Patrimoniul – Muzeul*, vol. 3, file 228.

which this law was introduced. Notwithstanding, this new law did not satisfy museographers and researchers.

On December 11, 1976, a memo was issued by the Ministry of the Interior, the Department of State Security, indicating the concerns of foreign citizens regarding the removal of national cultural heritage assets from the country had intensified.³⁸ We find out that, in 1976, about 322 paintings, 135 old icons, and 166 books published between 1800 and 1900 were confiscated at the borders and returned to national heritage. Among these assets, those of the Italian citizen Fabrisi Spiridione were also identified.³⁹ He was caught with the help of informative sources, according to whom his visits to Romania aimed at buying from Romanian citizens various works of art to resell them in Italy at a much higher price, rather than having touristic purposes, which he had always declared at the border. As a member of the Italian Socialist Party, Fabrisi Spiridione had the right to freer movement between the two states, so between 1969 and 1976 he made several visits to Romania. His frequent and long stays in Romania, his contacts with people from various sectors of activity occupying important positions, as well as the fact that for a long time he did not conclude any transaction in Romania, raised suspicions that imposed his informative-operative pursuit by the *Securitate*. According to the special investigation carried out on the Italian citizen, it was discovered that he had a fabric workshop in Udine, which meant that he had a commercial company in Italy, which could facilitate the trade of various goods. Furthermore, based on the verified material, it appears that in 1970 he traded with citizens of Bucharest who offered him various heritage goods, including old icons and oil paintings belonging to the Flemish school.

Regarding the methods used by citizens to hide works of art when crossing the border, some of them were quite practical, such as that of the collector Vasile Frunzetti from the commune of Rășinari, county of Sibiu, who showed a *Securitate* informant on December 13, 1985, without revealing his intention, that he had a wooden chest measuring

³⁸ NCSAS, *Patrimoniul* documentary collection, File D13367 – *Patrimoniul – Muzeul*, vol. 3, file 228, file 30.

³⁹ *Ibid.* file 16.

approximately 85 x 45 x 45 centimeters for transporting personal luggage when traveling abroad.⁴⁰ At the same time, he clarified that this chest had a double bottom, hardly noticeable, where various objects could be hidden and transported abroad.

Another method used consisted of hiding the objects inside suitcases, which were most often discovered because of the meticulous searches of the customs officers, as is the case of Valeria Leibovici from Bucharest, who on February 17, 1982 attempted to illegally bring out of the country a painting signed by Nicolae Grigorescu, 28 x 35 centimeters, depicting two shepherds on the grass.⁴¹ The painting was found in the suitcase of the woman, who admitted that the work was registered with the National Commission for Cultural Heritage. As the act contravened the current legal norms, the mentioned painting was retained for confiscation.

However, the Military Unit no. 0650 from Bucharest states in a report from August 16, 1989, that the most common method used to take works of art across the border is by foreign trucks coming to Romania and transiting the country.⁴² Paintings by Lucian Grigorescu and sculptures by Cornel Medrea, Dimitrie Paciurea and Constantin Brâncuși were discovered inside a truck intended to arrive to Milan, Italy for Italian citizens Sergio Barsanti and Nilo Acerbi.

Most often, according to the documents consulted, it was through the collaboration with tourists or foreign citizens who came to Romania and who were attracted by certain valuable assets that would have been sold for very high amounts abroad, that art objects were taken out of the country. These were most often assets of significant value not declared to the State as heritage objects. One of the foreign nationals targeted was the Austrian dealer Koran Alexander, who bought on July 6, 1978, four paintings worth LEI 100,000 from the citizen Paul Cismas.⁴³ The latter was seventy-five years old and was being investigated for the sale of heritage assets to foreigners. This matter was brought to the attention of

⁴⁰ NCSAS, *Patrimoniul* documentary collection, File D13367 – *Patrimoniul – Muzeul*, vol. 3, file 228, file 145.

⁴¹ Ibid. file 69.

⁴² Ibid. file 236.

⁴³ NCSAS, *Patrimoniul* documentary collection, File D13367 – *Patrimoniul – Muzeul*, vol. 3, file 228, file 21.

the *Securitate* by an informant. The Austrian citizen confessed to the informant that he was doing this type of business, because he was helped by a diplomat from the Austrian Embassy to remove paintings and diamonds jewelry from the country. In addition, the Romanian citizen Pavel Cismas also stated that, five years before, he had sold a painting by Paul Rubens titled *Portrait of a Woman*, and one by Diego Velasquez titled *Bacchus*. These paintings were taken out of the country to be sold by a foreign diplomat who had not returned to work afterwards. The informing source also discovered that these paintings had been exhibited in 1812 at a Spanish painting exhibition in Naples, and that they had a stamp on their back certifying their authenticity. The two paintings, which were inherited by this citizen from his parents, were sold for LEI 500,000, and then sold at an auction abroad for more than \$2,000,000. This was inconceivable for the members of the *Securitate*, since the two paintings had all the characteristics of a national cultural heritage asset, even if it was private.

In addition, several other paintings were sold across the country to various collectors, because Paul Cismas was well-connected with owners of valuable assets and sellers of undeclared old master paintings. Given this aspect, and the fact that Mr. Cismas was of advanced age, the *Securitate* proposed a collaboration. He would offer information on other art collectors, and thus be exempt from a criminal sanction. In turn, Mr. Cismas proposed to donate to the Museum of Art of the Republic two paintings by an anonymous Flemish painter, a donation that the museum accepted. However, the *Securitate* continued to try to track down the two paintings by Rubens and Velasquez in order to recover them on behalf of the Romanian state.

Another foreign citizen who caught the attention of the *Securitate* regarding illegal removal of some Romanian national cultural heritage assets was the West German citizen Iohan Gurtler. To this end, on March 11, 1988, Iohan Gurtler tried to bribe the Moravița customs officers with \$1200 for allowing him to withdraw assets resulting from the liquidation of an inheritance. The objects were discovered on Gurtler leaving the country, some of them being hidden under the benches of the Mercedes minibus no. NE-LV-354. Of the assets transported, around 435 objects were retained in order to examine and

establish their belonging to the heritage: twenty-six oil paintings belonging to the Hungarian school of the eighteenth and nineteenth centuries, as well as several gold objects and numismatic artefacts. All these objects were valued at LEI 730,000 by a commission made up of museographers from the Timiș museum complex: Adriana Buzila, Marcela Oprescu, and Rodica Vartaciu.⁴⁴

Other interesting attempts to remove art oeuvres from the country are those of individuals who tried to enter direct contact with international museums, in order to make an offer for the sale of assets likely to be of interest to the institution. Thus, many individuals were caught trying to send international letters to famous museums, as was the case of Mihail Teodorescu, based in Ploiesti, on February 10, 1984. He addressed the director of the Louvre Museum in Paris and the director of the Musée d'Art du Puys, asking for information on the painter Henri Giraud and the value of his works, as he was the owner of a painting signed by Giraud. The painting in question was entitled *La Chasse de Diane*, an oil painting measuring 71 x 150 centimeters, which had not been declared to the Commission of the Patrimony.

Another foreign citizen who was caught trafficking art goods was the Italian citizen Lorenzo Conta, who had bought from the Romanian citizen Andrei Stromef an impressive number of silver objects, two paintings by Octav Băncilă, and a painting by Auguste Renoir.⁴⁵ He testified to an informant on September 13, 1988, that he could get any piece of art across the border with the help of the Italian Library in Bucharest. We can therefore see the fact that foreign institutions could act in favor of certain citizens to help them evacuate assets without criminal consequences.

Another practice discovered by the *Securitate* was falsifying certificates stating that paintings or other objects had no value and could be exported. These certificates were issued by members of the National Heritage, and those who received them could cross the border with heritage goods without any problem. This is also the case of Gabriela

⁴⁴ NCSAS, *Patrimoniul* documentary collection, File D13367 – *Patrimoniul – Muzeul*, vol. 3, file 228, file 19

⁴⁵ *Ibid.*, file 206.

Drîmba, who tried to leave the country on September 30, 1988 with her belongings using such a certificate.⁴⁶ Several museographers have been caught using this scheme, most of them accused of being hostile to, or making biased comments on the Communist Party's domestic or foreign policies. Consequently, on June 4, 1982, the Ministry of the Interior, Department of State Security, issued a note on the control and supervision of museographers with nationalist-irredentist ideas and concepts which tended to help citizens illegally cross the Romanian border with valuable assets.⁴⁷

It became necessary to organize the prosecution of all Romanian museographers as well as the propagandistic preparation of guides who organized tours for foreign or Romanian tourists. The network of museums in 1989 included 204 museums, and the security activity of the museum units was ensured by agents of the art-culture issue within the Ministry of National Defense.⁴⁸ About 1,600 people worked for museums and collections of art and history, 1,230 of them having higher education. The security work carried out in museums considered that in these institutions people with criminal records and their descendants should not be active.

The file of the artist Max-Herman Maxy also draws our attention.⁴⁹ Director of the Museum of Art of Romania since 1949, the painter attracted the attention of the *Securitate* by his suspicious behavior in relation with foreigners with whom he came into contact inside or outside the museum, given that by the nature of his function he had the possibility of facilitating the removal of valuable art oeuvres abroad. Claimed to be a "specimen with hostile idealistic mystical manifestations" towards the Communist Party, several *Securitate* agents were put in place to spy on his activities and those of his family.⁵⁰ On April 1, 1966,

⁴⁶ NCSAS, *Patrimoniul* documentary collection, File D13367 – *Patrimoniul – Muzeul*, vol. 3, file 228, file 191.

⁴⁷ *Ibid.*, file 260.

⁴⁸ *Ibid.*, file 261.

⁴⁹ NCSAS, *Patrimoniul* documentary collection, File I 073559 – Max-Herman Maxy, vol. 1, file 43.

⁵⁰ NCSAS, *Patrimoniul* documentary collection, File I 073559 – Max-Herman Maxy, vol. 1, file 123.

the Israeli tourist Saraga Sigismund arrived in the country, intending to smuggle four Maxy paintings out of the country. In order not to look like a donation of paintings, for which it would have been necessary to have the approval of the State Committee for Culture and Art, their sale was simulated through the *Consignatia* [Consignment] store.⁵¹ For art objects bought from *Consignatia* by tourists, only the approval of the Art Museum of the Socialist Republic of Romania was necessary, of which Maxy was the director, and which of course he obtained. Therefore, the tourist Saraga Sigismund used this approval to remove four paintings through the Băneasa border post. The evacuation of these works of art from the country being an illegal act, the *Securitate* officers took measures to have them detained at customs, while simultaneously the approval issued by the Customs Department was canceled. Following this event, the *Securitate* continued to investigate whether Maxy's influence network as the director of the National Museum was no longer used to evacuate other works of art or objects of patrimonial value. Suspicions about facilitating or influencing the removal of art objects from the country were thus confirmed. In his surveillance file, the artist was also accused of making statements about a strong anti-Semitic current which had been present in Romania, with Jews having been systematically removed from their posts, and his regret on being too old to immigrate to Israel.⁵²

Conclusions

To conclude, this article aimed to clarify the phenomenon of illegal border crossing bearing art oeuvres with patrimonial value. At first glance, this topic is covered from a historical point of view to a very

⁵¹ *Consignatia* stores were a form of private trade mediated by the state. If a private person brought an object to *Consignatia*, which could be a painting by Ștefan Luchian, but also a suit or a foreign tie, it was evaluated by an official. If the object in question had a buyer within a few months, the seller collected the money, from which the state withheld ten or fifteen percent. If the object did not sell, the seller took it back.

⁵² NCSAS, *Patrimoniul* documentary collection, File I 073559 – Max-Herman Maxy, vol. 1, file 125.

small extent, and it is hard to believe that, at least in the absence of specific data and documents produced by the institutions in question, the subject can be exhaustively covered. The solution, as in what regards other major themes of Romanian communism, can be given by the fragmentarily reconstructing as many images as possible which could outline a general picture of the repression.

The analysis based on archive files shows that the hypothesis regarding the control of private assets of patrimonial value has been validated. The *Securitate* was the main state authority dealing with the confiscation and administration of art objects, the legal owners being severely punished for disobedience in case the objects were not registered with the state, or for trying to pass with valuables outside the border.

In the first part of the article, the analysis tried to answer to the general question, What represented the illegal crossing of the border with heritage objects, and Why did the citizens of the communist state often risk losing their freedom and assets? It pointed out that the number of border confiscation cases was much larger, with the cases being extremely bold and courageous on the part of those who have wanted to exercise their right of possessing artistic property. Similarly, most of the time, the place where the members of the *Securitate* deposited the confiscated objects is not mentioned. In most cases, due to the negligence of *Securitate* officers, many items were deteriorated and could not be recovered. This evidence is apparent from the analysis of archive documents, thanks to which the study can analyze the experience of Romanian or foreign citizens when crossing the Romanian border. The empirical sources used include the files of the Archive of the National Council for the Study of Security Archives (CNSAS), Documentary Fund, Heritage File (Heritage Action, Cultural Heritage Materials, Heritage – Work Map, Heritage Inventory, Heritage – Art, Culture, Heritage Problem File, Heritage Recovery File), and the *Patrimoniul* File: The *Diamond*.

In the second part of the article, the focus moved on to show how with the entry into force of the Law of Heritage no. 63/1974, attempts to illegally remove works of art from the country intensified. This article also underlined the growing complexity of border checks at crossing points in cases when it was necessary for the authorities to act more firmly against illegal evacuation outside of the Romanian territory of

assets likely to be part of the national cultural heritage. During this period, the number of foreign citizens, mostly Romanians with dual citizenship, who wanted to evacuate with art oeuvres which were eventually not allowed to exit the country, increased and the methods of doing so were more diverse. At the border control, emphasis was placed on certain categories of individuals, such as Romanian citizens who were leaving permanently or visiting relatives abroad, foreign citizens of Romanian origin, foreign students, as well as foreigners whose travel documents showed that they frequently visited Romania. As a result of the measures taken to improve the overall activity and efficiency of *Securitate* collaborators and customs authorities, the number of people who attempted to leave the country with certain objects and valuables presumed to be part of the national cultural heritage decreased. Although the individuals declared the objects at customs control, they did not have the legal documents necessary to leave the country together with their assets, and they were hence stopped.

WHO HOLDS THE PRESIDENTIAL OFFICE? THE EVIDENCE FROM EUROPE, 1990-2023

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Abstract. This article maps the biographical characteristics of European presidents elected in direct elections after 1989. The author focuses on the structure of age, education, previous political experience, and gender. The article aims to describe the original dataset and to examine it in the context of the theoretical framework of descriptive representation and concepts of presidential power. Although only a partial relationship has been found between age structure and presidential power, and between gender structure and the Woman Political Participation Index, the general applicability of these findings to Europe is problematic. The effect of other factors was not shown at all, which indicates the specificity of the presidential election. The shape of the electoral system, the particularity of each case, and the current political situation determine who is elected president, and these findings cannot be generalized to the entire analyzed area.

Keywords: presidents, heads of state, biographical characteristics, Europe, descriptive representation, presidential power

Introduction

Heads of state can be found in many forms on the European continent, with most states having a single individual in this role. However, there are also instances where the position is held collectively, as demonstrated in the case of states within the former Communist bloc prior to 1989, as well as in present day Andorra, San Marino, or Bosnia and Herzegovina.¹

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¹ Karl Loewenstein, "The Presidency Outside the United States: A Study in Comparative Political Institutions," *The Journal of Politics* 11, no. 3 (1949): 447-496, <https://doi.org/>

Nevertheless, the crucial question remains who becomes the head of state. On the one hand, we can find monarchies on the European continent where the situation is clear. The head of states are members of royal or other highborn families, and their accession to the throne is based on the principle of succession. Therefore, it is assumed that future monarchs are prepared from childhood to become the head of state one day. Their upbringing, education, or political skills are adjusted for this moment.

In contrast to the monarchies of Europe, the presidents of democratic countries are elected through free and fair elections, or by any legislative or electoral assembly, and their starting position is completely different. Their education is not necessarily determined by their future performance in the presidential office. In the last ten years, they have not often had party affiliation or previous political experience, as is the case for Andrej Kiska in Slovakia or Volodymyr Zelensky in Ukraine.

This article has two aims. Firstly, it aims to map the biographical characteristics of directly elected European presidents after 1989. Based on the original dataset, it describes four characteristics and their structure in Europe: age, education, previous political experience, and gender. Criteria for sampling are not random. The focus is on presidents elected in direct presidential elections, given that the situation in political systems with an indirect election is different. In these countries, the elected individuals are either related to any political party, or they are former significant politicians (e.g. former prime minister). The analyzed timeframe of this research includes only the period following 1989 due to the collapse of the Communist bloc in Central and Eastern Europe. This enables a comparison drawn between this region, and traditional democracies in Western Europe and their political systems. In the next step, the aim is to integrate the findings from the dataset into a theoretical framework where this is possible. Two theoretical concepts, used in the analysis of political representation, are considered: those of descriptive representation and presidential power. The aim is to ascertain whether there is any pattern in the European area or, conversely, whether the presidential election is specific for each European country. The presidential

10.2307/2126136; John Quigley, "The Soviet Presidency," *The American Journal of Comparative Law* 39, no. 1 (1991): 67–93, <https://doi.org/10.2307/840671>.

election is often highly personalized, and its results can depend on various particularities.

The article is structured as follows: Firstly, a summary of the existing literature on the biographical characteristics research in past is presented. Secondly, the theoretical framework is introduced, and hypotheses are defined. The history of direct presidential elections in Europe is introduced in the next part. The analytical part of the article is divided into four sections. Each of these sections connect to a specific biographical characteristic. Finally, the results of the dataset are described, and the results are contextualized within the theoretical framework.

Biographical Profiles of Politicians: An Overview

The research of biographical characteristics of legislative and executive politicians has a long-standing tradition in political science, especially in the context of the problematics of political representation and elites. However, this research is mainly focused on analyzing political institutions, such as parliamentary or executive assemblies, which have a collective character and can be compared within a single legislature timespan. The approach to this phenomenon and its importance is not always the same. For some, the biographical characteristics of politicians or candidates are an important factor that voters consider when voting from the perspective of effectiveness.² On the other hand, in the context of selecting ministers for the government, these characteristics are secondary.³ In addition, the research endeavors are designed as case studies of individual states. Comparative research on presidents and their biographies is very limited in political science, especially in the longitudinal perspective.

The current political research on parliamentary and executive representation is largely focused on a few factors and perspectives. The case studies are designed to provide a description of the representation

² Craig Volden and Alan E. Wiseman, *Legislative Effectiveness in the United States Congress: The Lawmakers* (New York: Cambridge University Press, 2014).

³ Julia Fleischer and Markus Seyfried, "Drawing from the Bargaining Pool: Determinants of Ministerial Selection in Germany," *Party Politics* 21, no. 4 (2015): 503-514.

in the context of newly formed democracies following a transition process or a change in the character of the regime, which can bring any changes in the representation.⁴ A contrasting perspective, typical of countries with well-developed regional institutions in Western Europe, is important in the comparison of differences between national and regional levels.⁵ This encompasses the examination of varying voting preferences in different types of elections, respectively, the impact of the process of decentralization on the regional government formation and its composition.⁶

On the other hand, there is also literature that is not strictly connected with any theoretical background, its main goal being to describe the composition of parliaments or candidate lists not only in a synchronic and a diachronic comparative perspective, but also to analyze candidates in terms of gender, age, education, previous occupation before entering politics, political experiences, or the description with the consideration of the geographical perspective.⁷ Such studies usually use the lens of

⁴ Elena Semenova, "Patterns of Parliamentary Representation and Careers in Ukraine: 1990-2007," *East European Politics and Societies* 26, no. 3 (2012): 538-560, <https://doi.org/10.1177/0888325412439464>; Elena Semenova, "Parliamentary Representation in Post-Communist Ukraine: Change and Stability," in *Parliamentary Elites in Central and Eastern Europe: Recruitment and Representation*, eds. Elena Semenova, Michael Edinger and Heinrich Best (Milton Park: Routledge, 2013), 275-97; Elena Semenova, "Ministerial and Parliamentary Elites in an Executive-Dominated System: Post-Soviet Russia 1991-2009," *Comparative Sociology* 10, no. 6 (2011): 908-927, <https://doi.org/10.1163/156913311x607629>.

⁵ Mark Shephard, Neil McGarvey and Michael Cavanagh, "New Scottish Parliament, New Scottish Parliamentarians?," *The Journal of Legislative Studies* 7, no. 2 (2001): 79-104, <https://doi.org/10.1080/714003869>; Robyn Hollander, "Who Sits in Parliament? An Analysis of State and Federal Members of Parliament," (referred paper, Australasian Political Studies Association Conference, Hobart: University of Tasmania, 29 September – 1 October 2003).

⁶ Selena Grimaldi and Michelangelo Vercesi, "Political Careers in Multi-level Systems: Regional Chief Executives in Italy, 1970-2015," *Regional & Federal Studies* 28, no. 2 (2018): 125-149.

⁷ Otto Eibl and Miloš Gregor, *Volby do Poslanecké sněmovny v roce 2017* [Czech Parliamentary Election in 2017] (Brno: Centrum pro studium demokracie a kultury, 2019); Lukáš Linek, "Socio-demografická struktura poslanců a její vliv na politické postoje" [Socio-demographic Structure of MPs and Its Influence on Political Attitudes] in *Český parlament ve druhé dekádě demokratického vývoje* [The Czech Parliament in the Second Decade of Democratic Development], ed. Zdenka Mansfeldová and Lukáš Linek (Praha: Sociologický ústav AV ČR, 2009), 95-111; Lukáš Linek and Petra Šalamounová, *The Parliament of the Czech Republic, 1993-1998: Factbook* (Praha: Sociologický ústav AV ČR, 2001).

splitting according to political parties or parliamentary clubs and committees. This strategy, known as the diachronic perspective description, is the primary approach employed in this article when describing the composition of presidential offices. A similar strategy, of analyzing and describing the representation in the international context, is adopted by researchers investigating the executive composition. For this reason, it is possible to find texts in political science comparing the composition of governments in Southern Europe or countries in the post-communist area.⁸

Similarly, there are numerous one-case studies of other European countries, often examining only one biographical factor, such as political experiences.⁹ The problems of gender structure and women's representation also have a long-standing tradition in political research, indicating that these issues have been present for a considerable period of time, despite the fact that there has been a slight improvement in the share of women's representation in parliaments, executive cabinets and in politics in general.¹⁰ This perspective is also mentioned in the analysis of parliaments and executive composition. There is also research focused on the issues of the relatively low representation of the young generation depending on the type of electoral systems and the corresponding age quotas.¹¹

⁸ Pedro Tavares de Almeida, Nancy Bermeo and Antonio Costa Pinto, *Who Governs Southern Europe? Regime Change and Ministerial Recruitment, 1850-2000* (London: Frank Cass, 2004); Elena Semenova, "Recruitment and Careers of Ministers in Central Eastern Europe and Baltic Countries," in *Technocratic Ministers and Political Leadership in European Democracies*, ed. Antonio Costa Pinto, Maurizio Cotta and Pedro Tavares de Almeida (Cham: Palgrave Macmillan, 2018), 173-202.

⁹ Lieven De Winter, Jean Blondel and Jean-Louis Thiébaud, *The Profession of Government Minister in Western Europe* (London: Palgrave Macmillan, 1991); Michal Pink, Aneta Pinková and Matěj Pospíchal, "Typologie českých ministrů - kdo jsou členové vlád? [Typology of Czech Ministers – Who Are Members of Governments?]," *Acta Politologica* 12, no. 1 (2020): 40-64.

¹⁰ Lena Wängnerud, "Women in Parliaments: Descriptive and Substantive Representation," *Annual Review of Political Science* 12, no. 1 (2009): 51-69, <https://doi.org/10.1146/annurev.polisci.11.053106.123839>; Jacob, Suraj, John A. Scherpereel and Melinda Adams, "Gender Norms and Women's Political Representation: A Global Analysis of Cabinets, 1979-2009," *Governance* 27, no. 2 (2014): 321-345.

¹¹ Daniel Stockemer and Aksel Sundström, "Age Representation in Parliaments: Can Institutions Pave the Way for the Young?," *European Political Science Review* 10, no. 3 (2018): 467-90, <https://doi.org/10.1017/S1755773918000048>.

Typically, when it comes to political experience, the careers of politicians are scrutinized before they enter parliament or the executive cabinet. However, some studies focus on the political pathways of the most important state representatives (*e.g.*, prime ministers, members of the government or high representatives of regions) after leaving these offices, mapping their later political positions on the national or federal level or in the European Union.¹² In connection with the deepening of European integration and the expansion of the European Union over time, the research has also been focused on the composition of European institutions, such as the European Commission or European Parliament during the time.¹³ One study analyzing the composition of the European Parliament also brings an interesting analytical approach, by juxtaposing the structure of the European Parliament members in old-member states and newer states.¹⁴ While this study provides interesting insights into the membership structure of the European Union, its conclusions are beyond the scope of this research.

Theory and Hypotheses

In order to move beyond the descriptive level, it is necessary to fit the topic into a theoretical framework. Given the author's interest in a range of biographical characteristics, it is proposed that each phenomenon to be fitted with a different approach that suits it. In addition, specific hypotheses for each characteristic will be formulated.

The section focused on the age structure of European presidents will engage with the concept of descriptive representation. Although

¹² Klaus Stolz and Jörn Fischer, "Post-Cabinet Careers of Regional Ministers in Germany, 1990-2011," *German Politics* 23, no. 3 (2014): 157-73, <https://doi.org/10.1080/09644008.2014.949683>.

¹³ Hussein Kassim, John Peterson, Michael W. Bauer, Sara Connolly, Renaud Dehousse, Liesbet Hooghe and Andrew Thompson, *The European Commission of the Twenty-First Century* (Oxford: Oxford University Press, 2013); Daniel Stockemer and Aksel Sundström, "Young Deputies in the European Parliament: A Starkly Underrepresented Age Group," *Acta Politica* 54, no. 1 (2018): 124-44, <https://doi.org/10.1057/s41269-018-0078-0>.

¹⁴ Willy Beauvallet-Haddad, Sébastien Michon, Victor Lepaux and Céline Monicolle, "The Changing Composition of the European Parliament: MEPs from 1979 to 2014," *French Politics* 14, no. 1 (2016): 101-25, <https://doi.org/10.1057/fp.2015.21>.

this approach is mostly used in politics in connection with gender or race, for the purposes of this study, the author considers it applicable to the question of age. The essence of descriptive representation is based on specific marks or characteristics shared by elected representatives and a larger group of voters.¹⁵ It can be reasonably assumed that the probability of electing an older candidate is greater in populations with a higher age average. Therefore, the author investigates the relationship between the age of the elected president, and the share of seniors in the population. In connection with the concept of representation, the following hypothesis can be formulated: *In countries with a proportion of older citizens, older candidates are elected to the presidency* (H1). However, another important factor must be considered, namely the nature of the electoral system and the type of election. As is known, presidential elections in European countries are held through a two-round majoritarian system, or through instant-runoff voting, which is inherently highly personalized.

The education section is limited only to the description of the dataset due to difficulty of the theoretical anchoring. However, this does not apply to investigating previous political experiences. The second theoretical approach will be connected to this phenomenon. The character of the political regime in relation to the head of state is investigated. The literature regarding the relationship between presidential power and the predisposition of party nominations for the presidency highlights the following tendency: If the president is perceived to have a weaker power and is unable to significantly influence the political situation, the willingness of the party to nominate the presidential candidate is likely to be lower because there is no chance to influence the political situation through this function.¹⁶ I will convert this finding into a factor of political experience. Starting from the fact that political parties usually nominate for the presidential office meritorious politicians with experience in other political functions (*e.g.*, former prime ministers, members of government, chairman of parliament), the presidents in systems with higher presidential

¹⁵ Jane Mansbridge, "Should Blacks Represent Blacks and Women Represent Women? A Contingent «Yes,»" *The Journal of Politics* 61, no. 3 (1999): 628-657, 629, <https://doi.org/10.2307/2647821>.

¹⁶ Allen Hicken and Heather Stoll, "Electoral Rules and the Size of the Prize: How Political Institutions Shape Presidential Party Systems," *The Journal of Politics* 70, no. 4 (2008): 1109-1127, <https://doi.org/10.1017/s0022381608081097>.

power are expected to be (1) older, and (2) more experienced in the executive offices. Conversely, in political systems with weaker heads of state, the age and political experience in the executive branch should not be too significant. It can be expected that there a greater proportion of presidents would lack previous political experience. Based on this fact, the second hypothesis can be defined: *elected presidents are older and have previously held executive office in countries with higher presidential power* (H2).

The concept of descriptive representation will also be employed for the analysis of the gender structure, in a manner consistent with the age structure. Previous research on the relationship between the character and opinions of the population and women's representation in legislatures confirmed that higher women's representation in politics increases the willingness for political engagement and reduces the differences in the gender structure of political representation.¹⁷ This finding will be further applied to the presidential elections in Europe. The presumption is that, if the representation of women is higher in the politics of the state, there would be a higher chance of electing a woman to the presidential office. Regarding the research about descriptive representation, I will define the following hypothesis: *Women are elected to presidential office in states with a higher share of women in the political representation* (H3).

Data and Methods

From a methodological standpoint, two approaches will be used. While the topic has not been extensively documented, the first part of this article is conceptualized as a descriptive analysis. Despite the perceived limitations of this method, particularly in the scientific community, the description of phenomena in the world around us is the absolute basis of each research process.¹⁸ For the purpose of establishing and providing

¹⁷ Tiffany D. Barnes and Stephanie M. Burchard, "«Engendering» Politics: The Impact of Descriptive Representation on Women's Political Engagement in Sub-Saharan Africa," *Comparative Political Studies* 46, no. 7 (2012): 767-790, <https://doi.org/10.1177/0010414012463884>.

¹⁸ Kevin A. Clarke and David M. Primo, "Modernizing Political Science: A Model-Based Approach," *Perspectives on Politics* 5, no. 4 (2007): 741-753, 749, <https://doi.org/10.1017/s1537592707072192>.

an explanation of causal mechanisms, it is important to firstly map the phenomenon of interest. In the process of this methodological frame, the dataset is built, and the phenomenon is described. Descriptive research is the basis of analytical work and provides a basic background for future research.¹⁹ This fact and the approach will be crucial for the following evaluation of hypotheses.

Nevertheless, at the beginning, because a complete data source is not available, it is necessary to collect the requisite data. The first step of the research is based on building the original dataset with information on the age, education, previous political experiences, and gender of directly elected European presidents. This represents a crucial aspect of the subsequent research steps.

In the descriptive part of the article, a summary of data is presented, pertaining to the social and biographical characteristics of European presidents who have held office after 1989. This year was not randomly selected, but rather in response to the fall of communist non-democratic regimes in Central and Eastern Europe, when many of these countries enacted direct presidential elections to their constitutional systems. The focus of this analysis is on the set of main social and biographical characteristics: age at the time of the first election to the presidential office, profession (which means the specialization in education) and finally, previous experiences in politics. The key sources of this information about presidents are based on the completion and on the comparison of their *curricula vitae* available in public sources or encyclopedias, for example, *Encyclopedia Britannica*, *Wikipedia*, etc. It is of great importance to note that the official *curricula vitae* on websites of the presidential offices of each country or personal websites, often serve as a crucial source of information. I will analyze all European countries except Russia and Belarus. Both are excluded from this analysis as they do not adhere to the principles of free and fair elections.²⁰

¹⁹ John Gerring, "Mere Description," *British Journal of Political Science* 42, no. 4 (2012): 721-746, 721, <https://doi.org/10.1017/s0007123412000130>.

²⁰ Jan Holzer and Petr Hlaváček, "Lukašenkovo Bělorusko: případová studie nedemokratického režimu [Lukashenka Belarus: Case Study of Non-democratic Regime]," *Central European Political Studies Review* 7, no. 4 (2005): 409-427; Grigorii V. Golosov, "The Regional Roots of Electoral Authoritarianism in Russia," *Europe-Asia Studies* 63, no. 4 (2011): 623-639, <https://doi.org/10.1080/09668136.2011.566427>; Ora John Reuter, Noah Buckley, Alexandra

The aforementioned sources provide the complete dataset, which include researched biographical characteristics. These data will then be operationalized, as they are to be sorted into categories of two basic types. The first category is made of nominal variables, including education and previous political experiences. The second category is ratio variables, represented by age in this article.²¹ These will also be aggregated in graphic figures according to defined groups, with percentage shares.

The second part of the research will focus on comparing the background defined in the theoretical of the article. For this part, qualitative comparative analysis will be used, from a longitudinal perspective, to compare heads of state with the concrete variable. In general, if data for a given state or year is unavailable for all indicators, it will be excluded from the analysis for the given factor. As was mentioned previously, two concepts will be used. The approach of the descriptive representation is used to evaluate the relationship between the proportion of seniors and the age of the head of state. The proportion of seniors in the population will be based on the data from the *World Bank*.²²

The relationship between these two variables will be illustrated in a point chart in order to evaluate the effect and possible correlation. The concept of presidential power is necessary to identify a suitable method of measuring this phenomenon. A large scale of processes and criteria for measuring this phenomenon has been developed; The dataset created by Alan Siaroff brings together the dataset with the quantification of presidential power in each European state with the direct presidential election. The dataset is comprehensive in its analysis of all aspects of presidential politics, including popular election, concurrent election of president and legislative, discretionary appointment of important

Shubenkova and Guzel Garifullina, "Local Elections in Authoritarian Regimes: An Elite-based Theory with Evidence from Russian Mayoral Elections," *Comparative Political Studies* 49, no. 5 (2016): 662-697, <https://doi.org/10.1177/0010414015626439>.

²¹ John Gerring and Dino Christenson, *Applied Social Science Methodology* (Cambridge: Cambridge University Press, 2017).

²² "Population (age group as % of total population)," *World Bank – Gender Data Portal*, accessed March 22, 2024, <https://genderdata.worldbank.org/indicators/sp-pop-zs/?age=65%2B>.

political actors, chairing the cabinet, veto power, decree powers, central role in foreign policy, central role in government formation, and the ability to dissolve legislative assembly.²³ However, this dataset has a few shortcomings. It was constructed in 2003; therefore, it does not fully reflect the reality of the current settings of political systems in Europe. Therefore, the author has enriched the dataset in some cases. If there has been a significant constitutional change since its creation, the score has been adjusted considering the current situation. This mainly concerns the issue of (re)adopting a direct presidential election in any country (e.g., Czech Republic, Moldova, Turkey). At the same time, if data on some states were not found in the dataset, it was necessary to supplement them based on the analysis of constitutional texts available in the database of the *Constitute* project.²⁴

Based on this quantification, dividing the regimes into two categories is necessary – countries with a weak and strong presidency. The list of presidencies is shown in Table 1. For the purposes of the analysis, the countries with presidential power from 1 to 3 points have been classified as a weak presidency, and countries with a score from 4 to 7 points are considered a strong presidency. The uneven spread of both categories on the scale is chosen for two reasons. Firstly, maintaining at least an approximate even representation of both categories in Europe is necessary; secondly, Secondly, it is important to partially consider the theories of authors regarding their views on the distinction between parliamentary and semi-presidential regimes and their classification.²⁵

²³ Alan Siaroff, "Comparative Presidencies: The Inadequacy of the Presidential, Semi-presidential and Parliamentary Distinction," *European Journal of Political Research* 42 (2003): 287-312, <https://doi.org/10.1111/1475-6765.00084>.

²⁴ "Constitutions," *Constitute*, accessed April 8, 2024, <https://constituteproject.org/constitutions>.

²⁵ Maurice Duverger, "A New Political System Model: Semi-presidential Government," *European Journal of Political Research* 8 (1980): 165-187, <https://doi.org/10.1111/j.1475-6765.1980.tb00569.x>; Robert Elgie, "The Politics of Semi-presidentialism," in *Semi-presidentialism in Europe*, ed. Robert Elgie (Oxford: Oxford University Press), 1-21.

In the part of the analysis focused on the gender structure, the election of women to the presidential office is compared to the gender structure of the political representation. The Women Political Participation Index collected by the *Varieties of Democracy (V-Dem) Project* is used in order to evaluate the hypothesis.²⁶ This variable achieves a value from 0 to 1 and measures women's representation in legislatures and the equal share of the power distribution.²⁷ The data about women's political participation are collected for each state in the each year, so a comparison with the presidential election's result is facile. A descriptive statistic is calculated from data provided by the *V-Dem* project. This is followed by a comparison of the elections of women's winners with the mean and median values for all analyzed states. Based on this, we will be able to determine whether women are elected to the presidential office in countries with a high value of the Women Political Participation Index, and whether the results correspond to the defined hypothesis.

²⁶ Michael Coppedge, John Gerring, Carl Henrik Knutsen, Staffan I. Lindberg, Jan Teorell, David Altman, Fabio Angiolillo, Michael Bernhard, Cecilia Borella, Agnes Cornell, M. Steven Fish, Linnea Fox, Lisa Gastaldi, Haakon Gjerlow, Adam Glynn, Ana Good God, Sandra Grahn, Allen Hicken, Katrin Kinzelbach, Joshua Krusell, Kyle L. Marquardt, Kelly McMann, Valeriya Mechkova, Juraj Medzihorsky, Natalia Natsika, Anja Neundorf, Pamela Paxton, Daniel Pemstein, Josefine Pernes, Oskar Rydén, Johannes von Römer, Brigitte Seim, Rachel Sigman, Svend-Erik Skaaning, Jeffrey Staton, Aksel Sundström, Eitan Tzelgov, Yi-ting Wang, Tore Wig, Steven Wilson and Daniel Ziblatt, "V-Dem [Country-Year/Country-Date] Dataset v14", *Varieties of Democracy (V-Dem) Project* (2024), <https://doi.org/10.23696/mcwt-fr58>.

²⁷ Michael Coppedge, John Gerring, Carl Henrik Knutsen, Staffan I. Lindberg, Jan Teorell, David Altman, Fabio Angiolillo, Michael Bernhard, Cecilia Borella, Agnes Cornell, M. Steven Fish, Linnea Fox, Lisa Gastaldi, Haakon Gjerlow, Adam Glynn, Ana Good God, Sandra Grahn, Allen Hicken, Katrin Kinzelbach, Kyle L. Marquardt, Kelly McMann, Valeriya Mechkova, Anja Neundorf, Pamela Paxton, Daniel Pemstein, Oskar Rydén, Johannes von Römer, Brigitte Seim, Rachel Sigman, Svend-Erik Skaaning, Jeffrey Staton, Aksel Sundström, Eitan Tzelgov, Luca Uberti, Yi-ting Wang, Tore Wig, and Daniel Ziblatt, "V-Dem Codebook v14", *Varieties of Democracy (V-Dem) Project* (2024), 308, <http://dx.doi.org/10.2139/ssrn.4774440>.

A Short History of Direct Presidential Election in Europe

The beginnings of direct presidential elections on the European continent can be traced back to the nineteenth century. In 1848 in France, Jean-Louis Napoléon Bonaparte, the first directly elected European president, gained more than seventy-five per cent of votes.²⁸ Under his mandate, France reverted to an imperial regime. The Weimar Republic was the only country to implement a direct presidential election between the two world wars. According to the constitution, drafted by a group led by the famous constitutional lawyer Hugo Preuss, bestowed considerable authority upon the head of state. The president was elected for a seven-year term and had significant attributions.²⁹ The first direct presidential election took place in 1925, after the death of president Friedrich Ebert. Paul von Hindenburg won, after having participated in the second round of the election only. He gained forty-eight per cent of the votes and defeated centrist Wilhelm Marx, and communist Ernst Thälmann.³⁰ His victory was repeated seven years later when he defeated Adolf Hitler, and Thälmann once again.³¹ This was the last direct presidential election to take place on the European continent for a long time.

Following the establishment of the Fifth French Republic, the system of direct election was reintroduced in France. However, the rules for election have undergone numerous amendments since 1962.³² In the first direct election in 1965, Charles de Gaulle was elected. Between 1988 and 1994, elements of direct election were gradually introduced in

²⁸ Malcolm Crook, "Universal Suffrage as Counter-Revolution? Electoral Mobilisation under the Second Republic in France, 1848-1851," *Journal of Historical Sociology* 28, no. 1 (2015): 49-66, 61, <https://doi.org/10.1111/johs.12035>.

²⁹ Dagmar Moravcová, *Výmarská republika: problémy demokracie v Německu 1918-1932* [The Weimar Republic: Problems of Democracy in Germany 1918-1932] (Praha: Karolinum, 2006), 214-215.

³⁰ Peter Fritzsche, "Presidential Victory and Popular Festivity in Weimar Germany: Hindenburg's 1925 Election," *Central European History* 23, no. 2/3 (1990): 205-24, 214, <https://doi.org/10.1017/s000893890002135x>.

³¹ Larry E. Jones, *Hitler versus Hindenburg: The 1932 Presidential Elections and the End of the Weimar Republic* (Cambridge: Cambridge University Press, 2016), 308.

³² Michel Perottino, *Francouzský politický systém* [The French Political System] (Praha: Sociologické nakladatelství, 2005), 83.

Finland.³³ Nevertheless, a significant occurrence of this type of electing the head of state is observed after the dissolution of the Communist bloc, when many of its former members enacted direct election to their constitutional system. In 1990, the first presidential election was held in Montenegro, Poland, Romania, Slovenia, and Serbia. The following year, Moldova and Ukraine also held their first direct presidential elections. An exceptional case in this region is Slovakia, where the first direct election was held in 1999, following a constitutional crisis, the Slovak parliament had not been able to elect a new head of state for almost one year. Eventually, they adopted the direct election method, which was enforced by the coalition formed against Vladimír Mečiar.³⁴ The first directly elected Slovakian president was Rudolf Schuster in 1999.³⁵ The last country from this region that enacted direct election was the Czech Republic in 2012, after lengthy discussions for the approval of the cabinet.³⁶ The direct presidential election was also adopted in Turkey in 2012, followed by a radical change in the political regime. Since the constitutional referendum in 2017 initiated by Recep Tayyip Erdogan, the Turkish political system is typically regarded as presidentialism, a novel regime design characterized by extensive presidential powers.³⁷

However, the most exceptional case in Europe is Moldova, which underwent many constitutional changes during the post-Soviet era. Although in 1990 the chairman of the Supreme Soviet of the Moldovan Soviet Republic, Mircea Snegur, had been indirectly elected to the

³³ Margit Tavits, "Direct Presidential Elections and Turnout in Parliamentary Contests," *Political Research Quarterly* 62, no. 1 (2008): 42-54, 43, <https://doi.org/10.1177/1065912908317026>.

³⁴ Petr Just, "Přímá volba prezidenta na Slovensku: Inspirace pro Českou republiku?" [Direct Presidential Election in Slovakia: Inspiration for the Czech Republic?] *The New Presence*, no. 3 (2011): 19-28, 22.

³⁵ Peter Horváth, Peter Juza, Leon Richvalský and Marek Šafár, "Exercise of the Presidential Powers in the Slovak Republic in a Comparative Perspective (1999-2019)," *Slovak Journal of Political Sciences* 21, no. 1 (2021): 51-78, 53, <https://doi.org/10.34135/sjps.210103>.

³⁶ Miloš Brunclík and Michal Kubát, "Český demokratický režim po roce 2012: přechod k poloprezidencialismu?" [The Czech Democratic Regime after 2012: A Transition to Semi-Presidentialism?] *Czech Sociological Review* 52, no. 5 (2016): 625-646, 634, <https://doi.org/10.13060/00380288.2016.52.5.274>.

³⁷ Berk Essen and Sebnem Gumuscu, "The Perils of «Turkish Presidentialism,»" *Review of Middle East Studies* 52, no. 1 (2018): 43-53, <https://doi.org/10.1017/rms.2018.10>.

presidential office, in the next year, the first direct election of a president took place, with wide presidential competencies and characteristics of semi-presidentialism.³⁸ But the direct election was only held twice. At the end of the 1990s, the system had been changed back to indirect election, but in the first years after this reform, all elections were unsuccessful. The change came in 2001 after the victory of the Moldovan Communist Party in the parliamentary election, when it gained almost seventy per cent of seats. The smooth election of a member of the communist party, Vladimir Voronin, to the Moldovan presidential office followed.³⁹ In 2016, the direct presidential election system was reinstated, by constitutional reform.⁴⁰

Analysis

Age

The age-factor brings a methodological problem that should be resolved at the outset. In numerous cases, the incumbent president is re-elected, which increases the age in the average. The re-election of politicians is usually connected with expressing satisfaction with the performance of the office, and the biographical characteristics play a minor role in the re-election, which may distort the analysis.⁴¹ To avoid these problems, each person is included only for the moment of the first election, except the presidents who were re-elected after a certain pause in office (*e.g.*, Ion Iliescu in Romania or Valdas Adamkus in Lithuania). The same logic is used in the analysis of education and political experiences. For the

³⁸ Steven D. Roper, "From Semi-Presidentialism to Parliamentarism: Regime Change and Presidential Power in Moldova," *Europe-Asia Studies* 60, no. 1 (2008): 113-26, 118, <https://doi.org/10.1080/09668130701760364>.

³⁹ Lucan A. Way, "Weak States and Pluralism: The Case of Moldova," *East European Politics and Societies* 17, no. 3 (2003): 454-482, 456, <https://doi.org/10.1177/0888325403255309>.

⁴⁰ Ion Marandici, "Nostalgic Voting? Explaining the Electoral Support for the Political Left in Post-Soviet Moldova," *Eurasian Geography and Economics* 63, no. 4 (2022): 514-542, 520, <https://doi.org/10.1080/15387216.2021.1918565>.

⁴¹ Ignazio De Ferrari, "The Successor Factor: Electoral Accountability in Presidential Democracies," *Comparative Political Studies* 48, no. 2 (2015): 193-220, <https://doi.org/10.1177/0010414014546442>.

analysis of the age structure, five categories using ratio variables have been created. The first category is limited to individuals aged 39 years or younger, while the last category is limited to individuals aged 70 years or older. All other categories are defined at an interval of 10 years.

As illustrated in Figure 1, there is a wide age variability among European voters. Candidates are selected based on their age, with younger and middle-aged individuals receiving the most support. The dataset indicates that the largest age group is of the fifties, representing more than a third of presidents in our dataset. The second most common category is the forties, and the third is the sixties. Due to the trend which can be seen, for example, in North American politics with the election of Donald Trump or Joe Biden, only eight persons were elected in or after reaching 70 years of age. This represents only less than nine per cent of the data. For example, Michael D. Higgins (Ireland; 70 years old), Alexander van der Bellen (Austria; 72 years old) or Kiro Gligorov (North Macedonia; 73 years old) were elected to office for the first time at this age.⁴²

Although only eight persons represent this category, there are more presidents over 70 years old. Nevertheless, it is important to note that these individuals have been elected for the second term, which logically increases the age. Many of these presidents are elected in Western democracies, for example, Heinz Fischer (Austria; 71 years old in the moment of re-election), Marcelo Rebelo de Sousa (Portugal; 72 years old) or Glafcos Klerides (Cyprus; 78 years old), but some of them are from Post-communist Europe as well.⁴³ For example, Miloš Zeman (the Czech Republic; 73 years old in the moment of re-election).

A review of the second end of our scale reveals that the presidents who were elected at an age of below 40 years are significantly less numerous. The explanation of this phenomenon is very simple. Many European countries have an age limit for the election in their constitution. Most often, the limit is 40 years, so we cannot be surprised that younger presidents are such a rare group in Europe. This limit is enacted, for example, in the

⁴² Kiro Gligorov was in 1991 elected as the first president of independent Macedonia (today *North Macedonia*).

⁴³ Glafcos Klerides is the oldest head of state in our dataset for the first and second time (73 and 78 years old).

Czech Republic, Slovakia, Lithuania, or North Macedonia.⁴⁴ Most European countries have a lower limit, defined as 35 years of age, as is the case in Romania, Poland, Ukraine, Portugal, Iceland, or France.⁴⁵ Figure 1 shows the minimum age limit is not used in contrast to other countries, and elected presidents are usually older. A particularly intriguing case is that of Croatia, where the constitutional limit for election is not defined, nor mentioned in the literature about Croatian politics.⁴⁶ In my dataset, only four presidents are found to be below 40 years of age; three of them are from Montenegro (Momir Bulatović, Milo Đukanović and Jakov Milatović), and the last one is current French president Emmanuel Macron (39 years old in the first election).⁴⁷

The next step of this chapter is to compare the relationship between age structure and the share of seniors. As illustrated in Figure 2, the assumption about the descriptive representation is not confirmed in this case. The age structure can be found on axis x and the share of seniors on axis y. The location of points (each of them represents one analyzed presidential election) in the graph does not show regularity. In addition, when fitting the trend line, there is only a weak and almost unidentifiable relationship between these variables. Consequently, the statement about the descriptive representation is not valid, and the factor of the electoral system and personalization predominated. Therefore, hypothesis H1 is rejected.

If the age structure is compared with presidential power in European countries, a significant difference between strong and weak presidencies emerges, presented in Table 2. Assuming that, if the country has a weaker

⁴⁴ Michal Kubát, ed., *Politické a ústavní systémy zemí střední a východní Evropy* [Political and Constitutional Systems of Central and Eastern European Countries] (Praha: Eurolex Bohemia, 2004); Robert L. Maddex, *Constitutions of the World* (Washington, DC: CQ Press, 2008).

⁴⁵ Kubát, *Politické a ústavní systémy*; Maddex, "Constitutions"; Blanka Říchová, ed., *Západoevropské politické systémy: komparace politických systémů* [Western European political Systems: A Comparison of Political Systems] (Praha: Vysoká škola ekonomická, 2009).

⁴⁶ Kubát, *Politické a ústavní systémy*; Małgorzata Podolak, "Croatia," in *Political Systems of the Former Yugoslavia: Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Serbia, and Slovenia*, ed. Tomasz Bichta (New York: Peter Lang), 117-148.

⁴⁷ Bulatović and Đukanović were presidents in 1990s when Montenegro was the part of former Yugoslavia. Milatović was elected in 2023.

presidency, the elected heads of state should be younger, considering that political parties do not have a strong motivation to nominate their presidential candidates, who are usually experienced politicians. At the same time, presidents in strong presidencies should be older. This is confirmed by analyzing the age structure. If the total share in the whole of Europe is compared with the presidential power, elected heads of state are younger in weak presidencies, and there is a higher share of politicians in categories to 59 years old, as Table 2 demonstrates.

In political systems with stronger presidential power, older heads of state predominate. The conclusions of the analysis correspond to the assumption defined in hypothesis H2. It is also possible that other factors that are not included in the analysis may also influence this phenomenon. For example, the duration of a given political regime (especially in relation to post-communist countries) or the specific settings of a political system. An interesting role could also play the phenomenon of presidential parties, connected mainly with semi-presidential regimes.⁴⁸ This is very often founded in connection with the candidacy of a particular person. So that, if elected, he or she can also get representation in parliament. Typical examples are *Renaissance* (Macron in France) or *Servant of the People* (Zelensky in Ukraine).⁴⁹ It is obvious that such a political party does not have to follow the “merit system,” which can significantly distort the age structure and the overall picture of previous political experience.

Education

Although it is not a rule, most elected presidents have a university degree. For a better orientation in the dataset, this information will be divided into seven categories according to different specializations in education. The specific category will be education in social sciences. There are many lawyers and economists in the dataset, so they have

⁴⁸ Gianluca Passarelli, “The Presidential Party: A Theoretical Framework for Comparative Analysis,” *Political Studies Review* 18, no. 1 (2020), 87-107, 92, <https://doi.org/10.1177/1478929919862232>.

⁴⁹ Previously under the names *En Marche!* and *La République En Marche!*

been assigned to a special category, even though it is still social sciences education. In the category of presidents without a university degree, there was not take into account other specialization in their education. Before the analysis, it is important to note one methodological problem that needs to be resolved. If some heads of state graduated from more than one university, only one of them has been taken into consideration in our dataset, with a preference for the specialization that proves important to their life-long career, not only to their political one. For example, the current Bulgarian president Rumen Radev graduated in mathematics for the first time, then in military school as well, and served as commander of the Bulgarian Air Force. In this case, only the second school will be used. This procedure simplifies the categorization.

As Figure 3 shows, the proportion of representatives in each category varies significantly. Most of the directly elected European presidents have a degree in law, which accounts for more than a third of the total, very often in combination with other social sciences. The second most represented categories are graduates of other social sciences (*e.g.*, political science, psychology, or history) and presidents with degree in economics. Generally, it can be said that degrees in social sciences are clearly predominant. Ten presidents in the dataset graduated from technical colleges and five from natural sciences colleges. Three directly elected heads of state were included in the “other” category. Rumen Radev, the current president of Bulgaria, graduated from Air Force University; Petr Pavel, the current president of the Czech Republic, also graduated from the Military Academy; and the former president of Moldova, Mircea Snegur, graduated from agriculture graduate school. Only one head of state has a degree in education. He is the former Finnish president, Martti Ahtisaari. Only one of the presidents in the dataset did not have a university degree. He is Lech Wałęsa, the first Polish president after 1989, who was originally a shipyard worker in Gdansk.

Political Experience

In most countries, the office of the head of state is constructed mainly as a representative one, or important only in selected procedures, depending

on the type of political regime.⁵⁰ For most politicians, this office is the pinnacle of their political career, as they rise through the lower echelons. For some, however, it is their “first stop” in politics. After leaving the office, they continue with their career. Such are the examples of Algirdas Brazauskas (Lithuania) as prime minister, or Andrej Kiska (Slovakia) as the leader of his own political party.⁵¹

In the following section, the political skills of presidents from previous functions are analyzed, particularly focused on the highest positions they have ever held. To complete this analysis, eight categories with different political functions are defined. Two of them focus on members of the government, prime ministers and ministers. The next categories include representatives of the legislative power, chairmen of chambers of parliament or members of parliament. The next category focuses on lower levels of the political system, regional and local politicians. For post-communist Europe, there is also the category of presidents who held any function in a non-democratic regime before 1989. The last two categories are represented by heads of state with other political functions, and presidents with no experience. The results of this part of the analysis are summarized in Figure 4.

Although the prime minister is one of the most important and significant political figures, especially in parliamentary regimes, these are not the most common categories defined for the purposes of this article.⁵² The most represented category in the dataset is “minister” which means that the most often, the deputy prime minister or minister is elected. The ministerial portfolio of the future head of state is very heterogeneous in Europe – finance (e.g., Dalia Grybauskaitė in Lithuania), foreign affairs (Kolinda Grabar-Kitarović in Croatia), interior affairs

⁵⁰ Miloš Brunclík, “Patterns of Government Formation in Europe: The Role of the Head of State,” *Czech Journal of Political Science* 22, no. 1 (2015): 26-42, 26, <https://doi.org/10.5817/pc2015-1-26>; Siaroff, “Comparative Presidencies.”

⁵¹ Andrej Kiska was elected as a leader of political party *For the People (Za ľudí)* to National Council of Slovakia in election in 2020, but he did not take over the seat for health reasons.

⁵² Florian Grotz and Marko Kukec, “Prime Ministers and Party Governments in Central and Eastern Europe,” *East European Politics* 37, no. 3 (2021): 401-416, 402, <https://doi.org/10.1080/21599165.2021.1873777>.

(Tassos Papadopoulos in Cyprus), defense (Bronisław Komorowski in Poland), or transport (Traian Băsescu in Romania). Comparing, the former economic or diplomatic ministers were most often elected. The heads of government, prime ministers, come second.

As mentioned above, the presidency is very often the pinnacle of a political career. The third most common category is presidents with no previous political experience, but their proportion is close to fifteen per cent. Nevertheless, it cannot be said that these people participate in public life. Although they did not hold any political office, they were well known to the public. They participated in solving numerous public problems (Zuzana Čaputová in Slovakia), and were political activists (Vigdís Finnbogadóttir in Iceland), or former diplomats (Danilo Türk in Slovenia). A source of recruits in this category are university teachers; rare cases include Rumen Radev in Bulgaria, a representative of the armed forces, and Volodymyr Zelensky in Ukraine, a former actor.

In this analysis, members of parliament are also represented by leaders of political parties (e.g., Nikos Anastasiadis in Cyprus), key figures during the transition of former communist parties to social democracy, the specific process of party transformation in democratic transitions, defined as *social democratization*⁵³ in political science (Ivo Josipović in Croatia), or members of the European Parliament (Andrzej Duda in Poland). An important part of the dataset consists of politicians of the non-democratic regime before the democratic transition. Their common feature is that they held office in the 1990s, during the consolidation of the political system, very often as representatives of the reform wings of the respective communist parties that each symbolized regime change (Ion Iliescu in Romania, Zhelyu Zhelev in Bulgaria, Algirdas Brazauskas in Lithuania, Mircea Snegur in Moldova, or Leonid Kravchuk in Ukraine).

⁵³ Michael Waller, "Adaptation of the Former Communist Parties of East-Central Europe: A Case of Social-Democratization?," *Party Politics* 1, no. 4 (1995): 473-90, 474, <https://doi.org/10.1177/1354068895001004003>; Vít Hloušek and Lubomír Kopeček, *Politické strany: původ, ideologie a transformace politických stran v západní a střední Evropě* [Political Parties: The Origin, Ideology and Transformation of Political Parties in Western and Central Europe] (Praha: Grada, 2010), 49.

Only two presidents did not hold a hierarchically higher office than a regional or local one. The first one is Klaus Iohannis, former mayor of Sibiu. He had stepped into national politics as a candidate for prime minister and had parliamentary support, but in the end, he was not appointed by the president.⁵⁴ Therefore, most citizens probably perceived him as a national political actor rather than a mayor of a Romanian city. The second one is Viktor Yanukovich, the former governor of the Donetsk region in Ukraine. Otherwise, it can be said that there are many former mayors among the presidents, such as Lech Kaczyński (Warsaw), Rolandas Paksas (Vilnius), Rudolf Schuster (Košice) or Jorge Sampaio (Lisbon). However, they all went on to hold some kind of national political office. Five presidents have held a different function from a common office, such as Boris Trajkovski (Deputy Minister) or Lech Wałęsa (founder of the Solidarity unions). In this category there are also heads of state who were elected for the second term after a break in their political careers (Valdas Adamkus in Lithuania, Ion Iliescu and Emil Constantinescu in Romania).

As with the age structure, the results are analyzed in relation to presidential power. While in the case of the age structure, the distinction within the type of presidency approximately corresponded to the defined hypothesis, this is not the case of political experience. As it can be seen in Table 3, there is no positive correlation between presidential power and the political experience of the elected candidates. Moreover, the results are exactly the opposite of the defined hypothesis. As can be seen, presidents who held one of the important constitutional positions in the years prior to their election (*e.g.*, prime minister, member of the government) tend to prevail in weak presidencies. Although even these former influential politicians also form a significant proportion of elected presidents from countries with strong presidential powers, it is significantly lower than in the second category. At the same time, it is interesting to note that according to the data, a significantly higher proportion of former communist politicians were elected to the

⁵⁴ Aurelian Muntean, Grigore Pop-Eleches and Marina Popescu, "The 2009 Romanian Presidential Election," *Electoral Studies* 29, no. 4 (2010): 753-757, <https://doi.org/10.1016/j.electstud.2010.07.006>.

presidency in countries with a strong presidency in Central and Eastern Europe. However, this may be related to the fact that many of these post-communist countries have adopted some constitutional principles from Western Europe. At the same time, there was no effect of the variable analyzed for presidents with no previous political experience. Although one might expect these presidents to predominate in countries with less power, the proportion is almost the same in both categories. This fact shows us that the hypothesis defined in relation to presidential power does not correspond to the analyzed results.

Gender

The last characteristic that to be analyzed is gender. Although it might seem that simply describing the proportion of men and women in presidential offices would be meaningless due to the fact that women are severely underrepresented not only in political positions, it is also interesting to observe this factor, especially in a comparative context.⁵⁵ The gender structure of European presidents is introduced in Figure 5.

As the figure illustrates, presidencies in European countries tend to be a “men’s club.” In the post-1989 period, only nine women have held the presidency. This situation confirms the global political trends, in the sense that there is a lack of women in politics, not only in the position of the head of state but in all political positions, and women are under-represented.

Finally, the results are evaluated in terms of the gender structure in European presidencies in comparison with the Women Political Participation Index created by the V-Dem project. The results are summarized in Table 4. As it can be seen, women are elected to the presidency mainly in countries which have a higher index than the mean and median value in the dataset. In almost all countries, the value of the index reaches 0.9, indicating a significant role of women in politics.

⁵⁵ Thushyanthan Baskaran and Zohal Hessami, “Does the Election of a Female Leader Clear the Way for More Women in Politics?,” *American Economic Journal: Economic Policy* 10, no. 3 (2018): 95-121, 95, <https://doi.org/10.1257/pol.20170045>.

However, there is one case that does not follow the pattern. In Ireland, two women were elected to the presidency, although there was a significantly lower value of the Women Political Participation Index. Its score is well below the global mean and median. The specificity of the Irish case is likely to be reflected in this deviation, specifically, the role of Mary McAleese in the political events in Ireland before her election to the presidency. This factor can interfere with the election of other women. Another example is Zuzana Čaputová, who was elected at a time of significant anti-government protests and dissatisfaction with the political situation in Slovakia. Although it has been shown that the election of a woman to the presidency in most cases goes hand in hand with a greater role for women in politics, this certainly cannot be generalized to the whole of Europe. Therefore, it is necessary to reject the hypothesis H3. The descriptive representation concept could not be applied to the presidential elections. It seems that the type of election associated with significant personalization also prevails here.

Conclusions

The aim of this article was to map the biographical characteristics of European presidents elected since 1989 and to examine them within the theoretical framework of descriptive representation and presidential power. In the theoretical part, the author has outlined the theory and methodology and briefly summarized the history of direct presidential elections in Europe very shortly. In the analytical part, the focus was placed on four biographical characteristics – age, education, previous political experience, and gender. Their configuration in Europe was explained through a descriptive analysis based on the original dataset. The second part of the analysis tried to investigate the pattern of the information in the dataset using the theoretical concepts mentioned above.

The dataset shows that the age structure of elected presidents is very heterogeneous in relation to the descriptive representation. The relationship between the age of elected presidents, and the age structure of the population is negligible and almost undetectable. Thus, it turns out that the factor of seniors' proportion, which we used for the research, is

not a suitable predictor for the age structure of European presidents. It is therefore necessary to reject our hypothesis H1, since neither a positive nor a negative correlation between the variables has been found.

In the case of hypothesis H2, that examines the relationship between age and previous political experience on presidential powers, we have only partially obtained the results we predicted. Indeed, in the case of age, it has been shown that presidents tend to be older in countries with a greater volume of presidential powers. This is in line with the assumption based on the nominations of political parties that favor older politicians for presidency. However, it is important to emphasize that this factor may not be the determining factor regarding other facts, and that other factors may also be reflected there. In the case of previous political experiences, the effect was exactly the opposite. While former politicians in high constitutional positions were expected to predominate in strong presidencies, the exact opposite is true. These politicians are more likely to be found in countries with a weak presidency.

At the same time, the proportion of presidents with no previous political experience is similar in both categories. Regarding the question of the gender structure of presidential offices linked to hypothesis H3, it can be noted that women are elected to this position in countries where the Women Political Participation Index is higher. However, this is not always the case, as it was argued in the case of Ireland. It is thus once again confirmed that the specific political situation or the current system design can play a role in the election of the president.

Therefore, it is clear that although the effect assumed in our hypotheses was more or less strong in some cases, these findings cannot be generalized to the whole of Europe. The electoral systems used in Europe are strongly connected to the personal profile of the candidate, which was clearly manifested here. It also depends on the specific political context in each country, and the personal characteristics of the candidates. It is therefore necessary to consider each country as unique case, the specifics of which influence who is elected to presidential offices.

Annexes

Table 1

Presidential power in analyzed European countries

Country	Presidential power	Type of presidency
Austria	1	Weak
Bulgaria	3	Weak
Croatia (1990-2000)	6	Strong
Croatia (since 2000)	4	Strong
Cyprus	6	Strong
Czech Republic (since 2013)	2	Weak
Finland (1994-2000)	5	Strong
Finland (since 2000)	2	Weak
France	7	Strong
Iceland	1	Weak
Ireland	3	Weak
Lithuania	4	Strong
Moldova (1994-2000)	5	Strong
Moldova (since 2016)	3	Weak
Montenegro	2	Weak
North Macedonia	4	Strong
Poland (1992-1997)	6	Strong
Poland (since 1997)	3	Weak
Portugal	3	Weak
Romania	5	Strong
Serbia	2	Weak
Slovakia (since 1999)	2	Weak
Slovenia	1	Weak
Turkey (2011-2017)	4	Strong
Turkey (since 2017)	7	Strong
Ukraine (1992-1996)	6	Strong
Ukraine (since 1996)	7	Strong

Source: author's own elaboration based on Siaroff (2003).

Note: The presidential power is modified in the cases of the Czech Republic (since 2013), Moldova (since 2016) and Turkey (2011-2017) because of the adoption of the direct presidential election. Presidential power of the presidents in Montenegro, Serbia, and Turkey (since 2017) are not included in the dataset. The score of presidential power for these countries was made according to constitutional texts.

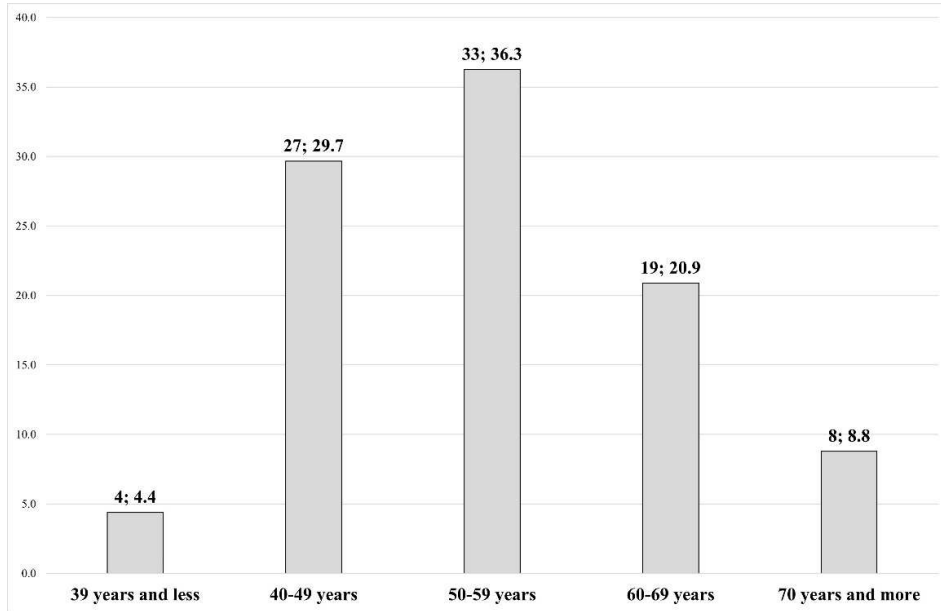


Figure 1. Age structure of European directly elected presidents (total; %)
 Source: author's own elaboration based on the analyzed collected data

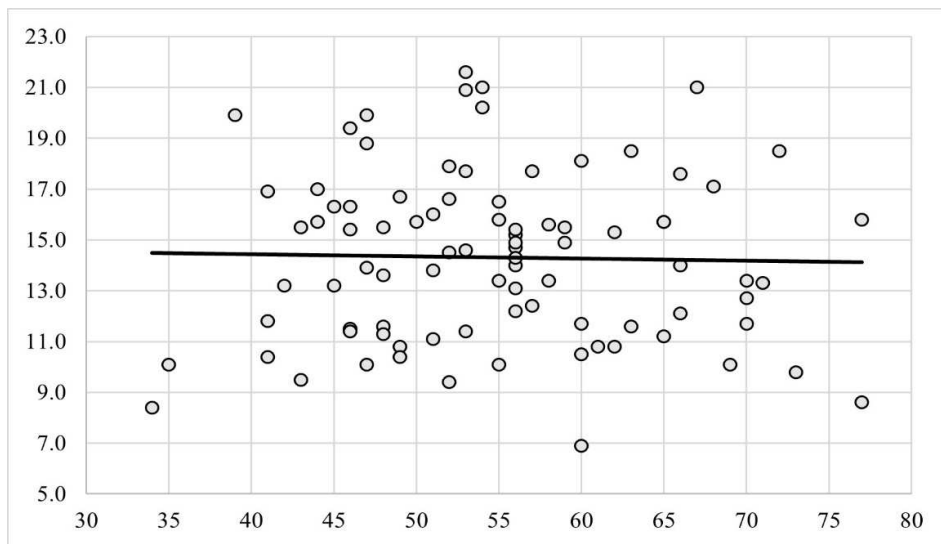


Figure 2. Relationship between the age structure (axis x) and the share of seniors (axis y)
 Source: author's own elaboration based on analyzed collected data and World Bank – Gender Data Portal.

Table 2

Age structure in comparison with presidential power (%)

Type of presidency	Weak	Strong	Total
Power	1-3	4-7	–
< 40 years	6.1	2.5	4.4
40-49 years	36.7	20.0	29.7
50-59 years	30.6	42.5	36.3
60-69 years	22.4	20.0	20.9
> 70 years	4.1	15.0	8.8

Source: author's own elaboration based on the analyzed collected data and Siaroff (2003).

Note: N = 89 (data are not available for 2 cases).

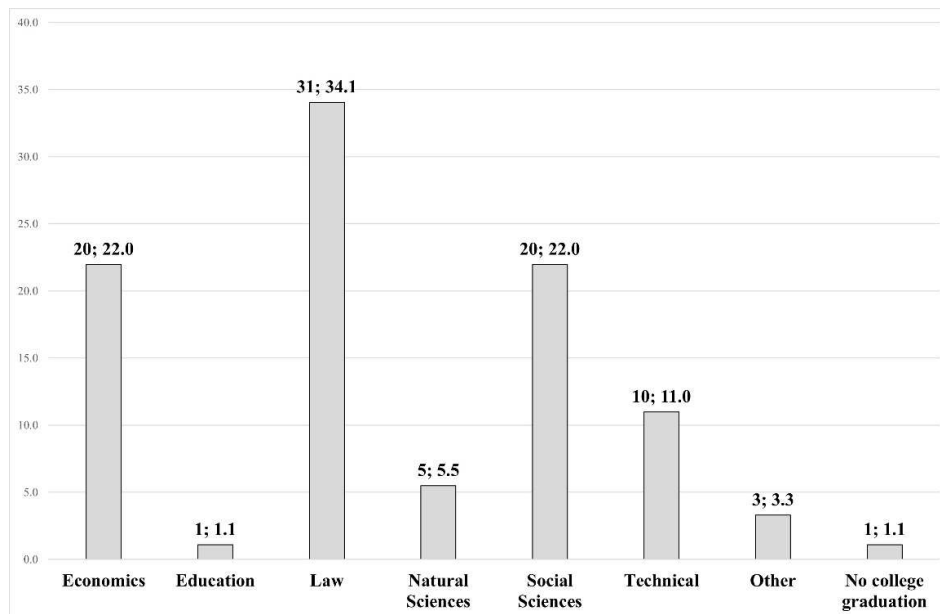


Figure 3. Educational structure of European directly elected presidents (total; %)

Source: author's own elaboration based on the analyzed collected data.

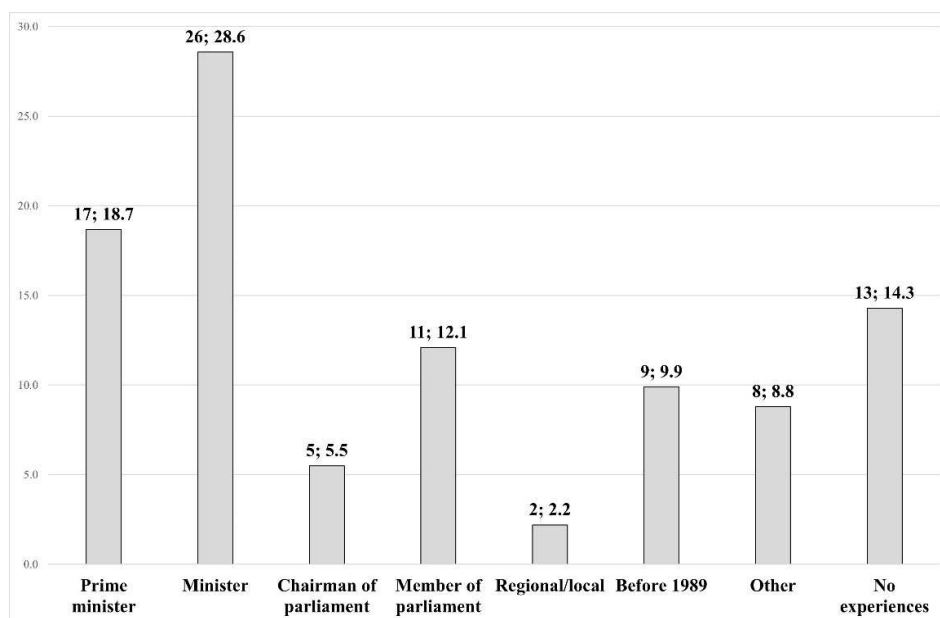


Figure 4. Previous political experiences of European directly elected presidents (number; %)

Source: author's own elaboration based on the collected data.

Table 3

Comparison of previous political experience and presidential power (%)

Type of presidency	Weak	Strong	Total
Power	1-3	4-7	–
Prime minister	20.4	17.5	18.7
Minister	34.7	22.5	28.6
Chairman of parliament	4.1	7.1	5.5
Member of parliament	12.2	12.5	12.1
Regional/local	0.0	5.0	2.2
Before 1989	6.1	12.5	9.9
Other	8.2	7.5	8.8
No experiences	14.3	15.0	14.3

Source: author's own elaboration based on the collected data and Siaroff (2003).

Note: N = 89 (data are not available for 2 cases).

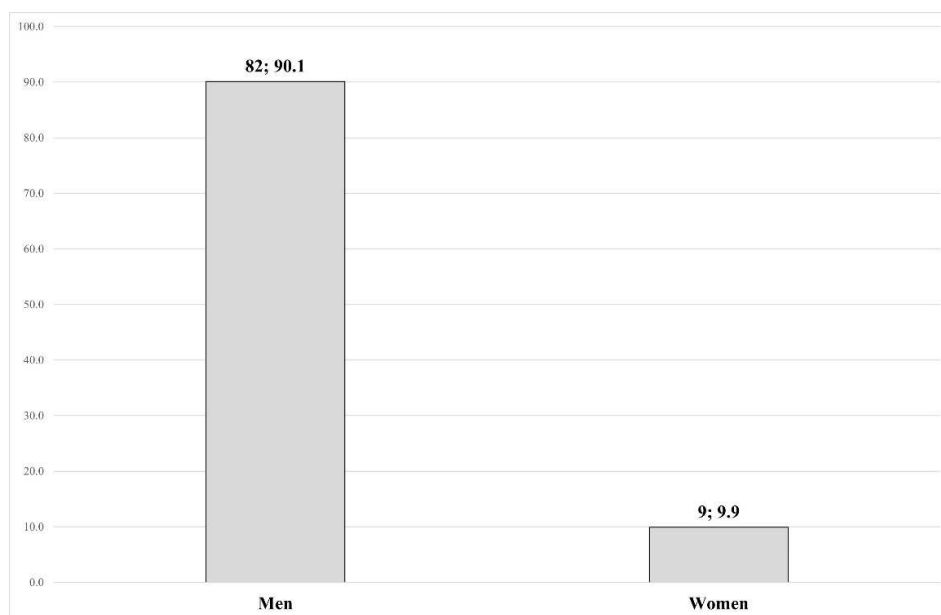


Figure 5. Gender structure of European directly elected presidents (number; %)

Source: author's own elaboration based on the collected data.

Table 4

Women as presidents in comparison with the Women Political Participation Index

DESCRIPTIVE STATISTICS (Women Political Participation Index)			
Mean			0.864
Median			0.910
Highest value			1.000
Lowest value			0.487
COMPARISON OF ELECTION OF WOMEN WITH THE WOMEN POLITICAL PARTICIPATION INDEX			
Country	Year	Elected president	Women Political Participation Index value
Croatia	2015	Kolinda Grabar-Kitarović	0.920
Finland	2000	Tarja Halonen	0.998
Iceland	1992	Vigdís Finnbogadóttir	0.950
Ireland	1990	Mary Robinson	0.716
Ireland	1997	Mary McAleese	0.834
Lithuania	2009	Dalia Grybauskaitė	0.927
Moldova	2021	Maia Sandu	0.999
Slovakia	2019	Zuzana Čaputová	0.916
Slovenia	2022	Nataša Pirc Musar	0.996

Source: author's own elaboration based on Michael Coppedge, John Gerring, Carl Henrik Knutsen, Staffan I. Lindberg, Jan Teorell, David Altman, Fabio Angiolillo, Michael Bernhard, Cecilia Borella, Agnes Cornell, M. Steven Fish, Linnea Fox, Lisa Gastaldi, Haakon Gjerlow, Adam Glynn, Ana Good God, Sandra Grahn, Allen Hicken, Katrin Kinzelbach, Joshua Krusell, Kyle L. Marquardt, Kelly McMann, Valeriya Mechkova, Juraj Medzihorsky, Natalia Natsika, Anja Neundorf, Pamela Paxton, Daniel Pemstein, Josefina Pernes, Oskar Rydén, Johannes von Römer, Brigitte Seim, Rachel Sigman, Svend-Erik Skaaning, Jeffrey Staton, Aksel Sundström, Eitan Tzelgov, Yi-ting Wang, Tore Wig, Steven Wilson and Daniel Ziblatt, "V-Dem [Country-Year/Country-Date] Dataset v14", *Varieties of Democracy (V-Dem) Project* (2024), <https://doi.org/10.23696/mcwt-fr58>

**RUSSIA'S AGGRESSION IN UKRAINE
AS A TURNING POINT: THE TRANSFORMATION
OF THE EUROPEAN UNION INTO A SECURITY
ACTOR IN THE RECONSTRUCTION
OF THE EUROPEAN SECURITY ORDER**

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Abstract. The process which started with the annexation of Crimea in 2014 has caused a deep stress in the European security order. Russia has not only threatened the European security architecture, but for the first time, Russia has openly challenged it through its actions. As such, the war in Ukraine was a turning point in both international relations and European security policy. Accordingly, the European Union (EU) has altered its foreign and security policy. Until then, the EU had acted within the framework of its responsibility to protect the security of its members through a normative structure and peaceful methods, representing a multilateral world order as a peace project. However, post-February 2022, it has adopted a power-oriented policy. Increased cooperation with NATO, the will to break all kinds of existing dependencies, strict sanctions ranging from economy to energy policy, and the increase in the use of military force have been indicators that Europe has entered a transformation. After 2022, its attempt to influence international relations and the international system with more solid means has demonstrated that the EU is an actor that does not completely abandon its liberal and constructivist identity but reacts realistically. This article analyzes how Russia's attack on Ukraine entailed a change for Europe within the debate of the realism and constructivism

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frameworks. In this context, the authors attempt to reveal the transformation of the EU after 2022, which has now been accepted as a turning point, and how the process of building a common foreign and security policy has shaped the future of Europe.

Keywords: European Union, Russia, Ukraine, Security Policy, Strategic Autonomy

Introduction

The annexation of Crimea virtually marked the end of an era. Developments have revealed the fact that Vladimir Putin's Russia will tolerate the sovereignty and border integrity of its neighbors in the post-Soviet geography only as long as these countries remain within the Russian sphere of influence. Similarly, Russia has also revealed that it will recognize the freedom of these countries to choose allies and take part in any alliance only if they choose to side with Russia, as in the case of Central Asia. This situation has left not only the former Soviet republics but also Europe with a constant lack of rules and trust concerns.¹ While Russia does not recognize European values, anything against its interests has now become a motivation for Russia not to recognize the current rules. Therefore, the crisis in Ukraine in 2014 showed that the liberal order, which is represented by the European security architecture in the field of security, is no longer valid.

The annexation of Crimea in 2014 was the manifestation of Russia's aggressive and revisionist foreign policy, and also revealed the invalidity of a values-oriented foreign and security policy. This is how the idea that security and stability can only be re-established by using force against an actor using force came to the fore.² The EU's breaking of existing taboos and resorting to military methods as well as economic sanctions has shown that the already rising realist tendencies are accepted on both sides.³ Russia's attack on Ukraine triggered a tectonic

¹ Andreas Heinemann Grüder, "Gefährliche Unschärfe: Russland, die Ukraine und der Krieg im Donbass" [Dangerous Blur: Russia Ukraine and the War in Donbass], *Osteuropa* 64, no. 10 (2014): 80.

² Andrei Tsygankov, *Russia's Foreign Policy: Change and Continuity in National Identity*, (London: Rovman & Littlefield, 2022): 54.

³ Birkan Ertoy, "Uluslararası İlişkilerde Realist Geleneğin Dönüşümü ve Neoklasik Realizm" [Transformation of Realist Tradition and Neoclassical Realism in International Relations], *Anadolu Üniversitesi İktisat Fakültesi Dergisi* 1, no. 1 (2019): 3.

change, and Europe moved from a solidaristic security order to a confrontational one. It has become clear that the current European security order, which means increasing insecurity, instability and growing costs, no longer suits the conditions of the day.⁴ For this reason, the West had to reposition itself. Because it is now realized that the important thing is not to accept the conflict with Russia, but to have the power to shape the conflict. In this context, Sweden and Finland applied for NATO membership, Germany created a special budget to adapt the federal army to current conditions, the EU shipped arms to Ukraine, and Denmark declared its will to take part in EU defense.⁵ Recent developments have also shown that values related to the global security order, such as national sovereignty and respect for fundamental rights, have been changed, and in this context, the Euro-Atlantic cooperation, as well as the relationship between the European Union (EU) and the North Atlantic Treaty Organization (NATO), need to be reconsidered. The EU has changed its stance, by taking clearer and more important decisions and implementing them. The EU has implemented power-based policies, especially after Russia attacked Ukraine on February 24, 2022. In other words, it has started to play the game according to the rules of the United States of America and the Russian Federation, rather than according to the identity it had been representing. Accordingly, the EU adopted a realist stance, but without completely abandoning its constructivist identity.

As a result, the EU has undergone a radical change in its principles after Russia attacked Ukraine which is a turning point in EU's security policies. So far, the EU, as a peace project in a multilateral world order, has acted within the framework of its responsibility to protect the security of its members by peaceful means. However, with the sanctions imposed after the Russian attack on Ukraine in February 2022, the USA, with the support of the United Kingdom, has now taken a much more determined stance. For the first time in a long time, the EU member states, which had previously been deeply divided, were able to reach an

⁴ Claudia Major and Jana Puglierin, "Eine Neue Ordnung" [A New Order], *Internationale Politik* 6 (November/December 2014): 63.

⁵ Claudia Major and Christian Mölling, "Europas Neue (Un-)Sicherheit" [Europe's New (in)Security], *Aus Politik und Zeitgeschichte*, 72 (28): 22,

agreement and impose consecutive sanctions against Russia.⁶ While Germany, which had close economic and commercial relations with Russia in the past, was the pioneer of this change, even Hungary, which had a more oppositional attitude to the EU's changing Eastern policy, supported the sanctions and had to cooperate with the EU. While the majority of EU members supported the change in foreign policy strategy, the increasing pressure on Hungary, which retained its veto on aid to Ukraine, and the suspension of €10 billion⁷ in financial aid to Hungary on the grounds of violations against liberal democracies were indicators of the EU's determination and resolve.⁸

As of 2022, the EU has started to support Ukraine militarily through weapon deliveries, in addition to determined and rigid economic sanctions. In particular, the military measures taken, the military support and the arms supplies to Ukraine can constitute indicators that the EU is now in a paradigm change. This fact has forced the EU to develop a policy against Russia. Simultaneously, it has also displayed that it is ready to confront Russia, despite all the protests against the migration flow from Ukraine to the West and the potential public discontent that might occur as result of the energy bottleneck. The EU, which used to have a normative approach and intended to build European stability and peace through common values, realized that this approach was inadequate in a case such as the Ukraine attack.⁹ Trade and economic relations and transformation are no longer tools that will contribute to Russia's approach to the West, moreover, it has been realized that the future of Europe cannot be built together with Russia. In addition, the quest to be more autonomous in security policy, to increase military competence

⁶ Nicolai von Ondarza, "Härteprobe für die Europäische Union" [Hard Test for the European Union], *SWP* (2022), accessed May 3, 2023, <https://www.swp-berlin.org/en/publication/zeitenwende-fuer-die-euro-atlantische-sicherheit>.

⁷ Euronews, "Brüssel gibt nach. Ungarn erhält eingefrorene 10 Milliarden Euro" [Brussels gives in. Hungary receives a frozen 10 billion euros], <https://de.euronews.com/my-europe/2023/12/13/brussel-gibt-nach-ungarn-erhalt-eingefrorene-10-milliarden-euro>.

⁸ Ulrich Ladurner, "Mehr als nur ein Spieler" [More than Just a Player], *Die Zeit* (2023), accessed August 8, 2023, <https://www.zeit.de/wirtschaft/2023-12/viktor-orban-ungar-n-eu-ukraine-veto-finanzierung>.

⁹ Yonca Özer, "The European Union as a Civilian Power: The Case of the EU's Trade Policy," *Marmara Journal of European Studies* 20, no. 2 (2012): 70, <https://doi.org/10.29228/mjes.120>.

and to seek strategic sovereignty has also come to the fore. While cooperation with NATO was supported as much as possible, efforts were made to create room for action in national budgets for the necessary military investments.

The EU has gradually begun to create a balance of power as defined by realist theory, and to act with the unity of forces developed by status quo states that protect the existing values, norms, and structures, rather than act with individual actors who cannot provide security on their own against a revisionist actor. The aim was not to return to power-centered policies, but to take a common stance and defend European values against a state that sought to change the balance of power. Europe's response to the war in Ukraine essentially revealed the emergence of a position which prioritizes the future of Europe over short-term interests. In this new period, Europe feels the need to reconstruct itself, and in this context, this study evaluates how the European security policy has transformed in the process that started with the annexation of Crimea in 2014, and has extended on Ukraine in 2022. Therefore, it will examine how Russia's attack on Ukraine on February 24, 2022, as a turning point, brought about a transformation to the EU's security policy.

The Liberal World Order and Its Transformation

The foundations of the liberal world order were laid in the aftermath of World War II with the United Nations Charter and numerous conventions of international organizations.¹⁰ This world order, which includes the European security order, is based on four fundamental pillars. First, the principle of equal sovereignty of states and non-interference in each other's internal affairs. The second one is human rights, respect for the principles of the rule of law, and the right of nations to self-determination. The third pillar is free trade, the international movement of capital, the opportunity for direct investment, and the fourth and last pillar is the peaceful resolution of conflicts and the establishment of cooperation on

¹⁰ Thomas Risse, "Zeitenwende" [Turning Point], *Internationale Politik*, no. 3, (May 2022): 106.

human rights, climate and environmental health issues within the framework of multilateralism.¹¹ The European security and peace order also forms a part of this liberal world order. However, Russia's attack on Ukraine has fundamentally changed the European security architecture. Structures such as NATO, the EU and the OSCE, as well as individual states, have had to recognize this reality and build a new security order accordingly.

The common view in the post-Cold War period was that security could only be built with Russia. However, this view has been replaced by the understanding of "providing security against and despite Russia, not with Russia."¹² However, after 1991, the European security order was based on the principles of inviolability of borders, avoiding the use of violence, peaceful resolution of conflicts, and recognition of the sovereignty of national states, and attempts were made to integrate Russia into the European order as much as possible.

Realism essentially argues that anarchy and the relative distribution of power are the most important elements in the functioning of world politics.¹³ Constructivists argue that whether a system is peaceful or conflictual is not a function of anarchy and power, but it is based on the common culture formed as a result of social practices. Anarchy has no defining condition; it is just a result of different cultural environments, because each actor's perception of his own identity and interests is affected by the behavior of others. If the parties display new behaviors, for example, an understanding in which others are more respected and operate peacefully, the structure or system can be reshaped.¹⁴ An example of this is Europe's expectation that Russia will undergo democratization, and that it will gradually transform into a democratic actor by adopting Western values through economic and commercial relations. According to constructivists, by acting together, states can change this intersubjective

¹¹ Ibid., 107.

¹² Franziska Davies, "Ende der Ostpolitik. Zur Historischen Dimension der Zeitenwende" [The End of the East Policy. A Historical Dimension of the Turning Point], *Aus Politik und Zeitgeschichte* 23, (2023): 29.

¹³ Faruk Sönmezoğlu, Hakan Güneş and Erhan Keleşoğlu, *Uluslararası İlişkiler* [International Relations] (Istanbul: DER Press, 2022), 46-47.

¹⁴ Alexander Wend, *Social Theory of International Politics*, trans. Helin Sarı Ertem & Suna Gülfer İhlamur Öner (Istanbul: Küre Press, 2012), 310.

system and, over time, make a non-selfish understanding dominant in interstate relations and ensure the formation of a peaceful system in the long term. In other words, anarchy exists because states want the system to be anarchic, and if they want otherwise, a more peaceful order can be established.¹⁵ Europe's efforts over many years not to see Russia as a threat and to include it within Europe, and the understanding of building European security with Russia rather than despite Russia, have also served this idea. The foundations of this rule-based, normative order accepted by all parties are based on the 1990 CSCE Final Document, the 1994 Budapest Memorandum, as well as the 1997 NATO-Russia Founding Document.¹⁶

The EU has pursued a foreign policy based on universal values such as democracy, human rights, and the rule of law. As constructivists point out, the identity of the EU is built with these values. Moreover, this identity has become a requirement for expansion and for neighborhood policy as well as for the members. Economic reforms, democratization processes, and the expansion of human rights have been the foundations of the EU's influence and identity-building. By developing cooperation with other countries, the EU has carried its norms and values to a wider level, thus trying to build an identity at the international level. However, by 2014, this order was gradually weakened and has become irrelevant today.¹⁷ Afterwards, Russia, an uncertain actor, has gradually implemented its intentions contradicting the European order. According to realism, one of the fundamental variables of international relations is the uncertainty in the current and, above all, future attitudes of others. It is difficult for a state to foresee this risk, since other states cannot be sure of its aims. In other words, there is no guarantee that a state which currently appears moderate will not become aggressive as its power increases.¹⁸ Realism sees this natural uncertainty in interstate relations as the root of anarchy and argues that the structure will remain anarchic as long as this is not eliminated.

¹⁵ Ibid., 311.

¹⁶ Claudia Major and Christian Mölling, "Europas Neue (Un-)Sicherheit" [Europe's New (in)Security], *Aus Politik und Zeitgeschichte*, 72 (28): 24.

¹⁷ Major and Puglierin, "Eine Neue," 62.

¹⁸ Jack Donnelly, "Realism," in *International Relations Theories*, eds. Scott Burchill and Andrew Linklater, trans. Muhammed Ağcan and Ali Aslan, (İstanbul: Küre Press, 2014): 53.

Putin's attack on Ukraine in 2022 has therefore become a turning point for the liberal world order, and it has intensified debates about the need to change this order and its constituent parts, which have been damaged once again. At the same time, it has also revealed the fact that Russia is not a part of this system as long as *Putin's Russia* or Putin himself exist. Russia shook its international image with the Ukraine attack and confirmed that it had turned into a rogue state by not recognizing this order.¹⁹ This development has confronted the other actors with the fact that there is no longer a place for Putin's Russia in this framework, and that it must be pushed out of the system. In this way, constructivist hopes that states could act together to create a peaceful system in the long term have disappeared. The dominant view is that a "cooperative" alternative security approach can be created, in which states can increase their security without negatively affecting the security of others, or a "collective" alternative security approach, in which states define the security of other states as valuable to themselves.²⁰ With this in mind, the EU has sought dialogue with Russia. However, Russia's aggressive stance has undermined this understanding. Ultimately, anti-Russian sentiment grew among all member states except Belarus, Syria, North Korea and Eritrea, which led to the forming of an anti-Russian bloc in the UN General Assembly, to the marginalization of the Russian Federation from international trade, financial markets and investments, and to its exclusion from the liberal economic system.²¹

Approaches that explain Russian foreign policy from a realist perspective argue that the policies followed by the West in the past have shaped Putin's perceptions and led Russia to adopt an aggressive attitude.²² However, the developments have also triggered Putin's aggressive stance

¹⁹ Risse, "Zeitenwende," 107.

²⁰ Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999): 391.

²¹ Julia Grauvogel and Christian von Soest, "Erfolg und Grenzen der Sanktionspolitik gegen Russland" [Success and Limits of Sanctions Policy Against Russia] *Aus Politik und Zeitgeschichte*, no. 73, (2023): 34.

²² Tatiana A. Romanova, "Neoclassical Realism and Today's Russia, Russia in Global Affairs," *Russia in Global Affairs* 10, no. 3 (July/September 2012), accessed January 12, 2023, <https://eng.globalaffairs.ru/articles/neoclassical-realism-and-todays-russia/>.

today, which will shape his perception of the EU and, unlike in the past, follow a military and political power-centered attitude. The state's concentration of power has finally become legitimate to protect national interests. Nevertheless, it is difficult to explain the content and morality of these national interests, and which one to follow when it is necessary to choose between interests and political morality.²³ This situation is reminiscent of constructivism, which argues that national interests are also constructible, and ensuring the morality of national interests helps to eliminate the hesitation experienced by realism. Therefore, is the Ukrainian war essentially a return of the EU to realist policies and methods, a return to realism by developing realist reflexes that can be called a renaissance of realism? The question has been raised whether this is a complete break with constructivism.

The EU's more effective approach, *i.e.*, the development of a membership perspective for Ukraine, Moldova and Georgia, the increased use of military methods, the radical change in energy policy, are originating in the determination to distance autocratic regimes and to protect democracy. It has turned into a common struggle of the EU, which defines itself as a liberal democratic actor, against external forces that periodically contain this ideal. Although the attack on Ukraine seems to have created a sphere of influence in its immediate surroundings, Putin has declared war on Western democracy, which he sees as a threat. His perception of human rights and democracy as the biggest threat to the "Putinst System" justified the main reason behind the attack on Ukraine, which was not to defend security interests.²⁴

The EU was late in realizing this fact and thought that since the end of the East-West conflict, maintaining the liberal security order would serve world peace. Thus, even after Putin's speech at the Munich Security Conference in 2007, which was aggressive against the West and the Western security system, the EU remained silent, and even insisted on continuing the partnership with Russia.²⁵ Consequently, it could not

²³ Samuel J. Barkin, *Realist Constructivism. Rethinking International Relations Theory* (Cambridge: Cambridge University Press, 2010), 217.

²⁴ Risse, "Zeitenwende," 109.

²⁵ Leo Ensel, "Die zweite rede des Wladimir Putin's" [The second speech from Vladimir Putin], *Osteuropa* (2022), accessed December 12, 2023, <https://ostexperte.de/die-zweite-rede-des-wladimir>

be effective. Former German President Joachim Gauck drew attention to this issue at the 2014 Munich Security Conference when he stated that, “Germany and Europe must now take responsibility in world politics,” and pointed out that both individual member countries and the EU as a collective body should assume an active role.²⁶ Thus, in addition to the notion that identity, norms and beliefs play a role in international relations, together with power and structural factors, and the power struggle in inter-state relations, the states’ identities and these identities’ power to shape international relations had been taken into account, giving a realist constructivist reaction. The speech made by the German Chancellor Olaf Scholz in the Bundestag on February 27, 2022, and the new national security strategy that laid the groundwork for it, have also been an indication that this idea is now put into action. What is meant by an active role is not only to establish a military presence, but also not to remain a spectator to the developments taking place all over the world.²⁷ Consequently, the developments in Ukraine in 2022 became a turning point and, for the first time, served to eliminate the illusion that world peace could be maintained with the existing liberal order, and determined Europe to take responsibility again. At the same time, it allowed EU members such as Germany and France, which played a leading role in the reconstruction of European security policy, to strengthen their positions in European politics.²⁸

The Crimean Crisis and the EU's Stance

During this period, Russia displayed a semi-official and covert military presence in Ukraine through the “little green men,” by providing personnel

ir-putin/; Matthias Platzeck, *Wir Brauchen eine Neue Ostpolitik. Russland als Partner* [We Need a New East Policy: Russia as Partner] (Berlin: Propyläen Verlag, 2020): 96.

²⁶ Marcus Kaim, “Wie weit reicht deutsche verantwortung” [How Far Does Germany’s Responsibility Extend] August 14, 2014, *Tagesspiegel* (online), accessed December 12, 2023, <https://www.tagesspiegel.de/politik/wie-weit-reicht-deutsche-verantwortung-3579877.html>.

²⁷ Risse, “Zeitenwende,” 108.

²⁸ Susan Stewart, “Die Deutsche Russlandpolitik stärken” [Strengthening the German Russia Policy], *SWP-Aktuell*, no. 34, (2023), 6.

and material support to the separatists in Eastern Ukraine, unlike the developments in Georgia in 2008.²⁹ Conventional forces were also included in this process, and the 40,000 Russian soldiers deployed on the Ukrainian border acted as an intimidating factor and shield, and undertook the task of reinforcing the unconventional forces fighting in Ukraine.³⁰

In this way, Putin has pursued a power and interest-oriented policy through the strategy he followed in the annexation of Crimea and Eastern Ukraine in 2014 and has made it clear that he will resort to the use of all kinds of force, including military methods, and that he will defend Russian interests in this way. Moreover, this is not a result of the impasse of diplomacy and peaceful methods; it was the method used from the very beginning, albeit implicitly. However, the West ignored this or did not take it seriously enough. Ultimately, by 2022, Putin removed this cloak or camouflage of military power and launched a direct attack. It is important to note, however, that this attitude put forward by Putin also forms the basis for the transformation of the EU. As Russia increasingly emphasizes the use of military force and methods, this would cause the EU to negotiate more effectively on the issues of armament, military methods and interventions, and a transformation in this direction would eventually lead to a discussion about transforming its current identity. While very few EU member states demonstrated a will in this direction in 2014, an agreement within the EU could have been reached as late as 2022. Subsequently, the EU members accepted with a realistic perspective that they could rely only on themselves for security.

However, Western countries could not give a common reaction to the developments that occurred in 2014 leading to the annexation of Crimea (the first Ukrainian crisis), due to the impact of economic and energy dependencies. Consequently, they did not resort to military methods at all. The existing dependencies have been the EU's weakness, and have caused a lack of consensus on economic sanctions, which are its most effective and dominant tool. Consequently, the biggest problem

²⁹ Brink Nana, "Schattenarmeen auf dem Vormarsch" [Shadow Armies on the Rise], *Internationale Politik* (Januar/ Februar 2022): 87.

³⁰ Major and Puglierin, "Eine Neue," 63.

of the EU in 2014 was the reluctance of its members to act together. When the third round of economic sanctions was put on the agenda in September 2014, very few EU members supported them. While France canceled the delivery of the modern-technology Mistral Class Helicopter to Russia only as a result of the pressure of many members, and before the NATO Summit,³¹ some EU member states, especially Slovakia and Hungary, have taken an exaggerated position toward Putin. They created a different front within the EU. Hungary stopped shipping natural gas from Ukraine at the end of September 2014, and the economic crisis and economic concerns for many southern EU member countries overcame concerns in Ukraine. In the face of these developments, Poland, which felt the Russian threat within the EU to the biggest extent, insisted that military methods should be used within the EU, and it was virtually abandoned with its concerns during this period. Even in Western public opinion, suspicion and criticism of Russia had almost been replaced by understanding and empathy in some circles. During this period, the Front National in France, Jobbik in Hungary, and Die Linke in Germany did not see Putin as an aggressor, but as a leader who was being cornered by the West and provoked by NATO and the EU.³² This fact demonstrates that regarding the 2014 Ukraine crisis, not only the official circles and EU member states in Europe, but also the Western public opinion did not have a common attitude towards Russia. When it comes to Russia and the reaction against Russia, Europe could not reach an agreement in 2014, as if two different fronts were formed regarding Russia. Moreover, the USA saw what happened in Ukraine in 2014 as a purely European issue.³³

One of the obstacles to the EU's joint action at that time was the rising "renationalization" within the EU. The actors of the negotiations were not the EU, OSCE, or NATO, but individual national states.³⁴ In this

³¹ Kai Olaf Lang, "Auf dem Weg zu Mehr Resilienz" [On the Way to More Resilience], *SWP-Studie* 3 (2020): 40 <https://doi.org/10.18449/2020S03>.

³² Major and Puglierin, "Eine Neue," 66.

³³ Max Bergmann, "Europa allein zu Haus" [Europe Alone at Home], *Internationale Politik-IPG* 22, no. 1, (2022): 4.

³⁴ Wolfgang Richter, "Die Ukraine Krise. Die Dimension der Paneuropäischen Sicherheitkooperation" [The Ukraine Crisis. The Dimension of Pan-European Security Cooperation], *SWP Aktuell*, no. 23 (2014): 4.

context, while Germany, France and Poland came to the fore, it was not the EU itself that guided Yanukovych's resignation process in February 2014, but these EU member countries and their Ministers of Foreign Affairs.³⁵ While Angela Merkel has had numerous meetings with Putin on this issue, the EU and its leadership have played only ineffective roles, and consensus has been achieved only on economic sanctions.³⁶ However, the tendency towards re-nationalization is not meaningful and developments have shown that neither the European states nor the USA can stand alone against Russia. Events have revealed the fact that nation states alone cannot play an effective role in economic and military terms. Therefore, increasing security concerns have brought NATO to the forefront and, at the same time, demonstrated the need to improve intra-EU co-operation. The Northern and Northeastern wings of NATO, especially Poland and the Baltic countries, have frequently brought up to the agenda the classical collective defense approach, especially the use of Article 5, drawing attention to the security concerns in the region and trying to implement their security policies against Russia under the umbrella of NATO.³⁷

The 2014 Ukraine crisis revealed the weaknesses of European security and confirmed the bankruptcy of Russia's policy, which was built based on common rules, cooperation and integration.³⁸ While Russia is no longer a stabilizing partner in the European neighborhood policy, Europe has been dragged into an environment of increasing insecurity, and the security order has become increasingly unstable, conflictual and unpredictable.

A Turning Point in the European Security System

Until 2022, the common belief was that the Kremlin's single target was Crimea, that it would be content with just that and would not intervene in other territories of Ukraine. There was no intervention in the conflicts between pro-Russian separatists and the Ukrainian army in eastern

³⁵ Major and Puglierin, "Eine Neue," 67.

³⁶ Ibid., 69.

³⁷ Major and Puglierin, "Eine Neue," 68.

³⁸ Claudia Crawford, "Ein Jahr nach der Krim Annexion-Russlands Kampfjets kommen näher" [One Year After the Annexation of Crimea by Russia], *KAS-Auslands Informationen*, no. 6, (2015): 12.

Ukraine, Donetsk and Luhansk. This is because the current situation was not seen as an open war, but as a conflict on a gray area that makes the EU's intervention difficult.³⁹ The EU failed to realize that Putin, who dreams of reviving Tsarist Russia, sees himself as the new czar of Russia.

Only with the 2022 attack has it been accepted that the current security order has no future. German Chancellor Olaf Scholz's speech titled "Turning Point" was the beginning of a new era; increasing the private assets of the Federal Army was considered to be a necessity.⁴⁰ Thus, Europe began to reveal realist reflexes in the anarchic environment caused by an uncertain actor engaged in a power struggle. Similarly, while NATO was strengthening its military presence in the east of Europe, the will of Sweden and Finland, which had been neutral until then, to join NATO, and the support given by others in this direction indicates that the identity that Europe had represented until then was transforming. The EU, which has kept its distance from military support and methods, militarily supported Ukraine with the European Peacebuilding fund after the 2022 attack. The oppositional stance regarding Ukraine's membership in the EU has been abandoned, and doors have been opened in this direction. The EU and its member countries have begun to use force to defend democracy and its normative structure. In other words, they started to impose the existing identity, norms and beliefs by using force. Moreover, they exposed this determined attitude not only against Russia but also against Hungary, which jeopardized the strategy and cooperation they had built.

Viktor Orban, the Hungarian Prime Minister who had opposed for a long time the planned €50 billion support for Ukraine, lifted his veto and an agreement was reached to provide this support to Ukraine until 2027.⁴¹

³⁹ Claudia Major and Christian Mölling, "Zusammen mit Russland, das geht nicht mehr" [Together with Russia, That's no Longer Possible] March 24, 2023, *Die Zeit* (Online), accessed December 22, 2023, <https://www.zeit.de/zustimmung?url=https%3A%2F%2Fwww.zeit.de%2Fpolitik%2Fausland%2F2022-03%2Frussland-kooperative-sicherheit-sordnung-krieg-ukraine-deutschland>.

⁴⁰ Risse, "Zeitenwende," 110.

⁴¹ Albrecht Meier, "Orban gibt Blockade auf" [Orban Gives Up the Blockade], *Tagesspiegel* (online), February 1, 2024, accessed March 12, 2024, <https://www.tagesspiegel.de/orban-gibt-blockade-auf-eu-beschliesst-neue-ukraine-hilfen-uber-50-milliarden-euro-11144245.html>.

With this support, it is planned to maintain the restructuring of Ukraine, and to pay the salaries of employees and retirees. In this way, the EU not only supported Ukraine's democratic transformation and reconstruction, but also helped to increase the Ukrainian people's trust in Europe and to increase their pro-Europeanism. While the pro-European view has strengthened its appeal, steps have been taken for the European identity and the values it represents to reach and be adopted by wider segments, and the EU has increased its power of influence. However, the EU has also demonstrated that it would not allow its strict and uncompromising attitude towards Hungary to hinder cooperation within the EU. Hungary through Viktor Orban, known for the closeness to Putin, although tried not to act by the values represented by the EU, especially the rule of law, has been forced to act by this identity. In case the veto continues, sanctions such as cutting off all payments to Hungary, and excluding Hungary from the EU decision-making process are indicators of the EU's uncompromising attitude. In this way, an incorrigible EU member was left to fulfill the requirements of the identity of which it is a part, with a strict and determined attitude. The EU had to adopt a power-oriented attitude to defend its interests, democracy and identity. The EU showed a realistic reflex here due to balance of power, interests and security concerns. In this way, the EU acted for the security and stability of both Ukraine, a strategic partner, and its own. At the same time, it has taken a step forward in this direction by ensuring that a member country that is close to Russia and thus casts a shadow on intra-EU cooperation acts in line with the EU's interests.

The EU, in its attitude towards Hungary, has acted within the framework of the principles of human rights, democracy and the rule of law, and it has shown in the Ukraine crisis that it would act with the motivation of protecting these norms and values, and that it would impose sanctions on a member acting contrary to these values. Hungary's opposition to the EU's Ukraine policy (which gives Ukraine both financial support and the prospect of membership) contradicts the identity shaped by the values defended by the EU. At the same time, it hinders the spread of this identity and the process of social construction, as well as intra-EU and regional solidarity. For this reason, the constructivist images behind the determined attitude of the EU towards Hungary cannot be ignored.

The good intention that the rapprochement policy of trade and economic relations would serve the democratic transformation of Russia has now been abandoned, and the EU's granting of candidate status to Ukraine and Moldova is a sign of this transformation.⁴² This development was followed by the initiation of accession negotiations with the two countries. The expansionist policy aims to restrict Russia's mobility in the region as much as possible, and an attempt is made to counter a realistic threat through liberal norms and values. Samuel J. Barkin argues that policy can be directed by a liberal or self-interested logic and that this movement explains the changes in policy and identity.⁴³ It should be expected that the expansionist policy will soon include the Western Balkans.⁴⁴ German Chancellor Olaf Scholz's suggestion that the membership of the candidate countries should be decided by majority and not by unanimous vote, is a sign that the path to membership may be opened for the Western Balkan countries of Serbia, Bosnia and Herzegovina, North Macedonia, and Albania, which have been kept waiting for a long time. Approaching with a membership perspective the Western Balkan countries, Ukraine, and Moldova, whose reform demands on Germany have long been kept on hold by the opposition of France, is an effort to break Russia's influence in the region. In this way, the EU has further demonstrated its influence as a geopolitical actor. For Germany, this was a necessity to defend the principle of reaching decisions by majority vote, especially on foreign policy, budgetary and financial issues.

The effort to build influence and identity through EU candidacy/membership, which requires democratization processes in the region,

⁴² Hans Dieter Heumann, "Der schlüssel liegt nicht mehr in Moskau" [The Key Is No Longer in Moscow], May 31, 2022, *Die Zeit* (online), accessed December 12, 2023, <https://www.zeit.de/zustimmung?url=https%3A%2F%2Fwww.zeit.de%2Fpolitik%2Fausland%2F2022-05%2Fsicherheitspolitik-europa-russland-ukraine-krieg-wladimir-putin-diplomatie>; Alexandra Brzozowski, "Wie der Ukraine Krieg die institutionelle Balance der EU verändert" [How the Ukraine War is Changing the EU's Institutional Balance], *Euroactiv.com* (online), February 27, 2023, accessed December 12, 2023, <https://www.euractiv.de/section/europa-kompakt/news/wie-der-ukraine-krieg-die-institutionelle-balance-der-eu-veraendert/>.

⁴³ Barkin, *Realist Constructivism*, 138.

⁴⁴ Brzozowski, "Wie die Ukraine."

raising human rights standards, and economic reforms, thus continues. The balance of power in the region began to be established with this type of identity construction, with Putin now aware of this fact. That Sweden and Finland have displayed a cautious attitude during the NATO membership process is an indication that they are now aware of the changing discourse and attitude of the West.⁴⁵

NATO-EU cooperation has also come to the fore in this way: strengthening NATO's Northern and Northeastern wings has been accepted as a factor that will increase the EU's bargaining power against Russia. The prominent characteristic of the Eastern Policy, which was agreed upon after the attack on Ukraine and is now being reshaped, is that it is more inclusive than exclusive. Poland, which felt left out of the Normandy Format, is being given greater consideration, and the expectations of the Baltic countries, traditionally threatened by Russia, are being met. By acting together, as the constructivists advocated, a peaceful system was built in the long term with a non-selfish understanding in interstate relations.⁴⁶ Germany's support for the idea of strengthening NATO's eastern and northeastern wings and its recent military cooperation with Lithuania, which has developed into a kind of security partnership, confirm this.⁴⁷ Germany has now redefined its national interests and demonstrated that it would not allow economic interests to turn into dependency.⁴⁸ In this way, an effort was made to establish a balance of power with a realistic perspective. At the same time, constructivist reflexes were maintained, arguing that national interests are also constructible.

⁴⁵ Heumann, "Der schlüssel liegt."

⁴⁶ Christian Reus Smit, "Konstruktivism," in *International Relations Theories*, ed. Scott Burchil and Andrew Linklater, trans. Muhammed Ağcan and Ali Aslan, (Istanbul: Küre Press, 2014), 305.

⁴⁷ Kail Olaf Lang, "Deutschland und Litauen: Von der Verteidigungskooperation zur Sicherheitspartnerschaft" [Germany and Lithuania: From Defense Cooperation to Security Partnership] *SWP-Aktuell* 39, (2023): 3.

⁴⁸ Stewart, "Die Deutsche," 4-5.

An Effective Defense Policy and Strategic Sovereignty

The process that started with the conflicts in Georgia, continued with the annexation of Crimea, and Russia's stance in Syria has shown that the security policy of "building a permanent and equitable peace order extending from Vancouver to Vladivostok" has now degenerated.⁴⁹ In this new period, the OSCE and the Council of Europe have lost their meaning, and the NATO Russia Basic Charter and the NATO Russia Council have completely lost their influence.⁵⁰ On the other hand, the EU and NATO had to redesign their expansion processes and perspectives within the framework of the conditions required by a competitive security order. The new constellation that emerged has had an impact on the shaping of the idea of European strategic sovereignty, and this discussion covered a wide range from defense policy to economy, technology, energy policy and institutional structure.⁵¹ Those who argue that Europe should be strategically dominant share the view that, in the context of security policy, US dependency should be minimized, and its interests and priorities should be determined autonomously from third parties.⁵² While France was the pioneer of this view, Central and Eastern European members, especially Poland, who saw the US as a security guarantor, opposed this view. For this reason, this issue has brought the future of the Europe-NATO relationship and the position of the US into discussion.

Although strategic sovereignty highlights defense-oriented topics such as improving military capability, coordinating increased defense expenditures, maintaining nuclear deterrence and continuing the alliance with the USA, it covers all policy areas that will increase the security and competitiveness of the EU and its member states.⁵³ For this reason, after Russia attacked Ukraine, three topics outside the military field have gained meaning in terms of the EU's strategic sovereignty. The first of

⁴⁹ Nicolai von Ondarza and Marco Overhaus, "Strategische Souverinität neu denken" [Rethinking Strategic Sovereignty] *SWP Aktuell* 29, (2022): 2, doi:10.18449/2022A29.

⁵⁰ Ondarza and Overhaus, "Strategische Souverinität," 3.

⁵¹ *Ibid.*, 4.

⁵² Barbara Lippert, Nicolai von Ondarza and Volker Perthes, "Strategische Autonomie Europas" [Strategic Autonomy of Europe], *SWP Studie* 2, (2019): 30, doi: 10.18449/2019S02.

⁵³ Ondarza and Overhaus, "Strategische Souverinität," 5.

these is an autonomous trade policy, breaking economic dependence on Russia by developing commercial relations with third parties, apart from economic sanctions. The second topic is the international role of the Euro and thus the expansion of sovereignty in financial policy. The third topic is breaking Europe's dependence on energy imports and other strategic resources. The past years have shown how weak Europe is when it comes to competing for energy resources with the power politics of actors such as the US and China, or when it is dependent on a single state when establishing the supply chain.⁵⁴ In addition to these topics, technological and digital autonomy is also an important dimension of strategic sovereignty, the aim being to break all kinds of unilateral dependence of Europe, not only to Russia, but also to China and to other authoritarian regimes that contradict European values.⁵⁵ But Europe's strategic sovereignty also depends on the institutional framework for action and institutional bargaining power. Complex institutional structures often create problems in European transatlantic security, at the same time leading to the deepening of gaps within the EU, and the formation of minilateral⁵⁶ or ad hoc coalitions (namely, small groups of states collaborating due to shared interests, and not because of shared values). In this context, it is aimed to ensure democratic legitimacy and to be able to make comprehensive decisions and implement sanctions and policies by improving the institutional structure.⁵⁷

Although Europe's quest for strategic sovereignty in the field of defense is aimed at increasing its defense capacity and strengthening its strategic independence, the war in Ukraine has deepened EU and NATO cooperation. Thus, the inclusion of non-EU states in the European internal market and European programs and their rapprochement with

⁵⁴ Ibid., 6.

⁵⁵ Hans Jürgen Wittmann, "EU will Sanktionsumgehung unter Strafe stellen" [EU Wants to Make Sanctions Evasion a Criminal Offence], Germany Trade & Invest, March 24, 2023, accessed December 12, 2023, <https://www.gtai.de/de/trade/russland/wirtschaftsumfeld/eu-will-sanktionsumgehung-unter-strafe-stellen-982348>.

⁵⁶ Kai Olaf Lang and Nicolai von Ondarza, "Minilateralism in der EU" [Minilateralism in the EU], SWP-Aktuell, (2018/A 07): 8. Nickolay Mladenov, "Minilateralism A Concept that Changing the World Order", accessed July 12, 2024, <https://www.washingtoninstitute.org/policy-analysis/minilateralism-concept-changing-world-order>,

⁵⁷ Ondarza and Overhaus, "Strategische Souverinität," 5.

Europe are supported. In this context, Ukraine, Moldova, Georgia, and the countries of the Western Balkans were allowed to integrate into Europe, and a security guarantee was offered to them against third parties with a new dimension being added to the EU and NATO expansion policy. Russia's attack on Ukraine and the extension of conflict and security concerns to the EU borders have revealed that Europe's Achilles heel is the common security and defense policy. In this context, the EU and NATO member countries have relatively increased their individual and collective defense capacities. Germany's decision to increase its defense expenditure to €100 billion both strengthened Germany's EU leadership position and it constituted a sign of Europe's new strategy that emphasizes military methods.

The support given by NATO to the idea of strengthening the Northern and Northeastern wings, and the cooperation developed by Poland and the Baltic countries shows that Germany and the EU are in a paradigm shift.⁵⁸ Similarly, Germany's first liquefied natural gas (LNG) terminal, which was completed in a record time of ten months (194 days) and put into operation in December 2022, in order to break energy dependence, is another initiative in this direction. Germany initiated the construction of two LNG Terminals in February 2022, and it is planned to import thirty billion cubic meters of gas annually. A private tanker docked at the LNG terminal that started operating in Wilhelmshaven can meet the gas needs of fifty thousand households per year. After Wilhelmshaven, Germany will supply Russia's gas by building other terminals on the North Sea and Baltic Sea coasts, especially in Lubmin and Brunsbüttel. In this way, the EU has shown that it will not allow Russia to use natural gas as a means of pressure and bargaining and it has shown its determination to break its unilateral energy dependence. However, efforts to break existing dependency relationships can pave the way for new dependency relationships. According to US geo-strategist Georg Friedmann, alienating Russia from Europe will allow the US to increase its influence in Europe. For this reason, the idea of creating a new *cordon sanitaire* that would extend from Saint Petersburg to Rostow and separate Russia from Europe, together with a buffer zone

⁵⁸ Lang, "Deutschland und Litauen," 7.

(Ukraine) in the region served this purpose. In this unknown game, a special geostrategic meaning was given to Germany. One of the most important concerns of the US in the past was the combination of German technology and capital and Russian raw materials and manpower. For this reason, just as an iron curtain stretching from the Baltics to the Black Sea would be in the interest of the US to cut Russia off from the region, a neutral Ukraine was also seen as parallel to the interests of the USA.⁵⁹ With the pacification of Nord Stream II and the war in Ukraine, the US concerns in this regard have in a sense been eliminated, and Europe has become increasingly dependent on the US. At the same time, Europe is somewhat restrained by a strong and autonomous Germany.

However, the US and NATO are still indispensable for European security.⁶⁰ This understanding, which can be summarized as "Together we are strong, and we can increase our bargaining power together," has forced the EU and its leaders to make more definitive decisions. Another point to be noted is that Germany should take a more active role in this process. France was the spokesperson for the idea of strategic sovereignty, and Germany remained in the background. However, as the EU's largest economic power, Germany is in a special position. The biggest criticism against Germany was that it turned a blind eye to Russia's aggressive foreign policy for a long time for the sake of its economic interests and encouraged Putin. Therefore, the view that Germany should take a more active role in the field of defense policy has found support.⁶¹ In this context, Germany's supply of military equipment and weapons, and its increasing military presence in the region after 2022 are a necessity of its efforts to rebuild its own European identity within the framework of these concerns. The European Sky Shield initiative, which was implemented

⁵⁹ Ulrike Guérot and Hauke Ritz, *Endspiel Europa. Warum das Politische Projekt Gescheitert ist und Wie Wir Wieder Davon Träumen Können* [European Final. Why the Political Project Failed and How We Can Dream About It Again] 3rd ed. (Frankfurt/Main: Westend Verlag, 2022), 125-28.

⁶⁰ Ondarza and Overhaus, "Strategische Souverinität," 8.

⁶¹ Anna Lena Trümpelmann, "Die EU als sicherheitspolitischer Akteure und die NATO wiedererlebt" [The EU as a Security Policy Actor and NATO Revived], Friedrich Naumann Stiftung, accessed March 24, 2022, <https://www.freiheit.org/de/deutschland/die-eu-als-sicherheitspolitischer-akteur-und-die-nato-wiederbelebt>.

under the leadership of Germany and supported by fifteen countries, is a prominent example of EU-NATO cooperation in this context.⁶² Germany's shipment of weapons and military equipment to Ukraine (anti-aircraft systems IRIS-T, armed tanks Howitzer 2000, and Patriot air defense systems) is not only a broken taboo in defense policy, but also the outcome of Europe's efforts to protect the balance of power and strategic interests.

The aim is not only to have more power or to act as a decisive actor in the international system, but also to enforce the identity that Europe ascribes to itself. The desire for strategic sovereignty is essentially the will of Europe to determine its own priorities and to take independent steps on its own path. That Germany increased its military presence by breaking some taboos, disabled Nord Stream II and turned to alternative energy supplies, developed cooperation with the countries of the region, and attempted to establish a balance between France-Germany-Poland due to the revival of the Weimar Triangle are also indicators of this shift. In this manner, Europe has opened up the initiative of building its foreign policy more independently for discussion. The attempt to revive the idea of establishing a European Political Community in 2022, which was brought to the agenda by the French President Emmanuel Macron, is another indicator of Europe's desire to reconstruct itself. Although it remains to be seen whether the European political community will be able to take concrete decisions in the future, it is useful to read the attempt to create such a broad platform and to put forward a common political will as an effort to rebuild the European identity with realistic tools.

Strategic Compass

Another variant of the effort to transform the European Defense Policy is the new Strategic Compass adopted by the EU in March 2022. This fifty-page document, aimed at accelerating European defense policy and

⁶² Amina Vieth, "European Sky Shield-die Initiative im Überblick" [European Sky Shield – The Initiative at a Glance], Bundesministerium der Verteidigung, accessed July 12, 2023, <https://www.bmvg.de/de/aktuelles/european-sky-shield-die-initiative-im-ueberblick-5511066>.

increasing Europe's bargaining power in this field, essentially pointed out the construction of a new understanding of security.

In response to changing geopolitics and increasing security concerns in its immediate surroundings, the EU sought to implement an action plan that will strengthen its security and defense policy until 2030. The Solana Doctrine (2003), the Global Strategy (2016), and the Permanent Structured Cooperation (2017) have been steps in this direction, as have been also the Final Declarations of the Cologne (1999) and Lisbon (2009) Summits.⁶³ However, while the war has returned to Europe with Russia's attack on Ukraine, this development enabled European nations to act jointly on security and defense with the construction of a common strategic culture. The aim of the Strategic Compass is to develop an initiative in which the EU can best realize its interests on land, at sea, in the air and in the cyberspace, and to protect the security of EU citizens by increasing its bargaining power to intervene in times of crisis. In this sense, despite the existing doubts, the Strategic Compass is different from previous initiatives and is a step forward in a common security and defense policy. In the Solana Doctrine, EU member states first had to come to a consensus on what they were aiming for individually, and then on how to achieve this goal. In other words, they sought answers to a series of ontological questions to clarify their goals of creating a common EU Defense Policy. However, similar efforts to date and the fact that the goal has not yet been achieved have shown that they are struggling to find answers to some basic questions, and the EU has not been able to offer any complete answers to these questions to date.⁶⁴ This has shown that the EU did not know what kind of identity and role it appropriated for itself in the international arena for a long time. Each time Europe despaired and did not know what to do, it developed several new strategies.

In the first phase, the Compass outlines the threats that Europe faces. In this context, the following measures have been developed in order to increase the EU's bargaining power and realize its security

⁶³ Federico Santopinto, "Strategischer Kompass Das EU Sicherheitspapier weckt Erwartungen die es nicht erfüllen kann" [Strategic Compass. The EU Security Paper Raises Expectations that It Cannot Fulfill], *Internationale Politik-IPG*, no. 1/3, (2022): 14.

⁶⁴ Santopinto, "Strategischer Kompass," 16.

interests: (1) creating a rapid response unit of five thousand people that are capable to respond to all kinds of threats by 2025, and (2) by mobilizing two hundred fully equipped experts in civilian Joint Security and Defense missions within thirty days at the latest, including in turbulent regions; (3) organizing regular LIVEX exercises on land and at sea, while increasing military mobility. They are complemented by the goal of strengthening civilian and military Common Security and Defense Policy (CSDP) missions and operations by encouraging a fast and flexible decision-making process and providing greater commitment and financial support. Subsequently, targets have been set to increase the European Peace Fund in order to support partners and equip them militarily.⁶⁵

In its strategic compass, the EU also aims to develop an effective partnership policy to counter common threats and overcome common challenges. To this end it supports: (1) the strengthening of cooperation with strategic partners, in particular NATO and the UN, the OSCE and ASEAN; (2) the development of bilateral relations and partnerships with like-minded countries such as the USA, the UK, Canada, Norway and Japan; (3) the improvement of relations and cooperation with the Western Balkans, the EU's Eastern and Southern neighbors, Latin America, Africa and Asia through enhancing their capacity and participation in ESDP missions and operations.

Increasing the EU's leadership and control capacity is also among the goals set in the Compass. It was also aimed to establish trans-EU cooperation on intelligence, on internet-related topics, on space technology, on the fight against disinformation and hybrid threats. The fourth headline aims to realize joint investments in the field of military capacity. The increasing and targeted use of resources in the field of defense and the military planning of EU member states at the EU level are also noteworthy. The last title of the Strategic Compass focuses on the necessity of developing the EU's strategic cooperation with international organizations, especially the UN and NATO. This title once again confirms the importance of EU-NATO

⁶⁵ Ministère de L'Europe Et des Affaires Etrangères, "Handelspolitik und Strategische autonomie der EU" [Trade Policy and Strategic Autonomy of the EU], accessed May 27, 2023, <https://www.diplomatie.gouv.fr/de/aussenpolitik-frankreichs/frankreich-und-europa/franzosische-prasidentschaft-im-rat-der-europaischen-union/article/handelspolitik-und-strategische-autonomie-der-eu>.

cooperation, which came to the fore after the war in Ukraine. With the Strategic Compass, the EU has given the message that it has adapted its security and defense policies to eliminate crises.⁶⁶ These goals can be read as an attempt to increase the effectiveness of the EU in its desire to become a security actor. However, the EU has also been the target of some criticism due to the battle groups it created in 2007, but never used. Although many threats are listed in the document, a reform package was not created to eliminate them, and there were no regulations regarding urgent defense expenditures. Instead, the common security and defense policy mainly included armament projects that had not made any progress for years.⁶⁷ According to those who are skeptical about the developments, the EU aims to increase its mobility and defense capabilities within the framework of a defense alliance, but the Strategic Compass is far from making a concrete contribution in this direction.⁶⁸ The main weakness of the Strategic Compass is placing the effort to adapt the strategy to meet the set goals on the member countries. Therefore, the success of the Compass depends on the EU member states. The member states must decide concretely what they want and whether they want to strip defense policy of its autonomous structure and shape it on a common platform. Otherwise, the Strategic Compass will not mean anything for the future of Europe.

The Strategic Compass is broad enough to include the view that Russia is trying to destabilize European Neighborhood Policy, as well as the view that the public is facing an increasing security threat through cyber-attacks, and technological or economic overlords. The EU has prioritized the fight against hybrid threats, and for all its shortcomings, it has responded to Russia as a strategic compass. Re-establishing the supply structures of fossil fuel and energy resources, increasing cyber security measures, combating disinformation and propaganda, six-sanction packages against Russia, and broadcast bans on Russian media channels Sputnik and Russia Today at the EU level are indicators that

⁶⁶ Ibid.

⁶⁷ Annegret Bendieck and Raphael Bossong, "Hybride Bedrohungen: Vom Strategischen Kompass zur Nationalen Sicherheitsstrategie" [Hybrid Threats: From Strategic Compass to National Security Strategy], *SWP-Aktuell* 40, (2022): 3.

⁶⁸ Santopino, "Strategischer Kompass," 17.

the Strategic Compass is being implemented.⁶⁹ The Strategic Compass, which aims to intervene in crises and conflicts faster, stronger and more flexibly, has achieved this by providing political, military, and financial support to Ukraine. The Ukrainian Military Training Mission (EUMAM) was immediately implemented and the training of 40,000 Ukrainian soldiers was carried out. The number of soldiers planned to be trained in Germany, Poland and other EU member countries was first determined as 15,000, then increased to 30,000, and finally reached 40,000, of which 10,000 were trained in Germany. The European Peace Instrument was created to increase the EU's competence in the fields of security and defense and world peacebuilding. The European Peace Instrument has been the key to the financial support given to Ukraine. Member countries largely finance their arms and material shipments to Ukraine through it.

The EU has also demonstrated a more effective presence in the Sahel region, and the EU Common Security and Defense Policy has been able to demonstrate a more stringent and flexible approach through the EU Military Partnership Mission established for the needs of Niger. Agreement has been reached on the procedures for using Article 44 of the EU Treaty to enable faster and more flexible decisions regarding common security and defense policy missions or operations in the future. This article has made it possible to confer the authority to plan and conduct a joint security and defense operation to a group of EU member states that are willing and able to undertake this task. Within the framework of the cooperation envisaged by the Strategic Compass in the cyber and information technology domain, maritime and space dimensions, the European Commission and the EEAS proposed to update the EU Maritime Security Strategy and the EU Space Strategy in March 2023. They also proposed that their member states defend against hybrid threats through the developed EU Hybrid Toolbox, through which coordination has been enhanced.⁷⁰

⁶⁹ Bendieck and Bossong, "Hybride Bedrohungen," 5.

⁷⁰ Bundesministerium der Verteidigung, "Ein Jahr Strategischer Kompass der EU-Kurs auf mehr Handlungsfähigkeit" [Federal Ministry of Defense, "One Year Strategic Compass of the EU Course Towards More Ability to Act"], accessed April 11, 2024, <https://www.bmvg.de/de/aktuelles/ein-jahr-strategischer-kompass-der-eu-5601628>.

Conclusion

Russia's attack on Ukraine showed that the European security and defense policies do not comply with today's conditions and need to be transformed. During this period, the EU has started to act in a much more coordinated and effective manner against security threats. During this period, the cooperation between the EU and NATO was strengthened, and the idea of "Together we are strong" was confirmed to be feasible. In this context, the prominent view was that Europeans should take more responsibility for the Alliance and for European security, and that the EU's competence should be enhanced so that it can assume a leading role in a possible security crisis. Increased European-NATO cooperation was also seen as a requirement for this. The most concrete indicator in this direction was the idea of EU member states, especially Germany, to strengthen the Northern and Northeastern flank of NATO and to support NATO expansion. The military cooperation developed by Germany with Lithuania has almost turned into a kind of defense partnership, which shows that the parties now want to take more responsibility for European security as members of both NATO and the EU.

As peaceful and normative approaches are seen to be insufficient against common threats, the EU, which has built its identity on the foundations of diplomacy, negotiation, solidarity, and cooperation, has increasingly developed power-oriented measures and strategies (military, economic). The attitude followed until 2022 had not prevented Russia's aggressive foreign policy, and the existing dependencies had encouraged Putin's Russia. For this reason, the new argument of the changing security policy for the EU, which saw that the understanding of building European security together with Russia was a mistake, was to build European security *despite* Putin's Russia. The paradigm shift in question here is related to the parties' perception of each other and confirms that one now sees the other as *the other*. For the West, the possibility of Russia turning into a democratic state of law in the near future has been destroyed by the 2022 attack on Ukraine. Europe, which had to respond to this actor who resorted to the use of all kinds of force due to its interests, only with his methods, felt that it had to display a realist reflex without completely abandoning its normative aspect.

In this context, Russia's attack on Ukraine should be interpreted as a conflict between parties who perceive each other with different identities or who do not consent to assume the identity envisioned by the other. While the parties to this conflict were Russia and the West, the values represented by the West became the biggest threat to Russia itself. In this context, the EU broke its stance of not providing arms shipments and military support to conflict zones, which it had kept its distance until then, and showed a strong will to increase its own defense and military capacity. The attack on Ukraine has also showed the EU how relations based on a type of unilateral dependency negatively affect its bargaining power. In this framework, the view that not only energy dependency but all kinds of relations based on a form of dependency such as that of energy and that restrict EU's mobility and competitiveness should be broken has increasingly been a topic of debate. The fact that the issue of strategic autonomy is back on the agenda is an indicator of this changed reality.

The guarantees of border security have been increased military power and armament. The progress achieved in the field of common security and defense policy in the last twenty years, the experiences of civilian and military missions, the work of the European Defense Agency, the quest for strategic sovereignty, and the adoption of the Strategic Compass have now enabled the EU to strengthen these without compromising its democratic and normative identity that gives realist constructivist reactions. It confirms that it wants to guarantee the future of Europe by supporting it with centered policies. Beyond the construction of a new Russian and Eastern policy, the attack on Ukraine also offered the opportunity for Europe to influence international relations through both material and intellectual factors and rebuild its identity accordingly. For this reason, it would be wrong to read the EU's transformed foreign and security policy after 2022 only from a realist or constructivist perspective. While attempting to create a new balance of power, this effort is not carried out independently of the norms and values defended until that day. On the contrary, a new identity is sought by defending values such as democracy, human rights, the rule of law with material elements. On the one hand, military support and arms shipments are provided to Ukraine and support is given to NATO

expansion. On the other hand, the effort to include them in the identity it represents through the adoption of the values and norms it represents by the neighboring countries continues. In this way, the view that actors' perceptions are affected by the behavior of others is maintained, and at the same time, constructivist factors are defended by using material power factors against an actor who tries to prevent this transformation by producing anarchy.

Moreover, as the Hungarian example shows, it maintains this attitude against actors who do not comply with the common identity and its requirements, which cast a shadow on the establishment of the balance of power that serves common interests and tries to create it by acting contrary to solidarity and cooperation. In this context, developments show that in the world we have built, it is possible for our norms and values to be liberal or realistic, or to be on a spectrum between the two.

However, the EU's military capacity is still limited, and Europe still relies on the US in its security concerns, as dependency relations continue in different ways. Conflicts in Europe, World War I, World War II and the Yugoslav Civil War, always ended with US intervention, and developments have shown that this reality continues today. For this reason, European countries, especially Germany, must act with the awareness that overcoming regional conflicts in Europe requires increasing defense expenditures improving their military capacities, and developing a less dependent security policy within and outside of NATO. EU member states have the economic and technical power to enable them to pursue an independent security policy. Their current strength is multiplied by the non-EU NATO partners, the UK and Norway. Similarly, the EU member states need to overcome the differences of opinion that exist and increase from time to time. While France is willing to send troops to Ukraine, Germany opposes any initiative that would lead to a direct conflict with Russia. Similarly, the US green light for the \$60.8 billion aid package to Ukraine eased the EU's burden and allowed it to stay in the background. According to those who oppose this view, this development requires the EU to be even more effective, and the EU, which has received US support, must build a more determined Eastern policy with this development. Such weaknesses of Europe not only dim the process of

building a European identity based on common values but also continue to encourage revisionist actors such as Russia.

Nevertheless, developments show us that Europe has demonstrated a significant will to become a security actor, albeit limited, after 2022. The European Union has now developed a more effective attitude than in the past towards maintaining international peace and security in and outside its region and has been able to learn from some of its past mistakes.

ANNALES

CHRONOLOGY OF THE ROMANIAN POLITICAL LIFE OCTOBER 01 – MARCH 31, 2024

October 02

- The Prime Minister, Marcel Ciolacu announces the start of aid payments for pensioners with incomes below 3,000 lei. This announcement comes after the Ministry of Labor and Social Protection printed the pension coupons with aid for pensioners with a monthly income below 3,000 lei. These allowances are 500 lei for those with an income of up to 1,500 lei per month, 400 lei for those with an income between 1,501 and 2,000 lei per month, and 300 lei for those with an income between 2,001 and 3,000 lei per month.

October 03

- The Romanian President, Klaus Iohannis promulgates a new law on the prevention, detection and sanctioning of irregularities in obtaining and using European funds and related national public funds. The law stipulates that the regional development agencies are conferred the status of managing authority and are obliged to refer cases to the Public Prosecutor's Office. These authorities may also refer cases of suspected fraud to the Anti-Fraud Department (DLAF) and the criminal prosecution authorities.
- MP Ben-Oni Ardelean announces his departure from the National Liberal Party (PNL) parliamentary group and his intention to act as an unaffiliated Member of Parliament. At the end of September, he launched his political platform entitled "Movement of Hope".
- Members of the parliamentary budget-finance committees meet with representatives of the International Monetary Fund (IMF), who are in Romania for the annual review of the Romanian economy. The IMF members estimate that Romania will end 2023 with a

budget deficit of 6% of GDP, and that in 2024 it will fall to 5% of GDP. On the other hand, the IMF representatives do not recommend that the government intervene to control prices and inflation.

October 04

- According to an Avangarde opinion poll on the European Parliament (EP) elections, 31% of respondents would vote for the Social-Democratic Party (PSD), 21% would vote for the National Liberal Party (PNL), and the Alliance for the Union of the Romanians (AUR) would rank third with 19%. The survey was conducted on behalf of the PSD, between September 20-28, 2023, on a sample of 994 respondents using the CATI (Computer Assisted Telephone Interviewing) method, with a confidence level of 95% and a maximum error of $\pm 3\%$.

October 05

- The Government approves an emergency ordinance regulating gambling. This ordinance grants the right to organize and operate the gambling activities only to companies registered in Romania or to persons registered in Romania, or to legal entities that are constituted in a Member State of the European Union (EU) that have a permanent establishment in Romania. The revenue collected from gambling activities by the National Gambling Office is to be distributed as follows: 70% to the state budget, 30% to finance gambling addiction prevention programs.
- At the Annual Convocation of military priests in the Romanian Army, the Minister of National Defense (MApN), Angel Tîlvăr declares that a collaboration between the Army and the Church is a partnership that enriches society and contributes to cohesion.
- The Government allocates an additional 90 million lei from the Budgetary Reserve Fund to the budget of the Ministry of Investment with the purpose of remunerating teaching and auxiliary teaching staff for their teaching career premium and non-teaching staff for their professional career premium.
- The Government approves an emergency ordinance strengthening the capacity of the Ministry of Finance to exercise financial control

over expenditures that exceed 20% above the average cost of products, services, equipment, or operational costs of public institutions. The Ministry of Finance will submit reports on this issue to the Government on an annual basis.

October 08

- The Ministry of Foreign Affairs announces that 115 Romanian citizens are repatriated from Israel on a flight operated by a private company, in the context of the deteriorating security situation between Israel and the Gaza Strip.
- The General Mayor of Bucharest, Nicușor Dan, announces that he intends to run as an independent candidate in the 2024 elections.

October 10

- President Iohannis receives Ukrainian President Volodimir Zelenski on the occasion of his official visit to Romania. Zelenski cancels the speech scheduled for the Parliament plenary session. Senator Diana Șoșoacă arrives in the corridors of the Parliament with a map of Greater Romania and requests that the Ukrainian President return the territories of Bessarabia, claiming that Ukraine is pursuing a policy of ethnic cleansing against the Romanian population on its territory.

October 11

- The report on the drones that crashed in the Danube Delta is submitted to the Prosecutor General's Office. The Defense Minister states that the drones were hit in defense systems and did not target Romanian territory.

October 12

- PM Ciolacu says the rate of inflation fell to 8.8% in September. In August 2024, the annual inflation rate stood at 9.4%, according to data published by the National Institute of Statistics (INS).
- The Government launches a four-year fully funded program the objective of which is to provide 410,000 pre-school, primary and secondary school pupils with an annual education voucher of 500 lei,

to be used for the purchase of supplies. This program is aimed at children from low-income families.

- The Government decides to supplement the budgets of several ministries and institutions for 2023, emphasizing priorities in areas such as justice, telecommunications, culture, transport and security. Consequently, the Ministry of Justice has allocated an additional budget of 81.5 million lei, while the Special Telecommunication Service (STS) has received an increase of 1 million lei, the Ministry of Culture has been granted an additional 60 million lei, and the Ministry of Transportation receives an increase of 483 million lei, of which 50 million lei have been redistributed to Metrorex (Bucharest Metro).
- President Iohannis convenes the Supreme Council of National Defense (CSAT). Among the topics discussed are drug abuse issues and other narcotic substances, the evolution of the security situation in the Black Sea, and the Romanian Army's equipment plan for 2024-2033.

October 16

- The Chamber of Deputies, the decision-making chamber, adopts with 174 votes in favor, 81 against and 17 abstentions the draft law on special pensions, in accordance with the Romanian Constitutional Court (CCR) decision from August 2, 2023. According to the law, the net amount of the pension cannot exceed 100% of the net income of the last month of employment prior to retirement. In addition, the legislation introduces new tax thresholds. In accordance with the CCR decision, the amendments introduced by the new law on special pensions do not affect service pensions in payment, in accordance with the principle of non-retroactivity.

October 19

- President Iohannis promulgates the law on special pensions of magistrates. Judges and prosecutors with 25 years' seniority are permitted to retire at the age of 60 and are entitled to receive 80% of the average of the last 48 months' salary. The amount of the pension cannot exceed 100% of the last net salary. The law follows a CCR ruling from August 2023, which identified several unconstitutional provisions.

October 20

- In accordance with Government Decision No 1003 of October 20, 2023, the archival fund belonging to the Security State Department, managed by the MApN, will be transferred to the National Council for the Studying of the Securitate Archive (CNSAS), which oversee the declassification of files.
- The Government approves budget supplements for various ministries and institutions, including the Ministry of Interior (960 million lei), Ministry of Education (184 million lei), Ministry of Health (200 million lei), Ministry of Transportation (381,5 million lei), Ministry of European Projects (500,000 lei), the Romanian Intelligence Service - SRI (6,25 million Lei), Chamber of Deputies (26 million lei) in order to cover salary expenses, investment projects, and other institutional needs. Significant allocations were directed to hospitals, pre-university education, and diplomatic missions.
- The Save Romania Union (USR) completes the internal candidate nomination process for the EP elections, with 12,336 members taking part in the online vote held between 9 and 16 September. The list of USR candidates, officially launched at the Council Alliance of Liberals and Democrats for Europe (ALDE Europe), is opened by Elena Lasconi, Dan Barna, Vlad Voiculescu and Vlad Botoș, followed by 16 other candidates.

October 22

- The National College of the People's Movement Party (PMP) votes unanimously in favor of creating an alliance with USR and Force of the Right (FD).

October 25

- PM Ciolacu attends the National Tripartite Council with representatives of employers and trade unions, where the new minimum wage rates in construction, agriculture and food industry are established. The new minimum wage in construction is 4,582 lei, and the new minimum wage in agriculture and the food industry is 3,436 lei.

October 26

- 56 NGOs and academics sign an open letter in support of the draft law on the amendment and completion of the Law on the election of the Senate and the Chamber of Deputies and for the organization and functioning of the Permanent Electoral Authority (AEP). This bill introduces gender quotas on the lists of candidates for parliamentary elections in Romania, which currently occupies the second to the last place in the EU in terms of women in positions of political power.
- President Iohannis signs the decree promulgating the law on fiscal-budgetary measures to ensure Romania's financial sustainability and reduce budget waste. On September 29, USR, FD, and two PNL MPs referred to the CCR the package of laws on which the Government had taken responsibility in Parliament. On October 18, the CCR rejected the unconstitutionality complaint. The tax package stipulates that micro-enterprises must pay a tax of 1% of turnover if their revenues are up to €60,000 a year, and 3% if revenues exceed this amount; large businesses with profits over €50 million must pay a turnover tax of at least 1% of turnover; banks will pay an additional tax of 2% of turnover in 2024 and 2025, and 1% in 2026; the IT tax exemption is maintained for income below 10,000 lei; employees in agriculture, construction and the food industry are not exempted from paying the Contribution of Health and Social Insurance (CASS).

October 27

- The Government approves a series of measures designed to reduce budget expenditure for 2023 in order to comply with the budget deficit target. One of the measures includes a ban on local public authorities financing public funding for the organization of community events such as festivals, concerts, competitions, and themed celebrations.
- The Government approves an Emergency Ordinance (GEO) which enables administrative-territorial units to request up to 1 billion lei in loans from the State Treasury in order to ensure the co-financing of projects financed by non-reimbursable external funds from the EU.

October 31

- The motion against Marcel Boloș, Minister of Finance, tabled by USR and FD on October 24, entitled “Marcel Boloș, a minister that raises taxes with a smile”, is rejected by the Chamber of Deputies (85 votes in favor, 160 against, one abstention).

November 03

- President Iohannis returns back the Law on the establishment of simplification measures at the level of central public administration to Parliament for re-examination. This law required public institutions and specialized bodies of the central administration to publish ex officio information on taxes, tariffs or fees. The President's request aims to include local authorities and legal persons in the provisions of the law to make public administration more transparent. The aforementioned law was sent to the President for promulgation on October 21.

November 05

- The USR National Bureau announces that it has taken note of the withdrawal of Elena Lasconi from the list of candidates for the parliamentary elections. This follows an interview in which she stated that she voted “yes” in the referendum on the traditional family in 2018. The party considers this to be at odds with its vision of upholding the liberal principles and values for which it fights both in Romania and Europe.

November 08

- MEP Claudiu Năsui announces that he is taking legal action against the Presidential Administration for its refusal to provide public information on the travels of the Romanian presidents between 2010 and 2023. This action is taken in the context of a bill tabled by USR to ensure the transparency of the President's foreign travel expenses amid heated debate over the President's travel expenses. However, this bill was rejected by the Senate and not debated by the Chamber of Deputies.

- The Minister of Development, Public Works and Administration (MDLPA), Adrian Veșteea, signs 54 new contracts through the Anghel Saligny funding program, worth over 895 million lei. These contracts concern the modernization of road infrastructure, the extension of drinking water systems, domestic water networks, the construction of bridges and pavements.

November 09

- The Government approves the draft law on the public pension system, which increases the pension point by 13.8%, from 1,785 lei to 2,032 lei as of January 1, 2024. By 2035, the retirement age for men and women is to be equalized at 65, and people with more than 25 years' contributions will receive additional points, +0.5 points per year for 26-30 years, +0.75 points per year for 31-35 years, and one point per year from 36 years.
- The Government approves a bill to tax large companies at a minimum rate of 15% of their profits for multinational and national groups or companies with a consolidated turnover of at least €751 million.

November 10

- President Iohannis submits a complaint to the CCR regarding the constitutionality of the legislative act amending the law on the organization and the functioning of the judicial police. This law introduces a series of legislative interventions with the aim of defining the sources of origin of the police officers of the judicial police who will become part of criminal investigation bodies, the conditions for appointment to the judicial police, and the conditions for withdrawal of the notice of appointment to the judicial police. The President asserts that the law is unconstitutional in that it incorporates elements of a 2020 emergency ordinance, thereby contravening the principle of legality.

November 13

- The National Health Insurance House (CNAS) requests 4.2 billion lei from the Government, but receives only 1.7 billion from the

Government Reserve Fund. The amount of money received will be used to provide salaries for health employees, with the remainder will be distributed to all the areas of healthcare covered by the CNAS.

- The notoriety of political leaders is the first indicator for assessing a political leader's ability to stand for election. According to the INSCOP survey, Klaus Iohannis is the most popular political leader in Romania (99.2%), followed by Gabriela Firea (94%), Diana Șoșoacă (93.5%), Mircea Geoană (93.3%), Marcel Ciolacu (92.5%). The survey was conducted on behalf of News.ro, using telephone interviews with a sample of 1,100 respondents aged 18 and over, between October 23 and November 2, 2023. The margin of error at 95% confidence level is ± 3 .
- November 14
- PM Ciolacu announces during a Coalition meeting that he wants to postpone the "Hot Meal" program in schools, in order to save money for the state budget. The program would have provided a hot meal to 1 million children from disadvantaged backgrounds.
- The Chamber of Deputies, as the decision-making body, adopts a bill that increases the income of the staff employed at the CNAS, with 203 votes in favour, one against and 55 abstentions. The bill ensures that the CNAS staff salaries are brought into line with the maximum level in the government's working apparatus. The assimilation of functions and salaries will be carried out by the President of CNAS, in accordance with established criteria such as education and professional rank.

November 15

- The Administration of Hospitals and Medical Services in Bucharest (ASSMB) warns of a deep crisis in Romania's healthcare system, urging the Government to take immediate action to avoid collapse. Problems include underfunding and cuts to hospital funding, with a direct impact on patients and hospital activity. In a joint statement, ASSMB and the managers of 19 hospitals in Bucharest have called for the amendment of OUG 90/2023 to exempt public health units from the restrictions imposed to ensure the normal functioning of health services.

November 16

- In order to help vulnerable families pay their energy bills, Romania's Minister of Investment and European Projects, Adrian Căciu, announces that the validity of energy vouchers has been extended until March 31, 2024, extending the original deadline of December 31, 2023.
- The European Commission (EC) has launched infringement proceedings against Romania, Bulgaria, Cyprus, the Czech Republic, Estonia, and Austria for non-compliance with the transposition of the EU Waste Directive. These countries have failed to properly meet mandatory targets for the recycling and the re-use of municipal waste. The deadline for transposition was July 5, 2020. The Commission has sent letters of formal notice to these countries, allowing them two months to remedy the situation.
- The Government approves the founding act of the Investment and Development Bank, following Romania's commitment under the National Plan for Recovery and Resilience (PNRR). The role of the Bank is to support strategic projects that cannot be financed from the regular banking system and will be managed by a Supervisory Board (7 members) and a Management Board (3 members).
- FD party leader, Ludovic Orban, wins the case against the Government, obliging the executive to hold local by-elections in 57 municipalities where mayoral seats have been declared vacant or where the local council has been dissolved. This decision upholds the Bucharest Court of Appeal's decision of March 16th, which had ruled in favor of Ludovic Orban.
- The government approves the allocation by the Ministry of Development of 250 million lei from the Budget Reserve Fund for works carried out under the Public and Social Interest Construction Program for road, water and sewerage infrastructure.

November 17

- The leader of AUR, George Simion, announces in a press release the transfer of MP Ana Predescu, member of the Committee for Industry and Services and from the Committee for Education in the Chamber of Deputies, from the Social Liberal Humanist Party (PUSL) to AUR.

November 18

- Claudiu Năsui, vice-president of USR, declares that Dan Barna, former leader of the party, will open the list of candidates for the 2024 EP elections after Elena Lasconi's withdrawal.

November 20

- The draft pension law is passed in the Chamber of Deputies, the decision-making body, with 199 votes in favour, 39 against and 17 abstentions. On November 14, the Senate passed the law after the government approved the bill, which will see the pensions of 4.7 million beneficiaries recalculated. According to the draft, from January 1, 2024, the pension point will be increased by 13.8%, from 1,785 lei to 2,032 lei, and the right to a pension will be obtained after at least 15 years of contributions, but without taking into account non-contributory periods such as university studies, military service, sick leave and unemployment.

November 21

- A secret joint meeting of the Chamber of Deputies and the Senate takes place in the context of developments in Israel. The meeting is attended only by MPs who have been invited by the joint Permanent Bureaus, and by the staff of the two Secretariats-General providing specialist and technical assistance. The press is not allowed in the meeting room and the verbatim report is not published in the Official Journal.
- AUR President, George Simion, announces that the party is expanding by integrating two political parties into AUR, the Romanian Village Party and the National Revival Alliance. With this announcement, George Simion tries to reiterate the idea that a united alliance around AUR is necessary to create an opposition to counter the PSD-PNL alliance.
- The EC has approved the modification of Romania's PNRR with a total allocation of €28.5 billion. The amended plan also includes the REPower EU chapter, aimed at accelerating the green transition and energy efficiency. It brings an additional €1.4 billion of non-repayable funds to Romania. The focus is on the green transition, with 44.1%

of the funds allocated to climate targets, and the digital transition, with an increased allocation of up to 21.8%. The revised plan reflects adjustments due to rising prices for construction materials and disruption in supply chains, and excludes the 9.4% of GDP ceiling for the public pension system. The next step is for the Economic and Financial Affairs Council (ECOFIN) to approve the revised PNRR and for the EU Council to issue a new implementation decision.

November 23

- The Government approves the allocation of 52.38 million lei from the Budgetary Reserve Fund to local authorities in order to finance part of the expenditure on pre-university education. At the same meeting, the Government decides to supplement the budgets of the SRI – increased by 191.62 million lei – and the Foreign Intelligence Service (SIE) – increased by 5 million lei – from the Budgetary Reserve Fund available to the Government.

November 24

- The mayor of Baia Mare, Cătălin Cherecheș, is sentenced to five years in prison for bribery. The sentence was handed down by the Cluj Court of Appeal, which rejected Cherecheș's appeal and upheld the decision of the Cluj Court. Cherecheș is banned from holding public office for five years and his assets have been seized to cover the damage. He was indicted by the DNA in 2018 for offences committed as an MP and mayor, including bribery and making false statements. Others were involved in the bribery case.
- According to the INSCOP poll whose data were collected during October 23rd and November 2, 2023, Mircea Geoană as an independent is the favorite for the presidential election (27.2%), followed by Marcel Ciolacu, PSD-PNL candidate (24.2%), George Simion – AUR (18.6%), Elena Lasconi – USR (12,1%) and Diana Șoșoacă – SOS România (10,5%). The opinion poll was conducted by INSCOP Research on behalf of News.ro, and the data was collected, using the CATI method (telephone interviews), with a sample of 1100 people.

November 25

- Victor Ponta is re-elected president of Pro Romania at the party's congress in Bucharest. MEP Corina Crețu is elected president of the party's National Council and Alin Văcaru secretary general.

November 26

- Members of the trade unions affiliated to the Federation of Trade Unions at the Ministry of Labor, as well as non-unionized workers, declare a general strike from November 27th, demanding the elimination of wage inequalities and the improvement of working conditions.
- According to an analysis by the Faculty of Economics and Business Management in Cluj-Napoca, Romania collects the least VAT in the EU, with a collection deficit of 36.7% in 2021 and an overall average of 5.3%. In addition, the National Agency for Fiscal Administration (ANAF) reveals that in 2023 the voluntary payment of VAT is 83%.

November 27

- The Minister of Development, Public Works and Administration, Adrian-Ioan Veștea, signs 34 new funding contracts under the Anghel Saligny national investment program worth a total of almost 285 million lei, for investments in road infrastructure in several municipalities in 20 counties.
- President Iohannis forwards to the Justice Minister Alina Gorghiu the requests for the prosecution of former Health Ministers Vlad Voiculescu and Ioana Mihăilă. Both are accused of abuse of office in connection with the purchase of anti-COVID vaccines. The decision comes after the DNA requested permission to open criminal proceedings. The Senate plenary is due to discuss on November 29 a similar request concerning former PM Florin Cîțu, who is also accused in the same case. The Public Prosecutor's Office of the High Court of Cassation and Justice (ICCJ) has been informed of these requests.

November 28

- President Iohannis sends a complaint to the CCR of unconstitutionality of the Law amending and supplementing Law 73/1993 on the establishment,

organization and functioning of the Legislative Council, after the Parliament sent it to him for promulgation on November 13, 2023. According to the President, the principle of bicameralism has been violated in the adoption of the law, since, according to the Romanian Constitution, in the case of draft laws that contain provisions related to the status of the staff of the Legislative Council, the first chamber to be consulted is the Senate, whereas for this legislative act the first chamber to be consulted was the Chamber of Deputies.

- The PNL, through its leader, Nicolae Ciucă, announces that Nicușor Dan will not be supported by the party if he decides to run as an independent candidate in the upcoming mayor elections for the Bucharest City-Hall.

November 29

- Romania's Senate Plenary approves (with 90 votes in favor and two against) DNA's request to start criminal proceedings against former PM and current Senator Florin Cîțu on charges of abuse of office in the anti-COVID vaccines case. Cîțu claimed in plenary that he acted in accordance with Romanian law in exercising his duties as Prime Minister. The decision comes after DNA requested permission for criminal proceedings to begin, implicating former health ministers Vlad Voiculescu and Ioana Mihăilă, in connection with the purchase of anti-COVID vaccines.
- President Iohannis promulgates the new law on the public pension system. It provides for a 13.8% increase in the pension point from January 1, 2024, followed by a recalculation of pensions according to a new calculation from September 1, 2024. The law also sets a minimum of 15 years of contributions for pension entitlement and excludes certain non-contributory periods. The retirement age will be gradually equalized to 65 years for both sexes by 2035. The law also includes special provisions for certain categories of work and the obligation for Romanian pensioners in the diaspora to sign a life certificate. The law also includes special provisions for certain categories of work and the obligation for Romanian pensioners in the diaspora to sign a life certificate.

- László Borbély, head of the Government's Sustainable Development Department, says Romania's water treatment and reuse rate is very low, at just 1.5%, compared with the EU average of 11.8%. Moreover, he states that by 2027 major investments worth almost €10 billion need to be implemented, with part of the funding provided by the PNRR.

December 04

- The Senate adopts the project enabling the Government to issue simple ordinances in areas not covered by organic laws during the parliamentary recess (the conclusion of the second regular session of the year 2023, until the first regular session of 2024), with 61 votes in favor, 17 against, and 14 abstentions. The areas in which the Government can issue ordinances during this period are: finance and economy, development, public works and administration, labor and social solidarity, internal affairs, health, agriculture, transportation and infrastructure, culture, investments, and European projects.
- The EC approves aid from the European Union Solidarity Fund, amounting to € 34 million to cover the damages caused by the 2022 drought in Romania.

December 05

- The Chamber of Deputies approves the budget for 2024, which consists of commitment credits amounting to 686,982,000 lei and budget credits amounting to 638,024,000 lei.
- According to an opinion poll analyzing the trust rankings of Romanians, the top positions are occupied by Mircea Geoană, the Deputy Secretary General of NATO, Laura Codruța Kovesi, the Chief Prosecutor of the European Public Prosecutor's Office, and Emil Boc, the Mayor of Cluj. In terms of notoriety, President Klaus Iohannis, former Mayor of Bucharest Gabriela Firea, and Senator Diana Șoșoacă occupy the first three places. The same INSCOP survey shows that if parliamentary elections were held on Sunday, PSD would occupy the first place (with 30.2% of the votes), followed by PNL (20.1%) and AUR (19.5%). The survey was conducted by INSCOP Research between November 20-27, commissioned by News.ro, with a sample of 1,100 individuals.

December 06

- Former Romanian PM Florin Cîțu is officially under investigation by the National Anti-Corruption Directorate (DNA) for complicity in abuse of office in the case of COVID-19 vaccine acquisitions. He is accused of approving memorandums that led to the unjustified purchase of an additional 43,359,892 doses of vaccine, worth 825,636,678 euros. The case also involves former Health Ministers Vlad Voiculescu and Ioana Mihăilă.

December 07

- President Iohannis promulgates the law that increases the salaries of the personnel of the CNAS. The law provides that the salaries of the CNAS personnel will be aligned with the maximum level of remuneration within the government workforce, with new salary levels being set by order of the CNAS President and in compliance with the state budget. The law sets out criteria for determining salaries and enforces equally increased salaries to all positions, including those with no counterpart in the government structure.

December 08

- The Government supplements the budget of the Ministry of Family, Youth, and Equal Opportunities with the amount of 1,405 million lei from the budget reserve fund to ensure the full payment of salary rights until the end of the year. The Government allocates additional funds to the Ministry of Development amounting to 500 million lei from the budget reserve fund for financing the national investment program Anghel Saligny and for the national program of public or social interest constructions. For the Ministry of Health, the Government increased the budget by 190 million lei.
- The DNA opens criminal proceedings against the former Minister of Health, Vlad Voiculescu, for abuse of office in the case of additional purchases of COVID-19 vaccines. The charges include authorizing an unjustified purchase of additional doses of Pfizer and Moderna vaccines. Former Romanian Minister of Health, Ioana Mihăilă, is also under criminal investigation by the DNA for abuse of office in the case of additional purchases of COVID-19 vaccines. The allegations

relate to initiating the unjustified acquisition of 34,099,623 doses of the Pfizer vaccine.

December 09

- PM Ciolacu announces that Austria has decided to allow the lifting of air borders for Romania within the Schengen area, with the aim of eliminating queues at airports for flights within the EU.

December 11

- PM Ciolacu announces a 5% salary increase for the entire public sector, excluding dignitaries. The investment budget will be 7.3% of GDP, while for Education, it will increase by 60%, reaching 4.1% of GDP. The Ministry of Economy faces a budget decrease due to the completion of investments, while the Ministries of Transport and Health receive budget increases. The decision regarding teacher salaries will be made in consultation with union leaders.

December 12

- The simple motion filed by USR and FD parliamentarians in the Chamber of Deputies against the Minister of Education, Ligia Deca, titled "Motion of merit for the grade 2 out of 10 for Minister Deca's term," is rejected, with 81 votes in favor, 189 against, and 9 abstentions. This motion follows the stagnation of the PISA (Program for International Student Assessment) test results between 2018 and 2022.

December 13

- Romania's state budget for 2024 is based on an economic growth of 3.4%, inflation of 6%, and a deficit of 5% of GDP. Revenues are estimated at 586.1 billion lei, and expenditures at 672.8 billion lei. Social assistance expenditure accounts for 31.1% of the total, personnel expenditures for 21.7%, and investments for 17.8%. The number of unemployed is estimated at 215,000, and the average net monthly wage at 4,733 lei. Pensions will increase by 13.8% from January 2024, and salaries of public sector employees by 5%, except for education personnel who will receive a 20% increase in

two instalments. Civil servants earning less than 8,000 lei net/month will receive holiday vouchers and meal allowances, and the hazardous conditions bonus will be 15% of salary, but no more than 1,500 lei gross/month. The budget deficit for 2024 is estimated at 5% of GDP.

- President Iohannis promulgates a law allowing local police to impose fines for traffic violations by electric scooter riders. This measure expands the duties of local police officers, who can now fine pedestrians, cyclists, moped riders, electric scooter riders, and animal-drawn vehicle operators for traffic rule violations.
- Romică-Andrei Baciu is removed from his position as a member of the Board of Directors and President with the rank of State Secretary of the CNAS by the decision of PM Ciolacu, after he announced his resignation on December 11. On the same day, Baciu is placed under criminal investigation by anti-corruption prosecutors for abuse of office regarding the purchase of 4,260,269 doses of Pfizer vaccine on the basis of a memorandum dated April 19, 2021, approved by Florin Cîțu, who is also under investigation in the same case, being Prime Minister at that time. Romică-Andrei Baciu was appointed to CNAS in August 2023. In his place, the interim president will be the vice-president of CNAS, Cristian Celea.

December 14

- The MAPN reports a possible unauthorized entry into Romanian airspace by a Russian drone used in attacks against Ukraine. The incident, which occurred near the village of Grindu in Tulcea County, prompted the deployment of Romanian F-16 aircraft and German Eurofighter Typhoons. A crater 1.5 meters deep was formed, and the area was secured for investigation. This is the fifth drone discovered in the area since September. The Ambassador of the Russian Federation in Bucharest, Valery Kuzmin, is summoned to the Ministry of Foreign Affairs.
- The National Bank of Romania (BNR) declares that, during January-October 2023, Romania's total foreign debt increased by 18548 billion euros to 162.434 billion euros, from 143.886 billion euros on December 31, 2022.

- The leader of AUR, George Simion, announces that lawyer Gheorghe Piperea is the new coordinator of the party for the EP elections, and the AUR list will be headed by MEP Cristian Terheș, the leader of the Romanian National Conservative Party (PNCR). The addition of Terheș's party brings the total number of sovereigntist parties in the AUR alliance to eight.

December 15

- The Government adopts the State and Social Security budgets for 2024. On December 13, the Minister of Finance published the Emergency Ordinance for the adoption of the budget for 2024, which includes dozens of changes to the fiscal budget from 2023, as well as an increase in the contribution paid by Romanian employees to a private pension fund Pillar II, from 3.75% to 4.75%. On December 14, PM Ciolacu stated that the budget for 2024 would allocate 7% of GDP to investments, and the social security budget includes an increase in pensions in line with the inflation rate, 13.8%, starting from January 1. PM Ciolacu also foresees the possibility of recalculating pensions starting from September 1, 2024.
- The Romanian Government submits to the EC the third payment request from the PNRR, amounting to 2.7 billion euros. Of this amount, 1.85 billion euros represent grants, and the remaining 811 million euros are loans. These funds are intended to cover a series of 74 PNRR milestones for the third and fourth quarters of 2022.

December 16

- Gabriel Oprea, former Minister of the Interior (2008-2009), is re-elected president of the National Union for Romania's Progress (UNPR) for the next four years at the party's National Congress, whose motto is "God, Country, Family, Honor".

December 18

- The USR, FD, and PMP announce that they will run together in the 2024 EP elections under the alliance called the United Right Alliance (ADU), which aims to be an alternative to PSD and PNL. It will present a joint list of candidates for the June 2024 EP elections: Dan

Barna, Vlad Voiculescu, Eugen Tomac, Vlad Botoș, Cristina Prună, Violeta Alexandru, Radu Mihail, Corina Atanasiu.

- The PNL wants the local elections to be merged with the first round of the presidential elections in September, arguing that this is the only constitutional variable for merging elections.

December 19

- The Chamber of Deputies rejects – with 81 votes in favor and 189 votes against – the simple motion tabled by the USR and FD deputies against the Minister of Education, Ligia Deca.

December 20

- During the plenary session of the Parliament, a series of protests occur during PM Ciolacu's speech. These are led by AUR and USR parliamentarians who are against the 2024 budget project.
- PM Ciolacu announces that there will more than 80,000 new jobs in 2024 and that Romania has not entered a recession, as the budget for the next year has not been overestimated.
- The joint session of Parliament approves the draft law on the State Budget for the next year. The debate on the budget lasted for about 7 hours as 20,400 amendments were submitted, of which 962 were adopted. The budget was adopted with 299 votes in favor and 82 votes against. The bill on the social security budget is adopted with 294 votes in favor and 84 votes against.

December 21

- The Romanian Government adopts a decision on the reorganization of the General Secretariat of the Government (SGG), according to which 99 positions, of which 25 represent leadership positions, will be cut from the level of the main credit authorizer, for which SGG is the employer. This brings the maximum number of posts at this level to 670, of which 53 are leadership positions, representing 7.91%.
- The Romanian Government approves a project in a meeting to extend the 90% compensation program for the price of medicines for retired people. Starting from January 1, 2024, pensioners with an income of up to 1830 lei per month will benefit from this facility, with the threshold being raised from 1,608 lei. For this

purpose, the budget of the Ministry of Health will be increased by 40% in 2024, affirms PM Ciolacu.

- The USR refers to the CCR the project initiated by PSD and PNL leaders, Marcel Ciolacu and Nicolae Ciucă, to strengthen the capacity to combat tax evasion, adopted by the Chamber of Deputies on December 19, with 182 votes in favour, 80 votes against, and 2 abstentions.

December 27

- The plenary session of the Chamber of Deputies is convened to reject three legislative proposals concerning the cultural autonomy of the Hungarian community in Romania: a legislative proposal regarding the Autonomy State of Szeklerland, as well as another legislative proposal "FRAME LAW," all signed by three UDMR MPs. In total, there were 104 votes in favor of rejection and eight votes against. The first project involves the autonomy of Covasna, Harghita counties, and part of Mureș County. The second project entails the Statute of cultural autonomy for the Hungarian community in Romania, while the third represents the "Framework Law on the cultural autonomy of national communities."
- The Ministry of Internal Affairs (MAI), together with its counterparts from Austria and Bulgaria, reach an agreement on the extension of the Schengen area to include Romania and Bulgaria at the air and maritime borders, effective from March 2024. As far as the land borders are concerned, this aspect remains to be determined in 2024.

December 28

- PM Ciolacu states that the deficit of the consolidated general budget after the first 11 months of the current year rose to 4.64% of GDP, reaching 73.55 billion lei, compared to a deficit of 58.7 billion lei (4.19% of GDP) for the first 11 months of 2022.

December 29

- The Senate, as the decision-making legislative body, rejects the three projects concerning the autonomy of Szeklerland, initiated by three UDMR deputies, after the Chamber of Deputies rejected all three projects the day before.

January 04

- The first meeting of the Government in 2024 takes place at the Victoriei Palace, during which PM Ciolacu announces the increase of pensions by 13.8% and announces that there will be a recalculation of pensions in September. He also states that the absorption of European money is the engine of the economy in 2023, Romania reaching a record level of absorption, of over 93% in the financial year 2014-2020.

January 05

- The MApN announces that it will purchase the missiles for the PATRIOT systems, at a cost of over one billion euros. Romania will acquire 200 PAC-2 GEM-T missiles as part of this consolidated multinational acquisition, which uses the principles of the European Air Defense Initiative European Sky Shield Initiative (ESSI).

January 08

- President Iohannis promulgates a law imposing fines of between 10,000 and 20,000 lei for adding unauthorized inscriptions or symbols to the Romanian flag, considering such actions as contraventions. It amends Law 75/1994 and stresses the need to respect national symbols.
- President Iohannis promulgates the law approving the Government Emergency Ordinance (GEO) establishing a temporary measure to combat the excessive price increase of some agricultural products and foodstuffs. According to this GEO, the rate of the commercial mark-up practiced by processors is limited to a maximum of 20% of the cost of production, while agricultural and food products entering the Romanian territory not passing through processing or slaughtering are subject to a commercial mark-up of a maximum of 5% of the purchase price.

January 09

- Representatives of the AUR react with a press release to the file in which some party members are accused of voter corruption. They argue that this file is a move against the party.

January 11

- President Iohannis signs the decrees appointing Mihaiela Moraru-Iorga as chief prosecutor of the Department for combating corruption, in the DNA, and Remus-Iulian Popa as chief prosecutor of the Section prosecution in the Prosecutor's Office for a period of three years. Both prosecutors were proposed by the Justice Minister Alina Gorghiu, although they had previously received negative opinions from the CSM. Moraru-Iorga, with experience in DNA under Daniel Morar and Laura Codruța Kovesi, had legal conflicts with Kovesi, being dismissed and then reinstated after the dismissal order was overturned. Remus-Iulian Popa is appreciated for his experience and knowledge in the field.
- Angel Tîlvar, Minister of Defense, announces that Romania has become the 15th member of the NATO Naval Striking and Support Forces (STRIKFORNATO), the most powerful naval group in this area of the Alliance.
- PM Ciolacu attends a meeting with representatives of transport truckers in the context of their protest. They are dissatisfied with the value of the RCA, with waiting times at the border and they want Ukrainian lorries to be checked in the same way as Romanian lorries on Romanian territory. The truckers' representatives also met with the Minister of Transport, Sorin Grindeanu, and with the Minister of Finance, Marcel Boloș. At the same time, the farmers' representative met with the Minister of Agriculture, Florin Barbu.

January 13

- The National Executive Committee of the Pro Romania party decided that the party would participate in the EP elections with its own lists, headed by former Prime Minister Victor Ponta.

January 14

- According to a draft Ordinance of the Ministry of Agriculture, Romanian farmers operating in the field of primary agricultural production could receive state aid of over 161 million euros this year through "Farmer's Credit", a program to support access to liquidity in the context of the crisis.

January 15

- USR requests the resignation of the Minister of Health, Alexandru Rafila in view of the fact that family medicine and outpatient medicine may be affected by the decision of CNAS to reduce the tariffs for family and outpatient doctors.
- PM Ciolacu urges ministers to expedite the drafting of normative acts to address the problems of the protesting farmers and truckers. The Government is aiming at the rapid adoption of the measures agreed with these sectors. It was confirmed that Ukrainian cereals do not enter the Romanian domestic market, being only in transit. The PM insists on continuous dialogue with farmers and truckers, involving large associations in these areas, and the Financial Supervisory Authority (ASF) has proposed solutions for RCA. The Government is open to dialogue to resolve complaints.

January 16

- Bucharest Mayor Nicușor Dan rejects the request for protest of transport truckers and farmers. The reason given is that the request is not reasonable, as it required full occupancy of Victoriei Square and the adjacent streets from Friday to Monday for 15,000 cars and machinery, which would have blocked the transport in Bucharest. Nicușor Dan noted that the right to protest is guaranteed by law, but should not disrupt public transport. He said any law-abiding protest requests would be approved.

January 17

- USR deputies Oana Țoiu and Cristian Seidler notify the People's Advocate about the emergency ordinance that provides a 10% reduction of allowances for medical leave. They argue that this measure, called "illness tax", is unconstitutional and absurd, affecting employees who need medical leave. Affected categories include holidays for ordinary diseases, maternity, care of the sick child and patients with oncological conditions.
- Environment Minister Mircea Fechet announces the launch of the "Rabla for stoves" program, to replace old stoves with new efficient and low emission models, with a budget of 500 million lei.

The initiative aims to reduce pollution and improve the efficiency of household heating.

January 18

- The Romanian Government adopts projects from the Ministries of Transport and Agriculture, resulting from discussions with farmers and transport truckers. These include changes to border weight checks, setting limits and tolerances for overweight trucks, recognizing measurements from EU countries. Rules for periodic technical inspection of vehicles and professional certification in road transport have also been clarified. The government approved the granting of direct subsidies (100 euro/hectare) to compensate for the increase in the prices of production, harvesting, transport and storage of primary crops harvested in 2023.
- The mayor of the capital, Nicușor Dan, approves a protest in Constitution Square, with 5,000 people, 100 tractors and 100 trucks, which will take place on Sunday, Monday and Tuesday.

January 19

- Romania, Bulgaria and Greece sign a joint declaration on regional energy projects, focusing on offshore wind and hydrogen power plants. This collaboration aims to develop joint energy projects and attract European funding. The aim is to diversify energy sources and strengthen interconnection infrastructure in Central and South Eastern Europe.
- The ASF Council publishes the decision on the access of transport truckers to a reasonable premium rate in the case of RCA. The new calculation formula ensures that the maximum recommended premium does not exceed 9000 lei in class B0. The payment in instalments of the RCA is also allowed, as well as the possibility of suspending the policy while the vehicle is parked for a certain period of time for various reasons.

January 20

- FD leader Ludovic Orban declares that he rejects any possible cooperation with PNL.

January 22

- Judge Cristi Dănilieț is dismissed from office by President Iohannis following his retirement. In December 2021, he was suspended from office after the CSM issued three decisions to exclude him from magistracy as a result of videos posted on TikTok and for joining two associations that criticize the Government.

January 23

- Cristian Ghinea (USR) submits several complaints to the Bucharest Court of Appeal and the EU Court of Justice (CJUE) against the head of the DNA, Marius Voineag, on the acquisition of 300 BMWs by the MAI, from a company founded by a friend of President Iohannis (Michael Schmidt). The former USR minister also referred the matter to the CJEU for a preliminary ruling, asking two questions about the investigation conducted by the DNA in violation of the Community provisions and about the DNA's self-session and whether prosecutor Marius Voineag wanted the case to be closed.
- In a meeting with farmers in Târgu Mureș, the Agriculture Minister, Florin Barbu (PSD), calls for the resignation of the European Commissioner for Agriculture's and critiques EU's "green" rules forcing farmers to fallow land and rotate crops.
- PM Ciolacu announces after talks with the police trade unionists and the MAI leadership that the foundations of principles have been laid for the adoption of measures to restore the attractiveness for jobs in the MAI, the National Administration of Prisons and the MAPN framework, due to staff shortages in these sectors.

January 24

- Claudiu Târziu, chairman of the National Board of the AUR party, gives a revisionist speech calling for the unification of Romania with territories of the Republic of Moldova and Ukraine.

January 25

- Avangarde conducts an opinion poll on the PSD proposal for the EP elections. The survey is based on two scenarios, the first of which is an independent candidacy of the USR, in which the PSD ranks first with a percentage of 31% followed by the PNL with

20%, AUR with 19% and the USR with 13%. The second scenario envisions a joint USR candidacy with PMP and FD under the ADU. The only differences in percentages concern PNL, which has 21% in this scenario, and the ADU, which has 14%. The survey was conducted between January 8-22, 2024, on a sample of 1,150 respondents, with a maximum margin of error of $\pm 2.9\%$ at a confidence level of 95%.

- PM Ciolacu holds a meeting with representatives of the Sanitas Federation, as a result of which the Government of Romania is committed to unlock a number of jobs, as a priority in university and county hospitals, but also undertakes to increase the salary fund by 15%.

January 26

- A protest of the AUR party takes place in front of the Financial Supervisory Authority (ASF) headquarters accusing the “uncontrollable” rise of RCA prices. They call on ASF to set up CEC Insurances, an institution of the state through which to offer RCA to drivers affected by the bankruptcy of Astra Insurance or Euroins.

January 28

- USR, PMP and FD announce the joint list for the EP elections at a press conference held by the three leaders, the first eight candidates being: Dan Barna, Vlad Voiculescu, Eugen Tomac, Vlad Botoș, Cristina Prună, Violeta Alexandru, Radu Mihail, Corina Atanasiu.

January 29

- In the context of the protests, representatives of taxi and alternative transport organizations participate in a series of consultations with government representatives at Victoriei Palace. Representatives of taxi drivers call for the improvement of the legal framework in order to create a fair competition between service providers.

January 30

- President Iohannis signs a decree dismissing Bogdan Aurescu from his post of presidential advisor as of February 1, following his appointment as judge at the International Court of Justice.

- According to an opinion poll conducted by INSCOP for News.ro on the EP elections, PSD ranks first in the intention to vote by 29.5%, followed by PNL with 18.8% and AUR with 18.4%. With percentages above the electoral threshold, the ADU formed by USR, PMP and FD with 12.9%, but also the SOS party, which would obtain a percentage of 6.5%. The survey was carried out between 16 and 24 January, using the CATI method with a simple representative sample of 1,100 people aged 18 years and over, with a maximum margin of error of $\pm 3\%$, and a confidence level of 95%.
- The database of the Chamber of Deputies is breached, allowing hackers to obtain confidential information. Among the stolen documents there are contract with banks and data on personal cars as well as personal documents.

January 31

- The Government approves a draft law amending and supplementing the Law no. 213/2015 on the Insurance Fund. The draft law provides for the transposition into national law of the provisions of the EU Directive 2021/2118 which ensures the protection of persons injured in motor vehicle accidents, as well as those who are entitled to compensation under RCA contracts in the event of bankruptcy or insurance liquidation. Also, the current ceiling of 500,000 lei is eliminated and the level of the maximum liability limit of the insurer who concluded the RCA contract will be taken into account.
- The CCR rejects the notification of unconstitutionality of the USR and the FD in relation to the law approving GEO 73/2023 on some budgetary measures. Consequently, the Budgetary Reserve Fund at the disposal of the Government is allocated for the financing of urgent or unforeseen expenses incurred during the budgetary year, and the Intervention Fund at the disposal of the Government is the one that is distributed to finance urgent actions in order to eliminate the effects of natural disasters and to support persons in distress; the choice between the two funds is a matter of political opportunity. On November 21, 2023, the USR and the FD filed this referral to the CCR on the normative act by which, from the date of entry into force of the emergency ordinance, amounts may be

allocated from the Budgetary Reserve Fund at the disposal of the Government, depending on Government decisions, to finance the current and capital expenditure of the main credit managers.

- The Government announces the extension of the commercial addition to basic foods for another two months. At the end of October 2023, the Government approved the extension of the measure for capping the commercial addition to basic products by 90 days. On January 16, Sorin Minea, the president of Romalimenta, opposed the extension of the measure to cap the commercial addition for basic foods, considering it harmful to the food industry and consumers, criticizing the fact that capping did not include production and raw materials, which have rising prices.

February 01

- PNL Bucharest unanimously decides to withdraw its political support for General Mayor Nicușor Dan.

February 02

- PM Ciolacu and representatives of farmers and truckers sign an agreement at the Victoria Palace to end the protests. The agreement sets up an inter-ministerial committee to settle claims.
- The mayor of Botoșani, Cosmin Andrei (PSD), announces that he is suspending himself from all political functions in the party. On the same day, he was placed under judicial control by the DNA prosecutors for committing the crime of using information not intended for the public.

February 05

- In November 2023, in the context of the discovery of irregularities in the asylum system for the elderly in the summer of 2023, the Romanian Government initiates a bill that provides for the reform of the social assistance system and allows for the rapid withdrawal of the license for social assistance centers that do not comply with the current rules. The Senate tacitly approves this bill, which also states that it reduces the duration of the provisional license from 12 months to 3 months or 6 months for centers without accommodation.

February 06

- According to the report of the ONG Expert Forum, which analyses the income and expenses of political parties in 2023, the parties spent more than they received, i.e. 252 million lei. AEP paid 6 parties the amount of 227 million lei: PSD – 88 million lei; PNL – 74 million lei; USR – 40 million lei; AUR – 17 million lei; Pro Romania – 3.3 million lei; PMP – 2.5 million lei, 48% of the amount was spent on press and propaganda.

February 07

- The joint standing offices of the Senate and the Chamber of Deputies take note of the letter from President Iohannis informing Parliament that the NATO Response Force may enter, to station or transit, through Romania in the event of the emergence of conditions for triggering a major security crisis with possible implications for the independence and national sovereignty of Romania.
- There is a series of protests by the AUR representatives in several counties in Romania against the decision to merge local and European elections. There is also a protest by the REPER party on the same issue in front of the PSD and PNL headquarters.

February 08

- The Government approves “Farmer's Credit” to allocate 165 million euros to cover the ROBOR rate on bank loans. In 2024, the Government will also continue to pay 50% of the electricity bills used for irrigating crops.
- The Government approves an information note on the implementation of the grant from the EU Solidarity Fund granted to finance the operations carried out as a result of the drought in the summer of 2022. This grant amounts to 33.9 million euros to repair the damage caused by the severe drought in the summer of 2022, and Romania has 18 months to implement it.

February 12

- The ruling coalition PSD-PNL met to conclude negotiations on merging the local and the EP elections. The leaders of these parties failed to agree on several issues, such as common electoral lists.

PNL President Nicolae Ciucă does not support the idea of joint candidates, which the PSD representative wants.

February 13

- The board of Directors of the BNR support the maintenance of the reference interest rate at a level of 7%, the interest rate on the deposit facility at a level of 6%, and the interest rate on the lending facility at a level of 8% per year.
- The Ministry of National Defense's recruitment campaign for military and professional positions require candidates to be between 18 and 45 years old, and to meet various criteria, such as Romanian citizenship, no illegal activities, driving license category B and C, etc.

February 16

- The Government grants an aid of over 386 million lei to the Oltenia Energy Complex, in the form of a grant, to finance the acquisition of greenhouse gas emission allowances in 2024.
- PM Ciolacu announces the reorganization of the central administration by reducing the number of posts in two more ministries: the Ministry of Research, Innovation and Digitalization and the Ministry of Family, Youth and Equal Opportunities.
- The AUR announces that it has launched the internal competition for the nomination of the candidate for the presidential elections. The candidacy is made by signing up for the AUR Merit Platform, and those who sign up must meet several criteria including Romanian citizenship, residence in the country, not having voluntarily acquired the citizenship of another country, and having accomplished remarkable things in the interest of Romanians.

February 17

- The USR president, Cătălin Drulă announces that he enters the internal competition for the candidate for the ADU in the presidential elections.

February 18

- The leader of the Roma Party Pro-Europe Association Păun Nicolae expresses his dissatisfaction with the political negotiations with the

leaders of the PNL and the PSD regarding their cooperation. He states that he has agreed to be together in the government and to run on joint lists with the two parties, but that there were problems with some local leaders of the PSD and PNL parties. Păun Nicolae states he is ready to give up this support and even to move towards a possible alliance with the AUR party.

- There have been changes within the SOS Romania party. Diana Şoşoacă, the party leader, suspended Dumitru Silvestru Şoşoacă from his position as first vice-president, claiming that she is protecting him from the actions of the secret services.

February 19

- The incumbent mayor of Bucharest, Nicuşor Dan, announces his independent candidacy for re-election, stating that he will not return to the USR, the party he founded. Nicuşor Dan is optimistic about the election, predicting that he will win more than 30% of the votes and that if he loses, he will return to the Institute of Mathematics.
- The Senate rejects the legislative proposal initiated by the unaffiliated deputies Bola Bogdan-Alexandru, Kocsis-Cristea Alexandru, Orban Ludovic on September 4, 2023 on the abolition of the Ministry of Family, Youth and Equal Opportunities. On December 5, 2023, the Chamber of Deputies rejected this legislative proposal.

February 20

- The Chamber of Deputies adopts a draft bill to reduce food waste, which will allow consumers to benefit from reductions in food prices before the expiration date.

February 21

- The PSD and PNL party leadership forums decide to merge the EP elections with the local ones, and to use joint lists for the EP elections. They also decide to hold the presidential elections in September and the parliamentary elections in December.
- The CSAT decided the “measures to strengthen the Romanian Armed Forces” in the context of Russian attacks at the Romanian border. In addition, the Presidential Administration said in a statement

that NATO support should be accompanied by increased efforts to strengthen national defense.

- The AUR party calls for the dismissal of the Agriculture Minister Florin Barbu and the reinstatement of Ionuț Lupu as the head of the Agency for Payments and Intervention in Agriculture (APIA). On April 20, the APIA head was dismissed by the Agriculture Minister due to delays in the payment of subsidies to farmers leading to the blocking of the system.

February 22

- PM Ciolacu announces the compensation and the increase of the excise duty on diesel fuel, after the Government managed to reduce the prices of RCA policies. Thus, the Government will reimburse half of the increase in the excise duty on diesel fuel to the licensed road transport operators in Romania. Road transport operators will benefit from the support for the increased excise duty on diesel fuel. The beneficiaries are road transport operators who are licensed in Romania and carry people occasionally or regularly, or those who carry goods for themselves or for a fee, not exceeding the maximum weight of 7,5 tonnes. They will be refunded 13 bani per litre of diesel fuel.
- PM Ciolacu announces that the Government has approved an aid of over 86 million lei for small and medium-sized enterprises. This amount helps over 9,200 Romanian companies to develop their business and maintain jobs.
- Romania notifies NATO that it intends to nominate Klaus Iohannis to the head of the Alliance. The report comes as the Dutch Prime Minister Mark Rutte has received the backing of US President Joe Biden to become the next Secretary General of NATO.
- PM Ciolacu announces the release of 2,000 posts in the health and social care sector, in order to reduce the shortage of medical personnel in hospitals.

February 26

- The mayor of Sfântu Gheorghe (UDMR party), Antal Arpad, criticizes the speech made by PM Ciolacu at the PSD Covasna county conference

on February 24. Marcel Ciolacu declared that “Szeklerland does not exist and that it will never have autonomy” and that the autonomy narrative is being introduced in electoral campaigns to mobilize voters.

February 27

- An AUR protest against “the waste of public money” is organized in front of the former PNL headquarters in Aviatorilor Boulevard, a place where, according to the party president, the future residence of the President of Romania is being prepared. This protest follows a Recorder investigation alleging that the Autonomous Regia Administration of the State Protocol Patrimony (RA APPS) investing around 7 million euros of public money in a non-transparent manner to convert the former PNL headquarters in Bucharest into a protocol residence.
- Romania's consolidated budget deficit increases to 0.45% of GDP in January 2024, compared to 0.25% of GDP in January 2023, according to the Ministry of Finance. Total revenues increased by 19.7% per year, supported by higher revenues from insurance contributions, VAT, excise duties and European funds. Expenditure increases by 26.7% per year, leading to a nominal deficit of 7.89 billion lei. Salary and income tax revenues decrease by 5.8% due to the contraction of dividend tax receipts, while revenues from insurance contributions and net VAT receipts have seen significant increases. Staffing and social assistance expenses have increased, reflecting wage increases and pension adjustments. The 2024 budget is built on a projected deficit at 5% of GDP, down from 5.68% in 2023.
- The Chamber of Deputies adopts a bill prohibiting the sale of electronic cigarettes to minors of electronic cigarettes and other similar products in order to protect children and young people. The project includes significant sanctions for violations, with fines of up to 100,000 lei, and establishes mechanisms for finding and applying sanctions by the competent authorities.

February 28

- The Romanian government approves the allocation of one billion lei to the national program entitled “Healthy meal”, which will provide hot meals or daily food packages to pupils and preschoolers from

1,223 school units, for about 459,000 children. This initiative, financed from the state budget, aims to reduce the number of school drop-outs and support children from disadvantaged families, according to the statements of PM Ciolacu. The list of schools included in the program will be published on the website of the Ministry of Education.

- The coalition government decides the timetable for the elections. The local ones will take place at the same time as the EP elections on June 9. The presidential elections are scheduled for September 15 for the first round and September 29 for the second round. The last elections of the year, the parliamentary ones, will take place on December 8.
- Gabriela Firea's candidacy at the City Hall is unanimously supported by the Permanent Bureau of PSD Bucharest. The candidates of the mayors of the sector were also supported: Cristian Popescu Piedone for Sector 5, Robert Negoită for Sector 3, and Daniel Băluță for Sector 4.

February 29

- The Government publishes the draft emergency ordinance on merging local and EP elections. As an exception to the current legislation, mayors and presidents of county councils may switch to another party without losing their mandate, no later than 60 days before the June 9 elections. In addition, the draft allows EP candidates to register for the local elections.

March 01

- Cseke Attila, leader of the UDMR senators, says that the UDMR would not vote for the ordinance to merge the elections because the Government would subordinate the local public administration to the political interests if in the ordinance is adopted in its published form.

March 04

- The Minister of Labor, Marius Budăi, announces that, following the increase in wages, the pension budget for January 2024 has increased by 25.7% compared to the same month last year. He also announces

that the average net salary has exceeded the 1000 euro mark, while the average pension has exceeded the threshold of 500 euros.

March 05

- The Chamber of Deputies adopts the draft law initiated by the UDMR, with 183 votes in favor, 84 votes against and one abstention, which provides for changing the date of the Romanian presidential elections. The elections will take place on a Sunday, no more than 3 months before the month in which the president's term of office expires and at least 75 days before the voting day, with the date being set by Government decree.
- MEP Corina Crețu announces her resignation from Pro Romania, considering the collaboration with AUR “a wrong decision”, emphasizing that she was and remains a convinced social democrat.
- The simple motion submitted by USR and FD deputies against the Minister of Finance, Marcel Boloș entitled “Marcel Bolos, a minister who raises taxes with a smile”, is rejected by the Chamber of Deputies plenary with 172 votes against, and 82 votes in favor.

March 06

- There is a protest by the AUR party sympathizers in front of Romexpo, the venue of the EPP congress. Messages against EPP personalities abroad are presented.
- The President of the EP, Roberta Metsola, participates in a series of meetings with both the President of the Senate, Nicolae Ciucă, with whom she discusses the stakes of the EP elections in June, which are to keep the pro-European forces in a leading position to combat populism and extremism, and with President Iohannis. The President of the EC, Ursula von der Leyen, is also present in Romania on the occasion of the EPP Congress, where her candidacy for a new mandate at the head of the Community Executive is approved by 400 votes in favor and 89 votes against. Before the vote on the new mandate, Ursula von der Leyen had a meeting with PM Ciolacu during which, among other things, Romania's full accession to the Schengen area was discussed.

- At the EPP Congress in Bucharest, the Austrians voted in favor of the manifesto demanding Romania's accession to Schengen. The Austrian delegation no longer voted against the electoral manifesto of the EPP, which calls for Romania's accession to the Schengen area as soon as possible, and the manifesto was adopted unanimously, as PNL MEP Siegfried Mureşan announces.
- The USR files a complaint with the CCR on the unconstitutionality of the draft law adopted the day before by the Chamber of Deputies, which aims to change the date of the Romanian presidential elections, adopted a day ago. They believe that the law does not respect the principle of predictability and accessibility of the rules.

March 07

- PM Ciolacu announces that the IMM Invest Plus state aid scheme will be extended in 2024, a scheme which will benefit 11,500 Romanian companies, with an approximate budget of 2.5 billion euros. This scheme provides, in the form of grants and loan guarantees, to support access to liquidity for small and medium-sized enterprises, small mid-cap enterprises and large enterprises whose economic activity has been affected by the armed conflict in Ukraine, encouraging UATs that carry out investment projects in the construction sector.

March 08

- Romania wins the Roşia Montană case, in which Gabriel Resources Ltd. and Gabriel Resources (Jersey), the plaintiffs, sought damages of approximately 6.7 billion dollars, according to the Court of International Arbitration of the International Centre for the Settlement of Related Disputes to Investments (ICSID). This arbitration case was filed by the two foreign investors against Romania, in 2015. Romania is to recover 1.4 million dollars in court costs. The final decision will be published after 20 days. In September 2013, the Ponta government sent to the Parliament a draft law that allowed expropriations and mining operations in Roşia Montană – “Law regarding some measures related to the exploitation of gold-silver ores in the perimeter of Roşia Montană

and the stimulation and facilitation of the development of mining activities in Romania". In December 2013, due to public pressure and environmental NGOs, the mining law project failed in Parliament. In 2015, the ICSID litigation began, regarding the Canada-Romania and UK-Romania bilateral investment treaties.

March 10

- The REPER party announces its list of candidates for the EP elections on June 9, presenting a team that includes current MEPs such as Dacian Cioloș, Ramona Strugariu, and Dragoș Pîslaru, the current deputies Andrei Lupu and Oana Cambera and Simina Tulbure, as well as the physicist and researcher Cristian Presură or the Cluj University professor Ciprian Mihali.
- The draft budget of the capital for 2024 is rejected for the third time by the General Council. It received 17 votes in favour, 23 abstentions and one vote against. The PNL and the PSD have again positioned themselves against the project proposed by General Mayor Nicușor Dan.
- The mayor of Sector 5, Cristian Popescu Piedone, says that he is determined to run for the capital City Hall and has no plans to withdraw. He added that Gabriela Firea has no chance for a new mandate, because "Bucharest doesn't believe in losers".
- Tana Foarfa and Armând Epurescu, co-presidents of the youth organisation of the REPER party, resign from the party because the organisation is not represented on the lists of candidates for the EP elections. After the lists for the EP elections have been concluded, Alin Mituța and Dragoș Tudorache also resigned from the National Bureau, the governing body of REPER.
- The leaders of the ADU ask the People's Advocate to notify the CCR about the GEO to merge the EP elections with the local ones.

March 11

- The information on the documents proving the residence abroad of Romanian citizens for exercising the right to vote by correspondence in parliamentary and presidential elections is published in the Official Monitor.

- The Government approves the calendar of actions during the electoral period for the EP and local elections on June 9, 2024. According to the approved calendar, the electoral campaign will begin on March 12, while the submission and registration of candidacies for members from Romania in the EP is carried out until April 10 at the latest.
- The PSD-PNL coalition decides that Ramona Chiriac, head of the European Commission Representation, will open the list of candidates for the EP elections. The rest of the list is composed of the PSD candidates: Simona Bucura-Oprea, Dan Nica, Mihai Tudose, and Victor Negrescu; and the PNL candidates: Daniel Buda, Adina Valean, Vasile Blaga, and Rareș Bogdan.
- The vice-leader of the PNL senatorial group, Liviu Voiculescu, migrates to the PSD parliamentary group.

March 12

- President Iohannis decides to enter the competition for the position of Secretary General of NATO. The announcement is made as this month marks the 20th anniversary of Romania's accession to the North Atlantic Alliance. The post is also being sought by Dutch Prime Minister Mark Rutte, who has the support of several member states, including the US, UK and France.
- The EC blocks payment request 3 from the PNRR sent in December 2023, worth 2.7 billion euros due to general transparency issues in the reform of state companies such as the Autonomous State Protocol Administration (RAAPPS). Additionally, the EC considers that the threshold for income tax of 500,000 euros for micro-enterprises is still too high after it has already been lowered from 1 million euro. The appointment of Agency for Monitoring and Evaluation of Performance of Public Enterprises (AMEPIP) heads and the lack of transparency of the appointments made by the Ministry of Energy are other issues motivating the block of the payment request 3 by the EC.

March 13

- The Secretary General of the Organisation for Economic Co-operation and Development (OECD) is received by President Iohannis at the

Cotroceni Palace to discuss Romania's accession to the OECD as the second Economic Study of Romania is launched.

- USR MPs and local elected officials participate in a protest in Piața Victoriei to criticize the way the political elite handled the Roșia Montană case. The protesters dispute the activity of the members of the government, considering that it contributed to the undermining of Romania's image and economy.

March 14

- The AUR deputy, Georgel Badiu, files a criminal complaint against Marcel Ciolacu, Marcel Boloș, and Nicolae Ciucă in connection with the dispute between Romania and Gabriel Resources regarding the Roșia Montană mining site. The deputy disputes the activities of the three political leaders in the last two months leading up to the verdict.
- The President of Romania, Klaus Iohannis, sends a complaint of unconstitutionality on the Law (PL-x no. 144/2023) amending and supplementing Law no. 188/2000 on bailiffs. The President states that the law is unclear, among other things, regarding the change of location of a bailiff. The law is considered unclear with regard to the temporary change of seat which amounts to the extension of the bailiff's jurisdiction to another district of a court of appeal if the courts in which the bailiffs are associated are located in districts of different courts of appeal.
- The Government approves emergency ordinance measures to strengthen the institutional capacity of the ANAF. Through this GEO, ANAF will be reorganized in order to increase the efficiency of revenue collection for the general consolidated budget, but also to ensure an integrated coordination of the activity of the tax administration in the action to fight against fraud and tax evasion.
- The Government approves a draft decision on the establishment and administration of the National Register of Contact Data, a platform with contact details of all public institutions and authorities in Romania for easier access by citizens. All public authorities and institutions are required to register within 180 days.

March 15

- The Central Electoral Bureau (BEC) for the June 9 elections is established. Seven judges of the ICCJ are part of this office, Vasile Bîcu who is president of the BEC, Gheorghe Liviu Zidaru (deputy president of the BEC), Adina Georgeta Ponea, Ianina Blandiana Grădinaru, Ruxandra-Monica Duță, Leontina Șerban, Ioana Bogdan, the president and vice-presidents AEP, Toni Greblă, Marian Muhuleță and Zsombor Vajnda, but also representatives of political formations and citizens' organizations belonging to national minorities, Viorel Mocanu (PSD), Cristian Ene (PNL), Ștefania Petre (USR), Laurentiu Plăeșu (AUR), Maria Kolumban (UDMR), Bogdan Tohăneanu (PRO Romania), and Ivan Truțer, representative of the Parliamentary Group of National Minorities in the Chamber of Deputies. The opposition parties complained that both the representative proposed by the FD and the representative proposed by PMP were denied membership of the BEC, despite the obvious legal grounds that give the right to represent the two political formations.

March 16

- The USR, PMP and FD parties submit to the BEC the protocol for establishing the ADU in order to participate together in the local and EP elections that will take place on June 9. BEC rejects the protocol establishing the United Right Alliance. The points expressed by those who supported the rejection of the alliance protocol were related to the leadership of the PMP, whose president is Cristian Diaconescu in position no. 62 of the Register of political parties, while the protocol establishing the electoral alliance was signed by Eugen Tomac and Ionuț Simionca. The rejection was motivated by the fact that they do not appear in the Register of political parties as presidents of the PMP.
- George Simion announces that Mihai Enache is the official candidate from the AUR party for the mayor's office of the Capital. Mihai Enache was executive director of the Development Department of the City Hall of Sector 4, until March 2024, and in the past he was also head of the Investment Service, Investment and Public Procurement Department in the same City Hall.

March 17

- The Humanist Social Liberal Party (PUSL) officially launches its candidates for the Bucharest City Hall and for the sector town halls. Cristian Popescu Piedone, the current mayor of Sector 5, becomes the candidate for the capital City Hall. He also announces the candidates for the sector mayors, including his own son, Vlad Piedone, the current deputy from Suceava. At the same time, Piedone announces that he would also open the list of PUSL candidates for the EP elections.

March 18

- Trade unionists protest at the headquarters of the Ministry of Labor and Social Solidarity. Their claims include tax exemption for meal and holiday vouchers, the introduction of maximum and minimum wage increases in the labor code, the indexation of private sector wages to the rate of inflation while increasing the minimum wage in the economy, and a national collective labor agreement to standardize workers' benefits.

March 19

- The ICCJ dismisses the BEC's decision to reject the protocol for the creation of the ADU, made up of the USR, PMP, and FD. The three parties can therefore run together in the June 9 elections.
- The REPER sends the CCR the emergency ordinance regarding the merger of local and EP elections. This notification of the CCR comes after the party raised the issue of the exception of unconstitutionality to the ICCJ. More precisely, the emergency ordinance provided for the merger of local elections with the EP elections and the composition of the electoral offices, as a result of which the REPER representative was removed from the BEC. The ICCJ accepts the complaint of unconstitutionality submitted by the REPER to the CCR regarding the Emergency Ordinance No. 21/2024 which merges the local elections with the European ones.

March 20

- The General Mayor of Bucharest, Nicușor Dan withdraws the main executive functions of the Deputy Mayor Stelian Bujduveanu due

to the exit of the PNL from the right-wing alliance from the General Council of the Bucharest Municipality.

- The official candidate of the PSD-PNL coalition in the elections for the capital's City Hall is the doctor Cătălin Cîrstoiu.
- The FD party notifies the ICCJ regarding the unconstitutionality of Emergency Ordinance No. 21/2024, which aims to combine local and EP elections.
- President Iohannis promulgates the law on the approval of the GEO for the Amendment of the Electricity and Natural Gas Law whereby the Ministry of Economy, through National Power Transmission Company Transelectrica S.A. may carry out expropriations for works of national interest for the development of electricity transmission through the National Natural Gas Transport Society Transgaz for works of national interest regarding the natural gas transmission system.

March 21

- The PSD National Political Council approves the new list for the EP elections after the withdrawal of Ramona Chiriac for personal reasons. In the first places are Mihai Tudose, Rareș Bogdan, Gabriela Firea, Claudiu Manda and Victor Negrescu.
- The government modifies through a GEO several normative acts that regulate the situation of foreigners upon entering the country, in view of Romania's entry into the Schengen airspace as of March 31. More precisely, a deadline of 15 days from the date of entry of foreigners into Romania is set for the conclusion of individual employment contracts. In addition, the General Inspectorate for Immigration assigns a personal numerical code to the foreign worker when the work permit is issued.
- PM Ciolacu approves a state aid scheme for investments of regional interest, of over 50 million lei. Funding is provided in the form of non-reimbursable amounts. The sums are part of the "State aid for the financing of investment projects" Program within the budget of the Ministry of Finance - General Actions.

March 23

- The National Political Council of PNL approves the merger protocol with ALDE and the electoral alliance with PSD for the EP elections. The protocol was approved with 876 votes in favor, while the protocol on the creation of the PNL-PSD electoral alliance for the EP elections was approved with 838 votes in favor. In addition, Vlad Nistor is appointed member of the Executive Bureau with the rank of vice-president.

March 25

- Avangarde conducts an opinion poll commissioned by Digi24 regarding the elections for the capital City Hall. According to this survey, the PUSL candidate Cristian Popescu Piedone is in first place with 44% of the votes, followed by the candidate Nicușor Dan (FD) with 27% of the votes and Cătălin Cîrstoiu (PSD-PNL) with 16%, while the AUR candidate, Mihai Enache is rated at 10%. The survey was conducted between March 20-24, the sample size is 1,000 people, and the maximum error at a 95% confidence level is $\pm 2.9\%$.
- The National Political Council of the PNL meets in an online session, approving the PNL-ALDE merger protocol and the PNL-PSD electoral alliance for the EP elections. The leaders of the PSD-PNL coalition decide to run joint candidacies in the local elections in the municipalities of Brașov (PNL candidate for the position of mayor) and Bacău (PSD candidate for the position of mayor). Also, in Timiș county, the coalition will support a PSD candidate for the position of president of the County Council and a PNL candidate for the Timișoara City Hall.
- The consecration of the Orthodox chapel in the Parliament Palace takes place. On this occasion, PM Ciolacu reaffirms the crucial role of spirituality in everyday life and congratulates the interim president of the Chamber of Deputies, Alfred Simonis (PSD), for the initiative to establish an Orthodox chapel in the legislative forum of the country.

March 26

- The National Political Bureau of PNL establishes the coordinators of the electoral campaign teams for the local, EP and presidential

elections. The team for the local elections will be coordinated by Florin Roman, the one for the EP elections by Rareș Bogdan, and the one for the presidential elections by Dan Motreanu.

- The BEC accepts the protocol for the establishment of the Electoral Alliance PSD-PNL, and the Electoral Alliance of Partidul România Noastră (P.R.N.) and the Party of the Conservative Autonomous Dacism (P.Dac).
- The censure motion “Odes for Ceaușescu does not save Romanian agriculture” initiated by USR deputies, calling on the PM to dismiss the Minister of Agriculture, Florin Barbu, is rejected with 77 votes in favour, 149 votes against, 7 abstentions . Ten deputies did not vote (meaning MPs in the plenary who did not vote).
- The Romanian Government in partnership with the Save the Children Romania Organization and the “Caravan with Doctors” Association presents the first three medical caravans in the event of the launch of mobile medical services for the rural areas. These three medical caravans are fitted with medical equipment to provide complex medical services adapted to a number of 10,000 vulnerable people per year. The purchase of these medical caravans was funded by a grant from the Merck Sharp & Dohme (MSD) for Mothers association, as part of an international project.
- The USR sends a memorandum to the Presidential Administration asking President Iohannis not to promulgate the law initiated by Marcel Ciolacu and Nicolae Ciucă decriminalizing tax evasion involving less than one million euros. On March 19, the CCR rejected the notification submitted by the USR and FD parties regarding the unconstitutionality of the draft law initiated by Marcel Ciolacu and Nicolae Ciucă, which decriminalizes tax evasion with damages of less than below one million euros, if it is fully covered, increased by 15%, to which interest and penalties are added.

March 27

- Lucian Judele, the deputy mayor of Sector 3, files a criminal complaint with the DNA against Robert Negoită, the mayor of Sector 3, for allegedly embezzling money from the City Hall through other people.

- The social democrats choose Rareș Hopincă, the current prefect of the capital, as their candidate for Sector 2 mayorship in Bucharest, while Bucharest general councilor Adrian Vigheciu (PSD) runs for Sector 5.

March 28

- The Romanian Government decides to extend until June 30 the ceiling on the RCA's key interest rates, with the aim of combating the excessive price increases resulting from previously created imbalances.

RECENSIONES

EUGENE M. AVRUTIN

Racism in Modern Russia. From the Romanovs to Putin

(London: Bloomsbury Academic, 2022), 161 pp.

Eugene M. Avrutin is an essayist and professor at the University of Illinois. His book *Racism in Modern Russia* provides a chronological overview of racism and xenophobic manifestations that connect the Tsar period, the Soviet Union, and post-Soviet Russia under Vladimir Putin. The book is included in "Russian Shorts," a collection of specialized publications on Russian historical and cultural studies. This volume traces a clear trajectory of racism in key periods of Russian history, especially in the post-Soviet period. The analysis is divided into four short and easily readable chapters.

The first chapter, entitled "The Empire's Races," presents a series of scholarly papers such as "On the Goals and Methods in Anthropology," written in the early twentieth century by a famous anthropologist, Dmitrii Nikolaevich Anuchin,¹ an important author on the topic of racism approached by extremist movements in order to understand the racial composition of the population of Russia.² This section of the book focuses on human distinctions (skin color, hair, eyes, and other physiological traits) and is equivalent to a credo on variety within the Russian Empire's borders. Avrutin highlights the shift in Russian thinking on race, moving from a focus on tribal distinctions to a more nationalistic perspective. This transition reflects broader societal changes and the development of a unified Russian identity, which played a significant role in shaping attitudes towards race and ethnicity in post-Soviet Russia.

¹ Dominic Lieven, *Empire: The Russian Empire and Its Rivals* (New Haven: Yale University Press, 2000), p. 200-201.

² Eugene M. Avrutin, *Racism in Modern Russia. From Romanovs to Putin* (Great Britain: Bloomsbury Publishing, 2022), 9.

The term *race* first appeared in Russia in the second part of the nineteenth century, and it had two meanings. On the one hand, the importance of color and the five variants created by Johann Friedrich Blumenbach a German researcher³ who depicts that there are white, yellow, red, and black races. On the other hand, it represents various ethnic groups (Slavs, Caucasians, Turko-Tatars, and Ukrainians) as races, types or ethnicities based on physical features.

The second chapter, "Boundaries of Exclusion," focuses on evaluating discourses centered on the concept of race and distinguishing between peoples residing in the Great Empire's domain, as these discourses are intended to promote order and stability among this diversity. They encouraged government institutions to only support true Russians, while having the freedom to express themselves and, of course, publish whatever they wished. The talks also addressed the Jewish question and urged to restrict the expansion of Jews and other ethnic minorities. In this section, the author discusses the image of Jews that was pervasive in the Russian society, and how the Black Hundred movement's speeches spread ideas and images that presented a distorted image of Jews in particular.

The third chapter, "The Most Hopeful Nation on Earth," concentrates on the Soviet Union's approaches to the concept of race, as well as on Soviet officials' attitudes towards racism. As in earlier chapters, issues of racism during the Tsar period are examined, with Avrutin clarifying the Soviet approach to the idea of race, stating: "Soviet racial logics, in other words, were part of broader ideas, practices, and policies in circulation at the time" (63).

The last and fourth chapter, entitled "White Rage," serves as a watershed moment for post-Soviet Russia, which has seen a surge in violent ethno-nationalism under Putin's leadership. The essential point raised is that the disintegration of the Soviet Union plunged the country into turmoil and disorder, all due to economic concerns and instability. Minorities who moved to Russia (non-Russian population) from the Caucasus and Central Asia developed at a rapid pace, adding fuel to the fire for the Russian population, which ultimately led to violence by the so-called white supremacists. One of the most important aspects of the analysis

³ Ibidem, p.10.

elaborated by the author is the fact that this concept of race implies a much deeper understanding, which must go beyond the border of past concepts to

“explore a dynamic process known as racialization, how racist attitudes and perceptions of inferiority build a hierarchy of human differences in everyday experiences.” (3)

Avrutin provides a very clear image of the relationship between imperial, Soviet, and post-Soviet beliefs regarding race (both local and international groups: Ukrainians, Asians, Tatars, etc.) and the multiethnic and multicultural Russian state, interconnecting elements of official policy, intellectual thought, media representation, and popular opinion that resulted in the rapid rise of Russian racism.

The phrase “Russia for Russians,” which the author mentions from the introduction, plays an essential part in Avrutin’s analysis, as it had been used not only during the demonstrations in Biryulevo, but also on several other occasions such as, for example, the Russian March, shouted by extremist movements to highlight the idea that Russia is not for immigrants or other non-Russian people. The slogan “Russia for Russians” has a significant recurrence which highlights the genuine nature of racism in post-Soviet Russia, as the phrase was tied to the Black Hundred movement’s doctrine; nevertheless, some publications state that the Monarchist Party adopted the “Russia for Russians” motto. Eugene Avrutin story focuses on this slogan, which has sparked multiple confrontations and assaults against immigrants in Russia.

Post-Soviet Russia has witnessed a significant increase in racial violence and xenophobic sentiment; as previously stated, economic problems, and anxieties about the large influx of immigrants who have settled on Russian Federation territory were key factors in inciting these feelings and actions from the far right. According to Avrutin analysis, the authoritarian policy promoted by Putin’s regime has only fueled a stronger wave of white supremacy. The far-right movements on the territories of both Russia and the West support each other, providing a leadership model of white supremacy, in which the white race is superior to the other ones. Discrimination based on ethnicity, religion, and other factors has become a way of life in modern Russia. According to the author, as Putin

began his third term in office in 2018, most Russians had no trouble making a distinction between themselves and the population known as “blacks.” This book is an exceptional investigation into the history of racism and xenophobia in the Russian Empire starting from the Tsar’s reign, during the Soviet period and the formation of the Soviet New Man, followed by President Putin’s authoritarian administration, during which the author witnessed an increase in racist feelings and actions.

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DORU LIXANDRU

Carol al II-lea, carlismul și carliștii în România anilor 1930

(Bucharest: Corint, 2023), 640 pp.

Among the various national projects that emerged in Romania throughout the twentieth century, invariably sharing a politically charged posthumous reception, the case of Carol II's regime appears particularly contentious regarding both historiography and memory. Following decades of idiosyncratic representations, it is only fitting that a period of such consequence is revisited from a proper critical angle, precisely the undertaking of Doru Lixandru in the reviewed book. As a historian of Romania's political modernity, the author has a solid background in intellectual history, including a PhD in social sciences obtained at the *École des Hautes Études en Sciences Sociales* (Paris) and the University of Bucharest.

His latest work, *Carol al II-lea, carlismul și carliștii în România anilor 1930* [Carol II, Carlism, and the Carlists in 1930's Romania], sheds light on a political, ideological, and social phenomenon so far lacking comprehensive scrutiny and addresses the historiographical blind spot concerning the Carlist regime of the 1930s, doing away with the numerous clichés which have surrounded it for almost a century. By dismissing the deterministic constructions anchoring monarchic authoritarianism on the singular will of its protagonist, Lixandru's examination descends, without prior constraints, into the nexus of modernity and nationalism that was the essence of Carlism. His analysis is endowed with further conceptual and methodological legitimacy by appropriating valuable notions from the field of fascist studies. It is a natural research course when one considers the reciprocal right-wing contaminations explored over the past several years by scholars of fascism – from Stanley G. Payne's canonical typology distinguishing between fascism, the radical right, and the conservative right to Constantin Iordachi's hybridization theory employing a model of

dictatorship continuity, which traces the succession of several antagonistic but interwoven national projects.¹

On this background of intricate socio-political configurations, Lixandru diligently traces how the “Carlism model of modernity” ensued (7). His nuanced approach is reflected in the thorough definition of Carlism, encompassing its modern political aspirations, nationalism, monarchism, anti-parliamentarism, and anti-liberalism as foundational pillars, an authoritarian understanding of the body politic, a palingenetic ideological essence, and an emulative stance towards Italian and German fascism (11). It is undoubtedly the most rigorous conceptual definition of the phenomenon to date, followed by a painstakingly documented history of the notion as it earned its place into the broad category of twentieth century *-isms*.

The constitutive elements of the “ideological matrix of Carlism” (23) are detected in the 1920s metamorphoses by mapping out the early political and ideological landscape of Greater Romania while also registering continental synchronicities. Considering the author’s francophone background, the parallel between Carlism’s pioneers and the impact of the *Action Française* is illuminating. Set on explaining the endemic origins of an emerging ideological corpus in an age of profound discontent, the historical narrative revisits the tumultuous post-war years, marked by a national(ist) cultural offensive advocating for an ethnic authoritarian state. The pervasive cultural influence of the *Action Française*, with its monarchic, anti-parliamentarian, and anti-republican core, exhibiting massive social influence in 1920s France, is shown to have inspired a particular strand of Romanian nationalism. This was modelled on the ideological oeuvre of Charles Maurras, seeking national consensus through the imposition of order, stability, and continuity, and requiring the dissolution of the parliamentary republic. The Maurrassian link thus provides a perceptive genealogical take on Carlism.

The amplification of Carol’s image is shown to have gained broad appeal during his years of exile, with several authoritative political thinkers backed by major press platforms (Mihail Manoilescu, Nichifor

¹ Stanley G. Payne, *Fascism. Comparison and Definition* (Madison, WI: University of Wisconsin Press, 1980); Constantin Iordachi, *A Continuum of Dictatorships: Hybrid Totalitarian Experiments in Romania, 1937-1944*, in António Costa Pinto and Aristotle Kallis (eds.), *Rethinking Fascism and Dictatorship in Europe* (Hampshire: Palgrave Macmillan, 2014).

Crainic, Nae Ionescu, Pamfil Şeicaru) constructing the salvific persona of the future king and articulating an anticipatory “Restoration ideology” (60). When the Restoration occurred, it brought a dialectic of constructed ideology and political praxis, subsequently analyzed at length. The newly instated political order could never ease the tense relations between the returning king and the entrenched political forces, ominously shaping the national scene for the coming decade. Historically, the Restoration was framed as a momentous temporal break, a virtual palingenesis, with Carol instated as the providential savior who dispelled the anarchic remnants of political anomie (79-80). The genuine enthusiasm of the masses notwithstanding, Carol was confronted from the onset of his rule with significant challenges, labelled by Lixandru as “centrifugal forces,” a recurring notion referring to vectors ranging from the far-right and far-left political radicalism to the regionalist tendencies of the newly integrated provinces. Another perturbing force embedded in the Carlist national project was the camarilla, a fountainhead of prerogative power and an alternative decision mechanism counterposed to the established political forces, permanently fueling their hostility and inspiring a nefarious “political mythology surrounding the monarch’s entourage” (94).

In the long term, the new order would be tremendously influenced by the chimera of the cultural state, involving the ideological and political nationalization of the masses, reshaped into a holistic edifice (102). In no small part due to the theoretical input of various “actors of Carlism,” a visceral antidemocratic sentiment unveiled a gradual shift towards authoritarianism perceptible throughout the 1930s. Moreover, the personalization of power gained ground against a political climate of radical polarization, where unstable political forces sought frail alliances against the king or the camarilla, *ipso facto* sharpening the coercive instruments of authoritarianism (censorship, propaganda, repression). In this context, the social engineering paradigm is viewed as a proper theoretical prism for the interpretation of monarchical action, given the nature of Carlist state planning and intervention into the collective and individual spheres, the regime’s permeation into the social fiber of the countryside, its integration of youth segments and its prodigious intellectual network. The narrative thus provides a compelling examination of the monarchical institutional edifice, alluding to a dynamic nationalist

competition against native fascism (the Legion of the Archangel Michael) thoroughly explored by other authors in recent years (particularly Dragoș Sdrobiș), which reinforced a social engineering model resting on three pillars: nationalism, monarchism and anti-legionarism (161).²

These intertwined factors anticipated the “Carlist Greater Romania” of 1938-1940, which replaced the democratic establishment with authoritarian rule, taking advantage of the antidemocratic sentiment flourishing within the body politic. The author rejects the contingent nature of the February 10, 1938 act, his documentation of the authoritarian regime navigating coherently through its various facets and providing a well-balanced perspective of this final phase of Carlist political construction. The culmination of the anti-parliamentarian ethos found its most striking expression in the creation of the single party, coupled with the ideological ascent of centralized corporatism, viewed in the broader synchronic context of continental shifts, but also observed diachronically in its far-reaching “totalitarian transformation.” However, as it is pertinently noticed, Carlism always “lacked the instruments, political culture and human resources required to practice the totalitarianism it proclaimed” (195). Nevertheless, the authoritarian regime’s coercive arsenal relentlessly confronted presumed inner and outer threats (legionnaires, communists, ethnic minorities, and particular religious denominations) in waves of political repression.

From an imagological standpoint, the analysis distinguishes between three dominant projections of the authoritarian monarch: firstly, the “watchman king,” the shield against external revisionism and internal radicalism, coordinating the militarization of society and the persecution of alterity, stimulating a historically charged “Latinity cult” (216-217); secondly, the “peasant king,” catering to the “premodern demographic and social specificity of Greater Romania” (220), a paternalistic representation of the authentic ruler commanding a nation of peasants; thirdly, the “voivode,” the purported successor of medieval rule, connected by his modern-day chroniclers to the feudal order, with his military vocation

² Dragoș Sdrobiș, *Limitele meritocrației într-o societate agrară. Șomaj intelectual și radicalizare politică a tineretului în România interbelică* [The Limits of Meritocracy in an Agrarian Society. The Intellectual Unemployment and Political Radicalization of the Youth in Inter-war Romania] (2015: Iași, Editura Polirom).

akin to medieval monarchs, his embodiment of the Romanian spirit reminiscent of the Wallachian prince or the Byzantine basileus (226), and his status as head of the Church, proximal to the power structures of the Patriarchy. As the author aptly describes, these are all ideological representations of a presumed “national thaumaturge” (228).

Significant space is granted to the integration of the youth into the structures of the regime, an indispensable component as far as its anti-fascist offensive was concerned. *Straja Țării* [The Country’s Watchers] is depicted as espousing a militaristic ethos, formally opposed to anarchic violence, animated by a conservative axiology employed in the forging anew of the national community. Particular attention is also devoted to authoritarianism’s orthodox(ist) component, illustrating the relation of the regime with the Romanian Orthodox Church. Wisely cautious, the analysis avoids outright embracing the political religion paradigm developed by Emilio Gentile and other scholars of fascism, instead evoking a more grounded “fusion between the sphere of politics and a particular type of ecclesiastic sacralization” (248). This strenuous alliance of church and state is further corelated to the collision of “national centripetal forces” with centrifugal entities often alluded to throughout the narrative (251), the harmonious synchronization of temporal and ecclesiastical structures remaining more of an aspiration than a functional reality.

A distinct portion of the book is allocated to the history of the *Romanianization* concept, revealing yet another red thread of Carlism, a doctrinal ethnicism fueling discriminatory policies. The escalation of the latter would take its most horrendous turn with the legal persecution of the native Jewish community, building upon an antisemitic modern culture as well as on the synchronization with foreign “racial legislation” initiatives. The malignant logic of the “inner enemy,” the prevalence of the stereotypical Jewish-Bolshevik construct, the vicious public rhetoric, and dehumanizing judicial measures provide a vivid depiction of Carlism’s downward spiral. Heuristically useful for the narrative’s overarching goals remains the center-hinterland dichotomy, a processual dynamic informing the fluid, protean understanding of Carlism in the long run. Here, Lixandru appeals to an extensive historiographical field (Irina Livezeanu, Maria Bucur, and others) that has examined the

convoluted tensions between the Old Kingdom and the incorporated provinces, nurturing the mutual hostility between centralism and regionalism.³

Regarding the collapse of the regime, its tragic denouement is not perceived teleologically as a historical inevitability despite all structural vulnerabilities. Territorial losses are acknowledged as insurmountable blows, accelerating the fall of a monarch widely regarded as incapable of holding the country together, a perspective that subsided through posterity. However, the author observes the shared responsibility of other institutional ensembles, such as the Royal Council, involved in the same fateful decisions. Moreover, the tumultuous unravelling of the 1940 national catastrophe reveals the regime's blatant incapacity to instill the orderly bureaucracy it had always claimed or the functional legal framework it had merely created the veneer of, with the administration's exploitative nature displaying Carlism's ineluctable limits.

The book's final three chapters are arguably the richest and the most concerned with substantial ideological issues. Among others, they dissect the external influences of Germany and Italy, which were increasingly present through the 1930s and discernible in the functionality of the authoritarian state. To that extent, Lixandru acknowledges the existence of a "fascization process of the regime" (327), a brand of Carlist mimetism linked to the "Italophilia" (328) manifest in the regime's fervent ideological production in the anti-Bolshevism it adjudicated as an existential stance, in the emulative cult of the charismatic leader, in similitudes with *romanità* as the pervasive myth of the ancient nation born anew.

In addition, several structural components of the authoritarian order are associated with this overshadowing externality, from the single party to corporatist economics, from the leadership principle to the proclamation of the "totalitarian state," from the "aestheticization of politics to the hygienist discourse or societal militarization" (332), from regime organizations collaborating with their Italian or German counterparts to the instrumentality of *filo fascism* in the violent suppression of

³ Irina Livezeanu, *Cultural Politics in Greater Romania. Regionalism, Nation Building, and Ethnic Struggle, 1918–1930* (Ithaca, NY: Cornell University Press, 1995); Maria Bucur, *Eugenics and Modernization in Interwar Romania* (Pittsburgh, PA: Pittsburgh University Press, 2002).

genuine native fascism. Germanophilia also played a part in Carlism's fascist inclinations, as illustrated by relevant episodes such as Leni Riefenstahl's visit to Romania or the pervasive influence of National-Socialist racial legislation on the authoritarian regime's policies. The author demonstrates a solid command of fascist historiography when discussing Carlism in the continental far-right landscape, for instance, referring to Roger Griffin's para-fascism model or Aristotle Kallis and António Costa Pinto's hybridization explanation.⁴ The latter's aestheticization mechanisms are further correlated to the Mossean thesis of the nationalization of the masses, with the ritualistic surrounding the monarch and the sacralization endeavors interwoven with it in the administration of symbolic resources, as well as with the poignant "visual culture" borrowed in fascist manner by the Carlist regime (following Payne): uniforms, Roman salutes, public oaths of fealty, public expositions, sporting events and a sui-generis choreography.⁵

Finally, the account delves deeper into the issue of national palingenesis by isolating a distinctive strand of "modernist nationalism of monarchic variety" (375), which is very much akin to fascism in its outer manifestations. Griffin's interpretation of fascism yet again inspires the framework, although his model had only allocated Carlism to a marginal "conservative formula of social-political modernism" (376). For his part, Lixandru avoids labelling Carlism as proper modernism, instead insisting on its self-projection in those terms (376), as illustrated by various tropes: the myth of the new state, vehiculated ideologically throughout the 1930s, then purportedly materialized after 1938; the anthropological revolution aspiring to craft a new man; biopolitical concerns for national health and communitarian degeneration, on a background of proliferating eugenics and racial currents etc.

Overall, Lixandru's remarkable book breaks with the stereotypical interpretations of Carol II and his age that historiography had perpetuated

⁴ Roger Griffin, „Foreword. Il ventennio parafascista? The Past and Future of a Neologism in Comparative Fascist Studies”, in António Costa Pinto and Aristotle Kallis (eds.), *Rethinking Fascism and Dictatorship in Europe* (Hampshire: Palgrave Macmillan, 2014).

⁵ George L. Mosse, *The Nationalization of the Masses. Political Symbolism and Mass Movements in Germany from the Napoleonic Wars through the Third Reich* (Madison, WI: University of Wisconsin Press, 2023).

for decades. First and foremost, it has the noteworthy merit of acknowledging the authentic ideological substance of Carlism as a nationalist, monarchist, authoritarian worldview. Subsequently, it allows a fresh examination of the king's personality as the central figure of the Carlist phenomenon. Additionally, it provides a successful diachronic exploration of Carlism coupled with valuable synchronic, correlative insights. Last but not least, perhaps the most outstanding heuristic merit of the research resides in the appropriation of indispensable concepts, methods, and paradigmatic components critically adapted from fascist studies, thus advancing the understanding of the subject matter and turning Lixandru's work into an authoritative take on the subject of Carlism.

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CĂTĂLIN RAIU

Public Governance and Religion. Key Historical Turns in Modern Romania
(Bucharest: C.H. Beck, 2023), 193 pp.

The volume presents a critical analysis of how the Romanian Orthodox Church and other forms of institutionalized religious faith have defined themselves within the modern Romanian space (1860 to 1990s) in relation to the nature of political regimes, developing their own political visions, or participating in the formation of incipient indigenous forms of democratization. The volume is prefaced by Professor Daniel Barbu, whose text, published shortly before his untimely death (March 2024), describes Cătălin Raiu's research as "beyond the prevalent methodological assumptions" and delving into a "scientifically uncharted territory" (VII).

The volume fits into an older endeavor of the author to identify segments of the interaction between the political and the religious in the Romanian space, with previous extensive research dedicated to similar topics such as the relationship between neoliberalism, post-communism, and Eastern Orthodoxy; the embryonic forms of consecrating a Christian-Democratic political formula in the Romanian space; the tension between restricting religious life during the pandemic and international standards regarding religious freedom; as well as research on the way the post-communist political regime has developed a theopolitical interest for technocratic ministers.¹

¹ Cătălin Raiu, *Ortodoxie, postcomunism și neoliberalism: o critică teologico-politică* [Orthodoxy, Post-communism, and Neoliberalism: A Theological-political Critique] (Bucharest: Curtea Veche, 2012); Cătălin Raiu, *Democrație și statolatritie: creștinismul social la Bartolomeu Stănescu, episcopul Râmnicului Noului Severin (1875-1954)* [Democracy and Statism: Social Christianity and Bartolomeu Stănescu, Bishop of Râmnicu Noului Severin] (Bucharest: Editura Universității din București, 2014); Cătălin Raiu and Laura Mina-Raiu, "How to Cope with Counter-performance in Public Administration. The Case of

The volume employs language that is accessible to the general public interested in the discussed topics, while simultaneously utilizing terminology specific to the history of political thought. In the context where the specialized literature dedicated to the relationship between the state and religious denominations in the Romanian space has been either largely confined to a strictly biased confessional approach, portraying the Orthodox Church as a fully meritorious institution in the nation-building process, or as an obstacle to the political and social modernization of the country, Raiu's research fills an important gap in the literature for all those studying the relationship between democratization and the interaction between politics and religion by rejecting both previous approaches.

Drawing his inspiration from the French political scientist Marcel Gauchet, the author reconstructs a chronology of the political history of religion in Romania, analyzing at the same time several episodes of the relationship between the political and the religious.² His endeavor is based on original documents and follows a Foucault-inspired conceptual archaeology.

Raiu places the debate on the complex relationship between religion and politics under the sign of mutual imprinting, considered a "fertile tension" within the (liberal) paradigm (13, 30, 161): the political often seeks additional legitimacy from religious organizations, which in turn seek to secure at least their own autonomy and more resources from the political establishment.

The author uses the term "public governance" to cover a wider range of political instances, and to point out that the religious phenomenon not only interferes with classical political or constitutional actors, but also with the broader domain of public decisions, therefore transforming the public sphere and generating a significant impact on the way in which the political regime and some branches of public administration have been conceptualized.

Freedom of Religion or Belief during the Pandemic", *Transylvanian Review of Administrative Sciences* 18, no. 66 (2022): 81-98; Cătălin Raiu and Laura Mina-Raiu, "Who Runs Public Administration? A Longitudinal Study of Technocratic Ministerial Appointments in Post-communist Romania (1991–2021)," *Transylvanian Review of Administrative Sciences* 19, no. 70 (2023): 109-127.

² Marcel Gauchet, trans. Oscar Burge, *The Disenchantment of the World: A Political History of Religion* (Princeton: Princeton University Press, 1997).

To pursue such a broad objective, Raiu draws on a wide range of primary sources such as laws, Church internal regulations, opinions, reflections, analyses, statements of different political and ecclesiastical actors from the press of the time, or in various publications whose traces have long been lost in the public sphere or have been overlooked by mainstream (and sometimes) politicized historiography.

Therefore, the approach is to critically (re)read a period of the Romanian history (the years 1860-1990s) not from the perspective of the established historiography, but by following the traces of documents quiescently forgotten in the corners of public libraries. Another aim is to reinterpret the political history of the state-church relationship in the Romanian space by focusing particularly on two dimensions that have so far been rather neglected until now: the impetus of the Romanian Orthodox Church towards democratization identified through the presence or absence of the principle of subsidiarity within Church own regulations and institutions (7-28), respectively the manner in which various political regimes have related to the Church, borrowing its popular legitimacy in the nation-building process (67-99).

The volume's working hypothesis is that in democratic regimes, Churches have no other legal status than that of voluntary associations of civil society, they do not stand isolated in the sphere of private life and convictions, but through their political presence in the Schmittian sense (social public worship, challenging the political regime) they create a general framework for public governance not only when they are in close connection with political power, but also when they are absent from the proximity of political power.³

The first two chapters of the book theoretically systematize two subthemes of political science. In the first chapter, the author constructs a conceptual history of the principle of subsidiarity as an instrument of public decision-making (23-26), embedded not only from a constitutional perspective but also at the level of public administration. This chapter dedicated to explaining the principle of subsidiarity is titled "Religion as

³ Dominique Colas, *Civil Society and Fanaticism: Conjoined Histories* (Stanford, CA: Stanford University Press, 1997); Carl Schmitt, *The Concept of the Political: Expanded Edition*, (Chicago, IL: University of Chicago Press, 2008).

Politics,” as subsidiarity constitutes a substantial reflection of the theological establishment on how society should function politically and administratively. In the second chapter, by analyzing the (re)establishment of the Romanian Orthodox Church in Transylvania under metropolitan bishop Andrei Șaguna, respectively in the Old Kingdom under Alexandru Ioan Cuza, Raiu observes that the principle of subsidiarity is deeply embedded in the first case and rather absent in the second one (59).

The author places the reforms of Metropolitan Bishop Andrei Șaguna in Transylvania to introduce laypeople into Church public governance under the imprint of liberalism, a historical process that unfolded simultaneously with the reforms of Alexandru Ioan Cuza’s generation. It was characterized, from an ecclesiastical aspect, as a conservative option of the modern state formation on two levels: on the one hand, a firm domination and control of the state over the organization of the Church (67-72), and on the other hand, ensuring a monopoly of the Church in social domains where the state needed legitimacy for the nation-building process (education, culture, etc.) by granting the Orthodox Church the status of “prevailing Church” (109).

Subsequently, with the Great Union of 1918, the two separately developed models were juxtaposed to administratively unify the Orthodox Church following the model of the unitary national state. The compromise resulting from the asymmetrical amalgamation of the two models was defined by a superficial assumption of the Transylvanian model at the level of public discourse, while, in the depths of its organization, the Romanian Orthodox Church remained tributary to a Constantinopolitan type of Christianity that mimicked the politico-administrative architecture of the state: the Church shaped its societal manifestations through adherence to the values of the state and subsequently emulated the institutional architecture of the modern Romanian state, both institutions defining themselves as unitary, national, centralized, etc. in the spirit of Constantinian theology.⁴ The historical-political consequences are presented through several case studies from the interwar period, underlining the synonymy between Orthodoxy and nation, but especially the incorporation of elements of corporatism from the religious imaginary into the political one.

⁴ Daniel Barbu, *Pia libertas* (Bucharest: Vremea, 2023).

The second part of the volume systematizes academic knowledge on the nature of political religions and analyzes the way in which the communist regime in Romania sought to unfold as a political religion by borrowing religious scenography in the political display, also by imitating structures of religious governance (118-128). The author makes this incursion to contextualize the last chapter of the volume which brings to light an under researched topic in the academic space: The Reflection Group for the Renewal of the Church (1990-1992), constituted within the Orthodox Church in order to reform the institution towards democratizing decision-making and the refinement of governing bodies and ruling instruments based on the principle of subsidiarity. Raiu reveals a series of statements, opinions, parliamentary speeches, and debates held in the public space between Church members and politicians regarding the way of connecting religion to democracy, a process that simultaneously imprinted both the nature of the political regime and the ecclesiastical organization. The author's conclusion regarding this case study is that, despite some isolated insider voices, such as Patriarch Daniel⁵ or Teodor Baconschi⁶, the Orthodox Church in the early 1990s rather aimed to return to its interwar status – characterized by a corporatist relationship with the state – and relatively easily abandoned the interest in democracy as a space for the natural exercise of religious freedom.

In conclusion, the author identifies two main causes for the lack of subsidiarity in the Romanian Orthodoxy: the existence of a political culture favoring centralism, statolatry, submission, etc., and a reluctance to democratize the Church from within, as a defiance of the center to delegate levers of power and access to resources to the periphery. The principle of subsidiarity, although fully embedded in Orthodoxy, had been largely overlooked and obstructed by ecclesiastical centralism.

The volume is therefore neither polemical nor theological. It constitutes a conceptual archaeology and a critical analysis of the confrontation of different publicly expressed visions regarding the "fertile tension" between

⁵ Daniel Ciobotea, *Confessing the Truth in Love: Orthodox Perceptions of Life, Mission and Unity*, (Iași: Trinitas, 2001).

⁶ Teodor Baconsky, "Gânduri încă fugare", *Vestitorul Ortodoxiei românești* [The Herald of Romanian Orthodoxy], anul I, nr. 2, (1990).

politics and religion, aiming to be an alternative to mainstream political historiography in the field so as to identify methodological tools for further analysis of the process of democratization in Romania.⁷ The volume does not represent an exhaustive political history of the relationship between the state and religious institutions in the Romanian space, but it lays the groundwork for future debates and research, especially regarding the methodology of addressing the relationship between politics and religion. This volume is positioned in an intermediary space between confessional historiography, which has over time brought to light only the positive contributions of the Church to the establishment of the nation, and the anticlerical positions of some political scientists and historians, who have seen the cultural and political preeminence of the Romanian Orthodox Church in the Romanian society as the main obstacle in the way of political modernization and democratization.

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⁷ Mircea Păcurariu, *Istoria Bisericii Ortodoxe Române* [The History of the Romanian Orthodox Church], vol. III, (Bucharest: Ed. Institutului Biblic și de Misiune al Bisericii Ortodoxe Române, 1981); Oliver Jens Schmitt, *Biserica de stat, sau Biserica în stat? O istorie a Bisericii Ortodoxe Române, 1918-2023* [State Church, or Church within the State. A History of the Romanian Orthodox Church], (Bucharest: Humanitas, 2023).

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