

**APRIL 2021, VOLUME 12,  
NUMBER 1 (21)**

**EUROPEAN PERSPECTIVES**



**INTERNATIONAL SCIENTIFIC JOURNAL ON EUROPEAN PERSPECTIVES**

## EUROPEAN PERSPECTIVES

International Scientific Journal on European Perspectives

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**European Perspectives** is a peer-reviewed international scientific journal, published twice a year (in April and October) by International Institute for Middle East and Balkan Studies – IFIMES. Views expressed in contributions are those of authors and do not represent views of their respected institutions, unless specified otherwise.

IFIMES has Special Consultative Status with the Economic and Social Council ECOSOC/UN since 2018.

International Institute for Middle East and Balkan Studies - IFIMES, Vošnjakova ulica 1, P.O.Box 2795, SI-1001 LJUBLJANA, Slovenia, E-mail: [ifimes@ifimes.org](mailto:ifimes@ifimes.org), [www.ifimes.org](http://www.ifimes.org)

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**Manuscriptis** should be forwarded to the Assistant Editor by email on [office@europeanperspectives.org](mailto:office@europeanperspectives.org).

**Indexed in: International Bibliography of the Social Sciences (IBSS)**

**ISSN 1855-7694**



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VOLUME 12 NUMBER 1 (21) APRIL 2021

*Published by International Institute for Middle-East and Balkan studies - IFIMES.*

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# Letter from the Editor

This spring, still, the Covid – 19 Pandemics marks our lives. This spell of the globalized humanity, strikes with its simplicity in spreading and influencing as well as with its intricacy and unpredictability at its countering. Both aspects clearly illustrate the advancing complexity of our time. However, as we stressed some months ago on this place, life has to go on and it does. The vaccination is the backbone of this recovery process.

Our respected authors continue to reflect and contemplate affairs that brand topics around us. A combination of current and historical dwelling, but also going into fiction to learn more.

The more we learn, the bigger are chances to get wiser. Try to enjoy reading, as hopefully always.

*The first* article argues that unjustified restrictions of freedom of movement influence marginalized citizens (mainly Roma) from crossing state borders around the Western Balkans. Potential violability of human rights within the EU visa liberalization policy and policy of conditionality are in the focus of the author's in-depth examination. *Notable.*

*Our second* contribution discusses Lithuania's participation in the War on Terror's secret detention programme designed by the Central Intelligence Agency after the terrorist attacks of 9/11. In the aftermath, some changes though have been made in the area of law enforcement with regard to the democratic control and surveillance mechanisms. *Exceptional.*

*The third* research brings attention to the Slovene inter-war political history. The state-building efforts were displaced between existential fear and opportunities seeking. The process passed through four windows of opportunity, remained unfinished and slowed down, primarily due to an unfavorable international circumstances and indecisiveness. *Factual.*

*The fourth* discussion analyzes conditions in Greek open refugee camps during the pandemic time. The author pays special attention to the preparedness of the camps to deal with the spread of the virus as well as the consequences of the measures taken. The micro-society of the camps has been shaped in many ways, sometimes highly challenging. *Skillful*.

*The fifth* paper focuses on cultural diversity as an outstanding factor of achieving success, not only in the area of modern business. It is one of the invisible elements that make the drive to success more sophisticated and on the long run more efficient and sustainable as well. This approach points out the importance of understanding local cultures and traditions. *Successfully*.

*The last* piece of examination researches from diplomatic point of view the outstanding science fiction novel of Arthur C. Clarke *Childhood's End*. Three types of ad-hoc envoys could be pointed out, all adding to the understanding of this ever-old profession. One could also speak about diplomacy of the first contact as a kind of Clarke's innovation. *Discovering*.

Our first book review elaborates geopolitics and geo-economics as seen from Bucharest, aimed at tackling issues of global importance with fresh and dynamic approach. The second one presents the evolution and origins of the Serb nationalism and national identity as it was developing from its founders on the way to modernity. In the current Guest View the outstanding author, an insider of working with talented and gifted, elaborates on importance of emotional intelligence, taking as an example the newly established International Center for Emotional Intelligence in Ohrid.

Most probably, each our reader is already familiar with our bellow *intonation*: Slovenia is counting down weeks while preparing for its second Presidency of the EU Council, having in mind the Congress of Ljubljana that took place exactly two centuries ago. Diplomacy is null without tradition. See you in autumn.

Ljubljana, April 2021

M. J.

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

**Talents and empathy as the new power  
engine towards the EU world**

*Ljupcho Kevereski*



# Talents and empathy as the new power engine towards the EU world

Ljupcho Kevereski<sup>1</sup>

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Talents have always been in the center of attention with their impressive intellectual abilities and emotional intelligence. Unfortunately, it cannot be said that the interest for them is academically visible, considering that, they are still living under stigmatization in micro and macro contexts. Thus, we are getting to the main sensible substance of our living or to the rival superior-inferior relation between mind and emotions. To use the necessary cooperation, we will start from two general assumptions. One of them is that the talents are the creators of the progress. The other refers to the emergence of emotional intelligence, which is used only as with an encyclopedic notion. Regarding these assumptions, we have to agree with the premise that “The world must restore the power of empathy.”

The first assumption is supported by the well-known statement that the Balkans are branding their “invention” and that is the brain drain, in which the EU is currently losing the race for talent, as other OECD countries such as the United States, Canada and Australia attract more talents. In order to get a clearer picture of the social treatment and attitude towards talents worldwide, we will use IMD – the global talent scale 2020.

The Lausanne Institute for Business Development (IMD) has released a report called the 2020 World Talent Scale, which includes 63 countries. The report assesses the ability of countries to build, attract and retain talents in order to create a base of talented people needed to increase the country’s competitiveness, growth and development. The

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1 Dr. Ljupcho Kevereski, Professor of Pedagogic, Faculty of Education, University St. Kliment Ohridski, Bitola, North Macedonia, National Coordinator of International Society for Emotional Intelligence, New York, USA and President of the International Centre for Emotional Intelligence, Ohrid, North Macedonia.

report is based on three key factors that contain 31 indicators, namely investment and development, attractiveness factors, willingness factors that implicitly indicate raising the quality of talent education, the country's ability to retain talent and attract outsiders and build skills and competencies available among the talents of individual countries. The analysis of the talent scale for 2020 shows that Switzerland is in first place, followed by Denmark, Luxembourg, Iceland, Sweden, Austria, Norway, Canada, Singapore and the Netherlands. Among the new EU member states from 2004, Estonia (19), Slovenia (30), Latvia (33), Poland (33) are best ranked. When it comes to institutional treatment, especially educational institutions towards talents, we will cite the research of the World Health Organization, which was realized in 41 countries of a total of 204,534 students from 11 to 15 years old "love the school" a total of 38% eleven years old, 25% thirteen and 20% of fifteen-year-olds (WHO, 2008). It speaks of a decline in the emotional connection of students with the school in which there seems to be less and less room for children's emotions. In order to present even more clearly the meaning of this segment, we will list the generally valid virtues/advantages of the institutions according to Peterson (2006), which are purpose, security, justice, humanity, dignity that answer the question whether today's school is only "school for learning" or it is also "school for life". Unfortunately, our conclusion is that in today's schools there does not seem to be enough room for emotions.

We will operationalize the second assumption through the symbiotic relationship of the main postulates. In this section we focus on "talent and empathy" by elaborating the latest academic views on empathy as a commonly used term during the Covid 19 pandemic. There are many reasons to focus on the functioning of our emotional life especially empathy as "the ability to recognize what another person thinks and feels and to respond adequately emotionally to the perceived emotional state" (Koen Baron, S., 2011), understanding it as very necessary today. Nowadays, many people agree that we live in a world where there is a "zero degree of empathy", people have reduced their "psychological capacity for empathy", and today it is rather a world of reasoning than a world of emotions. Therefore, we are witnessing "the erosion of empathy", or we are on the edge of "disappearing empathy" (Koen Baron, S., 2011). Goleman's attributes of emotional intelligence (self-awareness, self-motivation, self-control, empathy, and social skills) are a futuristic landmark for where the world should go in the years to come.

That is why it is necessary to show more care for emotional intelligence. Namely, our emotions become fundamental features in a crisis in which each emotion has its place and its own individual “genetic” and “social” history. These facts are in line with the statement of Mark Brackett Mission, Director of the Center for Emotional Intelligence at Yale University, which states that “The world must be educated about the values of emotions and the skills to use them wisely”, claiming that: “I would like all of us to become scientists for emotions.” He continues: “We need to be analysts of our own and others’ emotions as they have helped to achieve goals and improve lives.”

Upon exploring the question and the topic from many different views, we come to a few general recommendations that should be strong motivational impulses for all of us, especially in our regional context regarding talents and emotional intelligence.

Talents are no longer just a statistical indicator of intellectual power with a psychometric pattern, but are a special quality of interaction of cognitive and non-cognitive factors and influences. They are the product of (unknown) interaction creation of genetic determination, social stimulation and individual activation for a human being.

For the gifted and talented, we need a long-term strategy to develop their potential, but even more diverse daily activists with them. Talents and quality should get a cult place in our daily and professional life. It is very important what we have done for the gifted and talented and what we will do, but even more important is what we do TODAY. “They are the most valuable common convertible currency between countries in the world.” The most famous representatives of the concept of emotional intelligence Goleman, Meyer, Saloway, Baron and others promoted a new “invention” and identity of our civilization. It is a high time to change our perception and redefine the attitude towards a number of phenomena in our lives. Recent studies in the United States show that total energy = physical emotional energy comes up to 70% as the work of emotional energy. Individuals need to develop their emotional potential to the level of talent.

The general assumption of the countries of the Western Balkans when it comes to respecting the moral-ethical norms, principles, and standards is that there is a need for their consistent respect and giving appropriate respect to the spiritual values. In addition to this

assumption, nowadays more and more people confirm the fact that these values, norms, principles, and standards are being disturbed and neglected, what already becomes an unwritten norm. In such conditions, the devaluation of the individual values presents a huge obstacle for creating a solid social and institutional climate that will lead us to (faster) integration of the Western Balkan countries in the desired European family.

In that sense, the countries of the Western Balkans need to strengthen their capacities that will successfully cope with the new challenges in the processes of social and institutional transformation that will lead to compliance with all regulations that are compatible with those in the European living space. Each individual should be more responsible for building more quality institutions that will be representative and indicators of positive change in the social climate in which individuals would find their material and spiritual well-being.

With this theoretical elaboration on talented young people and the need for their all-encompassing support, I come to the presentation of a case that, to my strong belief, leads to improvement of circumstances on that area in our broader region.

Hence, an example of a positive practice that will lead to a change in our mental and socio-emotional patterns of thinking and behavior is the recent establishment of the *International Center for Emotional Intelligence* (ICEI) in Ohrid, which strives to reform individual, institutional and social actions as well as contemplation. In that direction head the efforts of the management board of the ICEI: Prof. Dr. Ljupcho Kevereski, President, Prof. Dr. Milan Jazbec, Vice President (former Ambassador of Slovenia to North Macedonia), Nina Momirovska, MA, Vice President, Aleš Breznikar (member) and Assoc. Prof. Dr. Vesna Stojanoska (member).

Ohrid as the seat of the ICEI was chosen for various reasons. Of course it has practicality for the founding team. But in the forefront is its unique and vibrant atmosphere, emotions in the air that are a result of historical, geographical and human capital. In addition, there exists a rare natural energy (the western downhill of the mountain Galičica boosts with an extremely high quality of the air, among the best in the world), the southeast exit from the Ohrid valley is embraced by a small, living volcano which gasses heal by themselves a set of diseases,

i.e. the whole surrounding breathes with an unprecedented mixture of geography, society and mystical notions. Ohrid is the place, the brand, the past and future in a one drop of human sensitivity.

The ICEI was founded in August 2020 with an ambition and a mission to spread the awareness of developing the emotional aspects of our lives with a special emphasis on both organizing events and workshops as well as on further contemplating this topic. The Centre also serves as a platform and venue for deepening the understanding of emotional intelligence and its development in collective actions (organizations of various types) and in individuals. Our mission is to detect, encourage and develop individuals, and to motivate organizations to focus on universal spreading and implementing of this noble human virtue. Our not only target audience, but also primary partners are all aspects of contemporary societies, from individuals to formal and informal structures, employment organizations, NGOs, networks and similar.

The founding session of the ICEI, via online meeting, was joined by Prof. Dr. John Peliteri, President of the International Association for Emotional Intelligence, New York, USA. The ICEI, established in coordination with this Association, thus became part of a global networking system, following and fostering the same goal and idea. In the subsequent period, the ICEI held several international webinars with the following titles: Empathy in times of crisis, Crisis in empathy, Women's leadership – balance between profession and family, The magic of positive energy, Psychology of success in their own way, Everything can be postponed only the care for talents NO, and Emotional intelligence from myth to science.

A careful selection of topics was done prior to the launching of the Institute to show the scope of its activities, policy outreach and practical implementability of expertise and knowledge. Participants, around thirty at each event, as well as representatives of various companies, including panelists and moderators, invested their effort in raising broader regional attention to work with talented and upgrading emotional their skills. All those events proved the necessity paying bigger attention to emotional intelligence in daily life and behavior, as a part of communication, cooperation and synergy among us.

The above listed activities are supporting the new individual and institutional profiling and quality of social climate in the Western

Balkan countries. Our aim is to be free from the traditional and other clichés of behavior, wherever they are only a burden in building a new future and not its stimulus. The world must establish a harmonious relationship between mind and emotions. The world must promote a new psychological energy that will have greater impact on the needs of all. This is a futuristic imperative and challenge for all of us. It has already started, we are part of it and should do our best to promote and implement it. Support us in this honorable mission, stay with us and offer your successors what is the most precious aspect of you.

**The Unjustified Restrictions of the Freedom of Movement: Roma on Macedonian Borders**

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*Milan Jazbec*



# Unjustified Restrictions of the Freedom of Movement: *Roma on Macedonian Borders*

Natalija Shikova<sup>1</sup>

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## ABSTRACT

In 2009 North Macedonia gained visa-free travel within the EU. The re-established freedom of movement was seen as a successful example of the EU policy of conditionality. Visa liberalization immediately increased the number of asylum seekers in the EU member states. Being administratively overburdened, they influenced Western Balkan governments in taking action for reducing the number of false asylum seekers. The authorities responded by tightening border checks and preventing their marginalized citizens (mainly Roma) from crossing state borders. Even though those practices were highly criticized by human rights defenders, according to the various Roma NGOs and human rights advocates, restrictions for social and ethnic background are not rare. The paper analyzes the potential violability of human rights within the EU visa liberalization policy and policy of conditionality. It illustrates an example of a limitation of the freedom of movement, ethnic profiling, and clear discrimination towards Roma through the case study of the violation of the constitutionally granted rights to leave the country.

**KEYWORDS:** human rights, Roma, asylum seekers, EU polices, North Macedonia

## POVZETEK

Leta 2009 je Severna Makedonija pridobila brezvizumski režim z EU. Ponovno vzpostavljena svoboda gibanja je bila videti kot uspešen primer pogojevanja politike EU in je bila zelo dobrodošla. Liberalizacija pa je takoj povečala število prosilcev za azil v državah članicah EU. Zaradi administrativnih preobremenitev se je od vlad držav Zahodnega Balkana zahtevalo ukrepanje za zmanjšanje števila lažnih prosilcev za azil. Države regije so zato poostriale mejne preglede in svojim marginaliziranim državljanom (predvsem Romom) preprečevale prehod državnih meja. Čeprav so nacionalni in mednarodni zagovorniki človekovih pravic te prakse močno kritizirali, omejitve zaradi socialnega in etničnega porekla, po mnenju romskih nevladnih organizacij in zagovornikov človekovih pravic, niso redke. V članku je analizirana morebitna kršitev človekovih pravic v okviru politike liberalizacije vizumskih režimov EU in politike pogojevanja. Predstavljen je primer omejevanja svobode gibanja, etničnega profiliranja in jasne diskriminacije Romov zaradi kršitev ustavno priznanih pravic do izstopa iz države.

**KLJUČNE BESEDE:** človekove pravice, meje, Romi, prosilci za azil, pisave EU, Severna Makedonija

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## INTRODUCTION

The discriminatory policies and racism against Roma are present in both Eastern and Western Europe, and although the most know hostilities against Roma are connected with Nazism and the holocaust, the history of repression of Roma precedes those events and dates several hundred years ago. The methods of repression that varied over time often involved enslavement, enforced assimilation, expulsion, confinement, and mass killings. However, it is striking that the policies of discrimination and expulsion of Roma are still present in nowadays democratic and non-democratic countries, the ones that are respecting human rights and the ones that face challenges in that respect. The hate speech and stigmatization of the Roma (in most of the cases as criminals) are still occurring and despite that the overwhelming majority of Roma individuals are not conflicting the law, the whole group often is blamed for what some of its members may have done (Council of Europe, 2012). The concerning fact is that the xenophobic statements and actions against Roma are often coming from the leading politicians or even from the national governments.

The ongoing structural discrimination that Roma face is not properly addressed within minority rights framework and post 1990s minority regimes in Europe are still not quite relevant for many Roma. The measures that are addressing the social exclusion and marginalization in most of the cases are largely unenforceable, they tend to overlook the harsh living conditions, lack to access to public services, low level of education as well as the prejudices and hostility against Roma. In the same time, they do not perceive the diversity within the Roma communities and observed them as homogeneous population (Pogány, 2006).

The paper presents the violability of human rights of the ones that are commonly marginalized during processes of migrations. It illustrates an example of the violation of the right of freedom of movement, ethnic profiling, and clear discrimination of the Roma individuals attempting to cross the national borders through the case study of the violation of the rights of Roma on the Macedonian borders. Methodologically, the paper presents the case stretching from the period of introducing visa liberalization policy (visa-free travel within the EU) to North Macedonia and other Western Balkans countries (from 2009), until nowadays (within the global COVID -19 pandemic), that exists with different variations.

The research methodology utilized in this paper sublimates civil society reports, regional and international organization findings, national institutions data, media outreach as well as scholarly articles that are exploring the subject of interest. Additionally, it relies on the interviews with the human rights lawyers and some of the victims, held for the purpose of this paper. The concerning finding is that the violation existed within the country institutional and legal frame (in approximate two-year period), under tacit and open pressure by the EU countries and by the observance of the EU institutions (still ongoing). The findings are suggesting that restraining of the right of freedom of movement for certain social groups is severe and it continues to exist even with the EU policy of conditionality applied towards EU candidate countries. Although those harsh practices upon Roma individuals are reduced, some of the sources are pointing that the unfavorable acts are still occurring from time to time, under modified circumstances, in different contexts and without high public involvement.

### **THE SOCIOECONOMIC AND POLITICAL POSITION OF THE ROMA**

According to the Council of Europe, around 11-12 million Roma are living on the territory of its member states. By the official data, the largest population lives in Bulgaria (10.33%); North Macedonia (9.59%); Slovakia (9.17%); Romania (8.32%); Serbia (8.18%); Hungary (7.05%); Turkey (3.83%); Albania (3.18%); Greece (2.47%) and Spain (1.52%) (Council of Europe, 2013). Although arguably the numbers, due to the lack of administrative existence of many of the Roma individuals, are much higher. However, the numbers coming from various statistical sources are pointing out that Roma are the largest, and according to some scholars, the most discriminated ethnic minority in Europe (Bojadjieva, 2015).

In addition to life on the society margins, in poverty and exclusion, many of Roma do not even have an administrative existence. The civil wars, forced migrations, expulsions, and extreme poverty, made many of them stateless people or people that live in Europe but without any documents including birth certificates, identity cards, passports or other. That lead them into the denial of the very basic human rights such as the right to education, health care; the denial of their civil and political rights, such as right to vote; as well inability to enjoy the social rights. Above that, the interest of the authorities to overcome the explained situation is proved to be short-sided and without genuine

interest. Thus, although the problem of Roma discrimination exists in many countries in Europe, it is particularly acute in Western Balkans (Council of Europe, 2013).

The Roma are not homogeneous ethnic group and among them, there are many ethnic groups such as Arli, Barutčia, Džambazi, Gilanlia, Konopari...etc). Still, in North Macedonia are considered to be a homogeneous minority and according to the last census in 2002, they represent 2.66% of the total population of 2.022.547. Nevertheless, as elsewhere, mainly because they lack administrative existence or not being entirely entered into the national registers, there is an assumption that the actual number of Roma is much higher than the official figure and the estimations are moving up to roughly 10% of the population. To that figure, we must add that North Macedonia is home to nearly 1.700 refugees, mostly Roma, who fled because of the Kosovo conflict in 1999. A big number of them use to be asylum seekers (1100 were Roma) (European Roma Rights Centre, 2015) and in 2017 there were still 616 people with an unresolved legal status facing unreachable barriers in their access to basic human rights (Civil Rights Defenders, 2017). The unemployment rate among Roma people in North Macedonia is 53%, and the unemployment rate for the Roma woman rises up to 70% (European Roma Rights Centre, 2013). Some of the state statistical reports are indicating a tendency of rate growing (Civil Rights Defenders, 2017).

The trend in North Macedonia is not much different than the trend among other countries in Europe, whereas the inclusion in Roma in all society sectors remains low and it is even lower in the institutions of the public sector (Council of Europe, 2012). Although there is moderate progress towards securing an equitable representation of all the ethnic communities in the public domain in North Macedonia, still Roma remain underrepresented in the public institutions, participating only with 1.10% in the total number of the employees in the public sector. The representation in the local- self-government administration is even poorer (Civil Rights Defenders, 2017). The figures are a reflection of many difficulties that Roma face, such as endemic discrimination combined with the under-education and regardless of the efforts to increase the access of the Roma to the labor market, still, the level of unemployment is significantly high in comparison to the unemployment rate of the non Roma population (this situation does not differ much in comparison to other countries in Europe, as

for an illustration in Bulgaria the figures are among 70-80% of Roma unemployment; the Czech Republic 90% etc.). The discrimination in employment is recorded in North Macedonia<sup>2</sup> (and in many European countries including Estonia, Finland, Georgia, Hungary, Latvia, Poland, Portugal, Romania, Serbia, Spain, and Slovakia), and involves direct and indirect acts of discrimination (Council of Europe, 2012). Because of no solid data, the North Macedonia official figures are illustrating not only the difficulties of integrating Roma into the labor market but as well as the challenges in getting the reliable info about the real unemployment rate among the Roma (Civil Rights Defenders, 2017).

Concerning their political position, the Roma are explicitly recognized in the Preamble of the Constitution of the Republic of North Macedonia, as an ethnic community that resides in the country alongside with Macedonians, Albanians, Turks, Vlachs, Serbs, and Bosnians. The major strategic policy document related to Roma is the National Roma Integration Strategy (Strategy, 2014-2020) that covers education, employment, housing, health, and culture. The other important documents within the national legal frame concerning the Roma community are the Law on Promotion and Protection of the Rights of Communities that are less than 20% of the population in North Macedonia,<sup>3</sup> the Law on Local Self-Government<sup>4</sup> and the Law on Prevention and Protection against Discrimination.<sup>5</sup> North Macedonia is a signatory to the various regional and international legal instruments that are regulating anti-discrimination and freedom of movement such as Universal Declaration of Human Rights (1948); International Covenant on Civil and Political Rights (1966); The International Convention on the Elimination of all form of Racial Discrimination (1969); the European Convention on Human Rights (1950) etc.

## **EU POLICY OF CONDITIONALITY AND VISA LIBERALIZATION**

The Republic of North Macedonia became an independent state after the dissolution of SFRY, in 1991. North Macedonia has candidate status for EU membership since 2005. The country's main tendency is to reach the democratic standards; to establish the rule of law, to keep the

2 BIRN, "Macedonian Mall Caught in Roma Ban Row", 2013.

3 Law on the Promotion and Protection of the Rights of the Members of the Communities which are less than 20% in the population in the Republic of Macedonia, Official gazette 92/2008.

4 Law on Local Self-Government, Official Gazette 5/2002.

5 Law on Prevention and Protection against Discrimination, Official Gazette 101/2019.

peace and stability and to increase the economic growth. The political system tends to be democratic and it is open towards EU perspectives.

Since independence, North Macedonia had a favorable condition in respect of democracy and security, and compared to the bloody secession conflicts in neighboring countries, long has been considered a prime example of stability and interethnic coexistence (Richter, 2012, p.66). In 2001, North Macedonia became the first country in South Eastern Europe that signed a Stabilization and Association Agreement with the EU, and currently, after a long and uncertain path towards EU, the country is prepared to start the process for accession negotiations anticipated by the end of 2020.

In 2009, North Macedonia entered the European visa-free travel zone. As a part of it, Macedonian citizens were granted a short-term trip within the European Union states, without a visa and with valid passports (Council of EU, 2009). The act meant as well re-establishing the freedom of traveling for North Macedonia citizens in EU member states, almost two decades after the EU introduced the visa regime, and followed the two-year negotiation process between the European Commission and the Western Balkan countries (with the exception of Kosovo). Such an outcome of the process was observed as significant progress in the region (Kacarska and Mojsovski, 2016). None of the less, that was not perceived only as an example of the success of the countries' internal security policies, but as well as a successful example of EU's policy of conditionality i.e. traveling without the visa, was one of the most attractive rewards that EU offered for the EU candidate countries (Grabbe, Knaus and Korski, 2010).

North Macedonia as other Western Balkan countries (as well as Turkey) is subject to EU policy of conditionality. Applied as a political tool, the main idea is to stimulate country progress towards EU. Namely, by offering the incentive of EU membership, EU motivates the country political elites to force the democratic reform processes. The policy of conditionality is a bridge of the country towards EU membership, and since EU is unable to forcefully impose the democratic principles over the EU candidate countries, it introduces them as a precondition for an EU accession (Epstein and Sedelmeier, 2008). In that process the senders and recipients – enter into a circle of incentives, promises, and (non-violent) threats (Beichelt, 2012) i.e. the country is under strong observance whereas the fulfillment of the conditions is presented

by the EU Commission in a country progress report. The rules of political conditionality are not part of the *Acquis* but they are relying on fulfillment of democratic principles, human rights, and minority rights (Epstein and Sedelmeier, 2008). The process itself is successful if it is credible and consistent. The credibility assumes rewarding the compliance, sanctioning or withdrawing the rewards if there is no compliance. The consistency meaning that rewards are explicitly and reliably linked to the fulfillment of the EU criteria, and the same standards are applied in the processes (Richter, 2012).

The policy of conditionality has shortcomings and one of it is its implementation. Despite the expectations and initial success, the process is not sufficiently credible. There is inconsistency in policy application that instead the democratization of the Western Balkan countries, in a way lead to their democratic backsliding (Richter 2012). Alongside, EU often goes 'beyond conditionality' – through different mechanisms of influence and different modes of external governance (Epstein and Sedelmeier, 2008). Many recent events within the migrant crisis (in 2016) and consequent happenings prove that EU policy is focusing more on the symptoms rather than on the causes, fails to address them in a proper way. The process lacks credibility and consistency, because EU tends to trades stability over democracy, fundamental European values for geopolitical interests.<sup>6</sup>

In light of the examined case, lifting the visa requirements removed the screening function that visas had, and encouraged traveling of the needy individuals, among them Roma people, who would normally avoid such activities due to the high expenses of the visas and numerous administrative burdens for obtaining them (Hartley, 2014). In that manner, the introduced visa liberalization policy (within policy of conditionality) immediately increased the number of the asylum seekers from North Macedonia mainly to Belgium, Sweden, and Germany.<sup>7</sup> The authorities of the receiving countries claim that the majority of the asylums seekers are of Roma ethnicity (despite the fact that countries, in general, do not register the ethnicity of asylum seekers). Additionally, the majority of the applicants was perceived as

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6 Balkans in Europe Policy Advisory Group: The migrant crisis: a catalyst for EU enlargement? Policy Paper, BiEPAG, 2016.

7 Council of Europe Commissioner for Human Rights, Report on his visit to the former Yugoslav Republic of Macedonia from 26 to 29 November 2012.

not qualifying for an asylum (European Roma Rights Centre, 2013) and was categorized as illegitimate asylum seekers.<sup>8</sup>

### **“CARROT AND STICK” BREAKS ON THE BACKS OF THE MOST VULNERABLE**

The Constitutional provisions of North Macedonia are stipulating that everyone have the right to leave the territory of the country and come back, indicating possible restrictions on those rights upon the law and in the exceptional cases, such as the protection of the security of the country, criminal proceedings that are in progress, or the protection of public health.<sup>9</sup> Still, the EU officials intensified the pressure towards country officials to properly manage migration, alongside the threats for eventual temporary suspension of the visa liberalization policy (Andeva, 2017a). To demonstrate that “carrot” of gained visa liberalization was “deserved”, the Macedonian government, upon the EU pressure, implemented discriminatory policies against Roma identified as false asylum seekers in the European Union member states. The freedom of the movement, including the possibility to exit the country was limited alongside with the introducing of the ethnic profiling as a state practice.<sup>10</sup>

It is argued that false asylum claims have its reason within the deprived socioeconomic situation that Roma people face alongside with the longstanding discrimination (Hartley, 2014). Although the persons seeking asylum may not have a right to get it (asylum as a form of a protection by another sovereign authority is commonly granted if the person faces a prosecution in own country; being displaced person or person that needs an international protection),<sup>11</sup> still the time passed in the receiving states before the denial of the asylum (that can last up to several months), can bring certain financial benefits for the people in need (FRONTEX, 2012). In this process, the receiving country governments bared the financial and administrative burden and that was the reason beneath the undertaken pressure over North Macedonian authorities (European Stability Initiative, 2013). Answering those quests (according to various FRONTEX, the Bureau for Democracy, and the Council of Europe reports), by 2014 about 20,000 Roma were returned from the Macedonian border crossings.

8 Ibid.

9 Constitution of the Republic North Macedonia, Article 27.

10 Application Nos. 43440/15, 44027/16 and 16460/17, Dženifer Dželadin, Muamet Abedinov and Sejat Zekirov vs. the former Yugoslav Republic of Macedonia.

11 Asylum policy, European parliament fact sheets, <https://www.europarl.europa.eu/factsheets/en/sheet/151/asylum-policy>.

The largest wave was in 2013 when around 6.700 people were not allowed to leave the country.<sup>12</sup> The acting of the border police officials involved an ethnic profiling of Roma, infuriating their freedom of movement by set of discriminatory practices<sup>13</sup> and bares the hallmarks of racial discrimination (Hartley, 2014). Except denning of an exit, the passports of the ones deported from the Western European countries (after being declared ineligible for asylum) were confiscated. By the order of the Ministry of Interior, those persons were further banned to cross the borders with the neighborhood countries as well, whereas the crossing is possible only with valid ID card.<sup>14</sup>

After been subject to criticism, North Macedonia established a legal ground for above explained acting, enacting a law that criminalizes seeking of an asylum without “solid proof of cause” (Chachipe, 2012) and an amendment to the Law on Travel Documents which prevented anyone returned as a false asylum seeker to use its passport for a year.<sup>15</sup> Furthermore, the new amendments were introduced in the Criminal Code that had established a new criminal offense “Abuse of the visa-free regime with the European Union member states and Schengen agreement”. The articles were stipulating that a person, who recruits, encourages, organizes or transports persons to the EU and Schengen countries with the purpose of obtaining social, economic or other rights contrary to the law of the respective countries will be sanctioned with a minimum of four years imprisonment.<sup>16</sup>

Despite the changes of the laws, the most controversial practice was the extend of the discretionary powers of the border officers and selective targeting of the Roma individuals. In particular, the ones that were returned from the border crossings, attempting to leave the country, by the findings of the border officers, under the suspicion that a person is a false asylum seeker, received a mark “AZ” in their passports - indicating a potential asylum seeker.<sup>17</sup> Following

12 Joint Initiative to empower Roma Civil Society in the Western Balkans and Turkey, Shadow report for the needs and problems of the Roma community, 2015.

13 European Roma Rights Centre, Written Comments of the European Concerning Macedonia for Consideration by the Committee on the Elimination of the Racial Discrimination at its 87th session, 2015.

14 Ibid.

15 Law Amending and Supplementing the Law on Travel Documents of Nationals of the Republic of Macedonia, official gazette 135/ 2011 (nb. the Law in 2014 was ruled as unconstitutional).

16 Criminal Code, Article 418-e.

17 Transitions Online, “Racial Profiling on Macedonia’s Borders?”, 27 June 2012; Independent Balkan News Agency Naser Pajaziti, “Roma community, the most marginalized and discriminated in FYR Macedonia,” January 16, 2015; Travel times, “Roma resistance: End ethnic profiling in Macedonia”, 2018.

the indication about detected discriminatory practices (mainly from the Council of Europe) the unfair treatment of Roma continued but on the more discrete manner, namely replacing the use of the “AZ” letters with the two parallel lines (Hartley, 2014). This phenomenon is informally named as “prevention of the abuse of the asylum”, and such cases are often referred to as cases of “bogus asylum-seekers”. Persons returned from the state borders and persons to whom the asylum was not granted (dismissed claims) were registered in a system available to border guards and permitted in any future crossing of other national borders (Andeva, 2017b).

The above explained practices and policies by the human rights defenders were seen as institutionalized discrimination against the Roma<sup>18</sup> since the ethnic profiling and restriction were reflected in the legislation, administration, policy measures as well in the discriminatory attitudes of the state officials.<sup>19</sup>

### **IS THERE A WAY OUT?**

Similar trends of returning the Roma from crossing of the national borders and discriminatory practices can be observed in the region especially in Serbia and most recently in Albania. Comparable measures were introduced in Bulgaria and Romania in the early 2000’s (Kacarska, 2019), contrary to the granted human rights. For example, the application of Protocol 4 of the European Convention on Human Rights (ECHR) raises many questions, discussions, and debates and in recent years several key aspects about the current EU policies related to migration and the policies applied to North Macedonia that were in direct conflict with the right of the free movement guaranteed by this instrument. The Constitution of the Republic of North Macedonia establishes equality and freedom of movement for all citizens while the international treaties to which North Macedonia is a party, are prohibiting all types of discrimination and restriction of the freedom of movement. In that light it is apparent that the measures undertaken by the Macedonian officials were not justified in any ground – especially not a constitutional one – the returned Roma individuals did not possess a danger to the public or to the legal order, nor the restrictions were imposed due to the protection of the public health. Contentious,

18 Application Nos. 43440/15, 44027/16 and 16460/17, Dženifer Dželadin, Muamet Abedinov and Sejat Zekirov vs. the former Yugoslav Republic of Macedonia.

19 Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai, A/HRC/17/40, 24 May 2011.

it was argued that the measures were introduced because of the need for protection of the country's international image - a category that the Constitution of North Macedonia and the international instruments do not recognize as a ground for restriction of the rights (Andeva, 2017a).

The measures were criticized as well by the Human Rights Commissioner of the Council of Europe, notified that the pressures preventing people to leave the country and selection for border checks that are targeting only Roma population jeopardize the recognized human rights (Council of Europe, 2013). Unlike the established practices, the European Commission Visa liberalization Roadmap indicates that North Macedonia need to grantee its citizens' freedom of movement unburdened with unjustified restriction and discriminatory practices. Additionally, it recommends that the country should investigate all the cases where there are ethnically motivated incidents and violations of the freedom of movement by the practices of the police officers. The concerning in this case is the fact that the judiciary institutions were aware about this problem but keep silent until one of the discriminated persons won the court case against the Macedonian Ministry of the Interior (Andeva, 2017a). Namely, the civil society organizations that are dealing with human rights protections challenged the official policies in front of the Constitutional Court, the Administrative Court, the Ombudsman, and the Basic Court 2 in Skopje. The lawsuits started in 2014, and the first final decision in favor was brought in 2016. Previously, in 2014, the articles from the Law on Travel Documents that were predicting confiscation of the passports in case of false asylum seekers were ruled unconstitutional. That resulted in more than 50 court cases and numerous verdicts confirming the state violation of the freedom of movement (European Policy Institute and KHAM, 2016). The Ombudsman as well reported the unjust limitation of the right to movement and the discrimination in the acting of the Ministry of Interior officials. Yet, in 2015, the European Roma Rights Center documented 75 new cases in which the passport of the Roma individuals was revoked by the North Macedonia border officials after been deported from EU countries as false asylum seekers. Following these happenings, in 2016 the Minister of Interior publicly announced that the discrimination of the border crossing cannot be allowed anymore and some of the authors saw that those statements were given in time when EU pressure in respect of the issue was slightly declined (Kacarska, 2019). Anyhow, additional cases were recorded by the end of 2017 as well (European Roma Right Center, 2017).

Currently, there are still ongoing cases in front of the Macedonian courts on the grounds of state discrimination and violation of the freedom of movement based on ethnic and social grounds. Although the discriminatory practices, for now, seem to be reduced, still there is a possibility that the issue of Roma discrimination on national border crossing can reappear during North Macedonia EU accession process (Kacarska, 2019).

As for the possibility of reaching the justice, for the ones deprived in rights, it is important to mention that several cases are in ongoing procedure in front of the European Court of Human Rights. In some of the cases a friendly settlement was reached, and in one case a court decision after the unilateral declaration of the Macedonian Government that did not fulfill the protection of the applicant's right to freedom of movement and protection against the discrimination. Still the Court didn't deliver judgment and did not confirm the systematic violation because the changed circumstances.<sup>20</sup> The expectations were that the Court will deliver favorable judgment which will bring a change in attitudes and terminate the existing discrimination against the Roma so that they can fully enjoy the freedom of movement both in their country and when they wish to leave it.<sup>21</sup> Still the brought decision instead of judgment, confirms that despite the Court's extensive jurisprudence related to the freedom of movement, the restrictions of Roma border crossing, not yet been explored as systematic violations,<sup>22</sup> and collective justice is still not reached.

Nevertheless, both the UN Human Rights Committee and the UN Committee on the Elimination of Racial Discrimination expressed their concern regarding the restriction of freedom of movement and ethnic profiling of Roma at North Macedonia's borders (Human Rights Committee, 2015),<sup>23</sup> a practice that according to the domestic human rights legal practitioners, continues without publicity, tough in reduced numbers. New cases are occurring from time but without significant public involvement (European Roma Right Center, 2017). For instance, since the outbreak of the COVID 19 pandemic, as it is

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20 Decision 43440/15, Dženifer Dželadin against North Macedonia, September 2019.

21 Submission on behalf of the interveners (MRG) to the European Court of Human Rights in the case of Dženifer Dželadin, Muamet Abedinov and Sejat Zekirov v the Former Yugoslav Republic of Macedonia.

22 Application Nos. 43440/15, 44027/16 and 16460/17, Dženifer Dželadin, Muamet Abedinov and Sejat Zekirov vs. the former Yugoslav Republic of Macedonia.

23 Human Rights Committee, Concluding observations on the third periodic report of the former Yugoslav Republic of Macedonia, CCPR/C/MD/CO/3, 17 August 2015.

reported from the media, at the North Macedonia borders the Roma population was selected from other travellers and placed in the separated state quarantine.<sup>24</sup>

In that respect, the potential “false asylum seekers”, the Roma, are still under some restrictions in regards to their right to leave and come back in their own country. Additionally, this issue is not overcome yet even on the EU institutional level. Despite the criticism and the outcomes of the Court cases clearly indicating discrimination against Roma in their attempts to cross the national borders, still, the EU institutions continue to balance the policy of conditionality *vis a vis* human rights, often accepting or even initiating their direct violation. For an illustration, the measures for preventing an asylum are put as an interim benchmark within the Serbia negotiation process (Marić and Bajić, 2018) and that is expected to be reflected in North Macedonia EU negotiation framework. Since the benchmark is part of Chapter 24 (Justice, freedom and security) that together with the Chapter 23 (Judiciary and fundamental rights) are first to be opened and last to be closed,<sup>25</sup> most probably similar policies and practices will pop up again in public agenda.

## CONCLUSION

According to the various sources, in 2012 and 2013, over 15.590 people, mostly Roma, were forbidden to travel and returned from domestic borders simply because they were profiled as potential asylum seekers. Although this practice was highly criticized by the national and international human rights defenders and various EU institutions, similar acts of state discrimination and violation of human dignity are not rare. The presented case and analyzed problem from legal and political aspects, reopen the question of whether the right to freedom of movement for every citizen and the protection of every citizen from discrimination is less significant than the EU migration policy intend to reduce the number of asylum-seekers and illegal migrants (Andeva, 2017b). Affecting the human rights and violating them on a grounds

24 Health and Human Rights Journal, “Anti-Roma Racism is Spiraling During COVID-19 Pandemic”, April 2020; Romea, “North Macedonia selects just Romani people crossing the border for quarantine in unhygienic conditions”, 2020; OCCRP, “North Macedonia Singles Out Roma Musicians for Quarantine”, 2020.

25 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Enhancing the Accession Process - A credible EU perspective for the Western Balkans, 2020.

of EU conditionality, puts a shade over the role of the EU towards the third country and undermines its policies. The EU policies are meant to support the rule of law and good governance but at the same time the EU values on human rights and democracy (Kacarska, 2019). In the process of the EU enlargement, in North Macedonia, the Roma policies were an element of the political criteria for accession, closely related to the country's social policy, anti-discrimination and fundamental rights. Roma and their status in the society were and still are a topic and point of concern in all the EU annual progress reports. Still, on account of the conditions and promises given to North Macedonia for becoming an EU member state, frequent actions were violating the Constitution and the laws that should guarantee liberty and human rights. Despite the ruled court cases, the Ombudsman reports, the Constitutional Court decisions, the EU Commission did not recognize the problem of ethnic profiling (although in the years later, for example in 2018, noted that there are no new cases of preventing the Roma leaving the country).<sup>26</sup> Segregation, stereotyping and other form of discrimination of Roma, remain prevalent and they are promptly noted.<sup>27</sup> But the presented example and the European Human Right Court practice, witness that human rights are vulnerable in the processes of migration, but they are even more vulnerable when the violation is done institutionally, by the own state. Systematic violation of rights showed to be legally difficult to prove, but regardless the previous and future court decisions or preferable judgments, none of the given set of circumstances, gravities, possibilities for EU membership, socio-political implications and other concerns, cannot justify the unfair restrictions.

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26 Commission Staff Working Document, The former Yugoslav Republic of Macedonia 2018 Report; (nb. in the report for 2019, the Commission notifies that the visa-free travel regime with the EU continued to work smoothly, national authorities are tackling the unfounded asylum applications and that lead to the decrease of the numbers, see more at EU Progress Report 2019, Commission Staff Working Document, North Macedonia 2019 Report).

27 Commission Staff Working Document, The former Yugoslav Republic of Macedonia 2018 Report.

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# Lithuania's Foreign and Security Policies during the War on Terrorism

Teodora Tea Ristevska and Iztok Prezelj<sup>1</sup>

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## ABSTRACT

Lithuania was one of the small European countries that participated in the War on Terror's secret detention programme designed by the Central Intelligence Agency (CIA) after the terrorist attacks of 11 September 2001. The focus of this paper is to understand the impact the War on Terrorism has had on Lithuanian foreign and security policies and to see what small countries in the Western Balkan region can learn from this. The paper considers a case study investigated in the period before, during and after the programme was underway. We employ a qualitative content analysis approach that focuses on the practical effectiveness of Lithuanian legal acts and the judgment of the European Court of Human Rights. The Lithuanian authorities allowed CIA to operate on its territory that triggered an unprecedented political scandal and several ineffective and delayed investigations by the Prosecutor General. The government representatives who once denied and then confirmed the existence of secret prisons have seriously damaged Lithuania's reputation with respect to the protection of human rights.

**KEYWORDS:** Lithuania, extraordinary rendition, secret prisons, war on terror

## POVZETEK

Litva je bila ena izmed majhnih evropskih držav, ki je sodelovala v programu izrednih izročitev in tajnih pridržanj, ki ga je oblikovala Centralna obveščevalna agencija (CIA) po terorističnih napadih 11. septembra 2001. V članku so natančneje razloženi razlogi za sodelovanje Litve v tem programu. Cilj je razumeti, kakšen vpliv je imela vojna proti terorizmu na litovsko zunanjo in varnostno politiko, in pridobiti nekaj naukov za majhne države v regiji Zahodnega Balkana. Članek temelji na študiji primera in preučuje tri različna časovna obdobja: pred, med in po izvedbi programa. Uporabili smo kvalitativni pristop analize vsebine, ki se osredotoča na učinkovitost litovskih pravnih aktov v praksi in nedavno sodbo Evropskega sodišča za človekove pravice. Domnevno so litovske oblasti dovolile CIA delovanje tajnih zaporov in izrednih izročitev na njihovem ozemlju. Sledilo je več neučinkovitih in preloženih preiskav litovskih pravosodnih organov. Kljub temu, pa so vladni predstavniki s prvotnim zanikanjem in kasnejšim priznavanjem obstoja tajnih zaporov uničili litovski ugled na področju učinkovitega varovanja človekovih pravic.

**KLJUČNE BESEDE:** Litva, izredna izročitev, tajni zapori, vojna proti terorizmu

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## INTRODUCTION

Small states constitute a large part of the international community. More than half of all United Nations member states have fewer than 10 million inhabitants. The experience of small states' foreign and security policies can assist the research community and decision-makers in drawing lessons and possibly taking steps based on them. We are interested in the foreign and security policies pursued in Lithuania, a small Baltic country in Eastern Europe after the attacks of 11 September. While small states conduct foreign and security policies in a way that enables them to preserve their sovereignty, any strategic allies they may have can also have a strong influence on their policies. We argue that by allowing the CIA to establish and operate secret detention facilities in its territory (i.e., airspace, airports, secret detention locations, waiving of the usual border controls), Lithuania has seriously limited its own sovereignty and enabled the violation of human rights on its territory and beyond (extraordinary renditions). Lithuania did this due to a combination of motives like improving the security of the USA, efficiently participating in the War on Terrorism, having a better USA-Lithuania relationship and greater chances of joining NATO.

Every small state faces its own internal and external challenges that then shape its foreign and security policies, yet some similarities exist between those with the same strategic allies. Integration into NATO and the European Union has been a strategy shared by most small European states which achieved independence in the 1990s. The Western Balkans and the Baltic states have taken a similar approach, holding a preference for multilateralism and seeing Euro-Atlantic integration as a priority. By analysing the case of Lithuania, the article aims to understand the impact the War on Terrorism has had on the country's foreign and security policies and which lessons can be extracted.

The attacks of 11 September sparked enormous changes in the foreign and security policies of the USA, in most European countries, and beyond. The US government launched the "War on Terrorism" campaign against the radical terrorist network Al Qaeda. Many authors have analysed the US government's response and anti-terrorism policy after 9/11 (Clarke, 2004; Johnson, 2008; Fletcher, Stover, 2009; Murray, 2011; Hayden, 2017, 2018)running the Situation Room - a

scene described here for the first time - and then watched in dismay at what followed. After ignoring existing plans to attack al Qaeda when he first took office, George Bush made disastrous decisions when he finally did pay attention. Coming from a man known as one of the hard-liners against terrorists, *Against All Enemies* is both a powerful history of our two-decades-long confrontation with terrorism and a searing indictment of the current administration. \”-Jacket. *Evacuate the White House – Stumbling into the Islamic world – Unfinished mission, unintended consequences – Terror returns (1993-1996)*. However, the question of how this global counter-terrorism strategy has been reflected in the foreign and security policies of small states is less covered, especially with regard to Lithuania. This country is a very valuable partner of the USA and has cooperated in the War on Terrorism in cases of extraordinary rendition and on the existence of secret prisons, also known as black sites (Lefebvre, 2012; Carey, 2013; Park, Paulionyte, 2016).

The Cobain Report states that 14 European countries allowed the CIA to secretly transport prisoners in its airspace and to use its airports. These countries provided information to the CIA and allowed them to interrogate people (Cobain, 2013). Despite being one of many European countries to participate in the CIA's extraordinary rendition programme, Lithuania has become one of the few countries that have certain details of its cooperation publicly disclosed and against which terrorist suspects have filed complaints with the European Court of Human Rights. This makes Lithuania a very useful case study for researching the impacts of the War on Terrorism.

The article presents a brief conceptualisation of small states and their foreign and security policies. The second part describes Lithuania's reaction following the attacks of 11 September. The domestic political context and Lithuania's foreign and security policy adjustments due to its participation in the global counter-terrorism strategy are then considered. Third, we discuss the operation of secret prisons and authorisation given to CIA flights within the framework of Lithuania's cooperation in the strategy. Fourth, the article explains the ways the secret prisons were revealed and the investigations performed by local and foreign institutions. Fifth, we present the cases against Lithuania before the European Court of Human Rights. The final section discusses the extent to which the USA's counter-terrorism strategy has influenced Lithuania's foreign and security policies.

## **SMALL STATES AND THEIR FOREIGN AND SECURITY POLICIES**

The term small states entered the International Relations (IR) dictionary in the 1960s when numerous IR researchers started calling for the greater recognition of smallness as a way of better accepting these countries' place and role in world politics. The Commonwealth Secretariat commenced an influential study in 1985 which categorised small states as those with populations of less than 1 million people – although this was later revised to 1.5 million to take account of global population growth. Countries' smallness was often linked to their isolation and remoteness that make them extremely susceptible to a range of exogenous shocks. Nonetheless, many small states have seen relatively high levels of economic growth and development over the last three decades. Small states are clearly not without power. Still, they are traditionally seen as so lacking in the conventional dimensions of power that they are deemed inconsequential in international relations; hence, the peculiar labels of the great powers, middle powers, and small states (Cooper, Shaw, 2013).

Although the topic of small states is not new in the IR discourse, there is still no common definition of it. Robert Keohane (1969) stated that “the smallness of a state should be defined in accordance to its ability to influence affairs in the international system”. Šabič, Bojinović Fenko and Roter say that, when analysing small states, the extent of small states' influence on particular sectors should be taken into account, and the international system should be viewed as a whole. Moreover, each state should be observed as a political system operating in different types of environments all at once, while the areas of cooperation in which the state wants to have an influence are limited by its capacity. The capacity of a certain state is not always determined by its physical size because other determinants are also relevant, such as the availability of human resources. In addition, the state is not the only actor influencing a given area of cooperation abroad since other actors can contribute not only directly but also indirectly to the image of the country (Šabič, Bojinović Fenko, Roter, 2016).

However, the former British diplomat Barston (1971) called that small states are unable to exist as independent states, and thus are unable to engage in international diplomacy, ceremonial states. He also wondered whether these ceremonial states pursue foreign policy and diplomacy in any meaningful sense. He noted the foreign relations

of ceremonial states are more administrative in nature. According to him, when they engage in international diplomacy, they do so through their large neighbours' embassies (*ibid.*). Similarly, East (1973) stated that small states' foreign and security policy behaviour lacks the resources needed to pursue foreign policy in a meaningful sense and are thus mostly dependent on multilateral diplomacy. This is a relatively economically efficient method compared to other, richer states and the outcome of a shortage of the experience, resources and institutional mechanisms possessed by large states, which allows them to engage in effective dialogue with other states (*ibid.*). The belief that the opportunities of small countries to become important actors in international relations are relatively limited is deeply integrated into the realist theory of international relations. This arises from the limited external capacities a small country must deal with in its foreign and security policies and diplomacy. Notwithstanding this, precisely because it is a small country – it can make the most of the advantages given to it in a world of big players.

According to Knudsen (1996), the point of studying the security of small states is the significant inequality of their power relative to their larger neighbouring states and big powers. This power disparity raises the question of how a small state is pressured to adopt common solutions and how such a state is able to survive. As concerns the latter, two theoretical approaches exist. The first argues that small-state survival is a matter of what a small state can do on its own to assure its security, while the second approach argues that the fate/survival of a small state is determined by an external (great) power. Accordingly, a small state can survive so long as it serves some function in the schemes of the great powers. The theory on security complexes (see Buzan, Wæver, 2003) also recognises the possibility of extensive penetration (or “overlay”) by global powers in the regional security complex.

This paper deals with a small European country that participated in the programme on secret prisons and extraordinary rendition. It focuses on Lithuania, a member state of the Council of Europe which many reports indicate has hosted two CIA black sites (see Amnesty International, 2009; The Rendition Project, 2014; Cole, Ross, 2009a). The involvement of the Lithuanian government in these operations is just one aspect of the support given to the CIA's secret prisons and extraordinary rendition. Other aspects include the absence of intervention by Lithuania's national institutions with respect to (in)

justice. In the following sections of the paper, we analyse Lithuania's policy response after the attacks of 11 September.

### **LITHUANIAN'S RESPONSE AFTER THE 9/11 ATTACKS**

To understand what has happened in Lithuania since the terrorist attacks in the USA and what finally led to the existence of secret prisons on Lithuanian soil, we will consider the following aspects. First, the domestic political context of Lithuania, then the establishment of a new anti-terrorism institution and, finally, NATO accession as a strategic goal of Lithuania.

From a geopolitical perspective, Lithuania borders Russia, which has long pursued an imperialist foreign policy. Consequently, a consensus exists in Lithuania that its neighbour to the East is a security threat to Lithuania (see the National Threat Assessment, 2020) and another consensus that the same is a terrorist threat. The fight against terrorism is inevitable as international terrorists reject the Western way of life and thereby leave terrorists without political support in Lithuania (Karlsson, 2012). Following the terrorist attacks of 11 September 2001, Lithuania has made many changes to protect its citizens from possible future terrorist attacks. It has protected foreign embassies, critical infrastructure and government institutions. The police and army have been the main law enforcement agencies for protecting against these potential terrorist targets (*ibid.*). According to *The Baltic Times*, all of liberal Western civilisation was being attacked after the attacks of 11 September 2001 (*The Baltic Times*, 2001). The author notes that Lithuania has taken the 9/11 tragedy very seriously since one-third of all Lithuanians (large diaspora) live in the USA. Consequently, the *Baltic Times* notes that Lithuania is the biggest supporter of the USA in Europe. Moreover, Jonas Cronkitis a veteran of the US military in Vietnam and then commander-in-chief of the Lithuanian Army, like the then President Valdas Adamkus, spent most of his life in the USA (*ibid.*). In an interview by Bradley Bryan with US Ambassador to Lithuania John Tefft, the Ambassador made it clear that US investment in Lithuania is an important part of the relationship between the two countries. The Ambassador stated that a new factory was being built in Klaipeda, with at least USD 45 million having been invested in Lithuania in the most modern specialised steel production with 120 Lithuanian employees (Bradley, 2001). As regards the political situation, the Lithuanian government on average changed once a year

after the country's independence from the Soviet Union in 1990 until 2001. However, this lingering political instability changed when the government of Algirdas Brazauskas came to power. He was a member of the Social Democratic Party and from January 2001 to June 2006 the Prime Minister of Lithuania (The Government of the Republic of Lithuania, 2016).

Policies taken to strengthen Lithuania's security in the 2001–2004 period were outlined in the Implementation Report of the Government of Algirdas Brazauskas to the Parliament (2005). First, in 2004, a draft law amending and supplementing the National Security Framework of Lithuania was prepared and a new law was adopted. While strengthening national security in all areas of public administration, the Lithuanian Government continued its long-term national security improvement programmes, which strengthened the country's defence capabilities and crisis management system (Activity Report, 2005). The report identifies several dimensions of Lithuania's contribution to the international community's fight against terrorism. Lithuania has actively contributed to the international fight against terrorism by implementing the following foreign and security policies:

- Adopting the Law on Economic and Other International Sanctions of 2004, which enabled Lithuania to comply with its international obligations in the area of freezing funds;
- Substantially completing the programme against terrorism adopted by the Lithuanian Government. The programme against terrorism was also updated. In addition, the Lithuanian Anti-Terrorism Operations Department optimised its functional structure;
- The relationships of Lithuanian organised criminal groups with foreign criminal structures supporting international terrorism were investigated and a system for preventing terrorist financing by financial and credit institutions operating in Lithuania was developed;
- Following Lithuania's accession to the European Union (EU) in 2004, the country participated in implementing the EU's counter-terrorism policy and began to participate in activities of the counter-terrorism mechanisms provided for by the EU institutional framework. The EU Council negotiated the documents defining the EU's counter-terrorism strategy and common guidelines. Based on these documents, Lithuania needed to improve its legislation to meet the EU's requirements (ibid.).

Many institutional changes were introduced in Lithuania from 11 September 2001 until the end of 2001. After the 9/11 events, UN member states had to submit a report on the implementation of their counter-terrorism policies to the UN's Counter-Terrorism Committee by the end of December 2001 (Karlsson, 2009) while the distinction between the creation phase and the operation phase is logical, the appearance of extra-institutional guidance suggests that established institutions within other domains (e.g. military security). For this reason, the first major turning point in the creation of counter-terrorism institutions came at the end of 2001. The idea of establishing a special counter-terrorism institution in Lithuania was first expressed by the US Secretary of State who wrote a letter to the Lithuanian Minister of Foreign Affairs. Powell called on Lithuania to include individual steps to combat terrorism in a programme of action and pointed out the steps Lithuania had taken to contribute to the US War on Terrorism. In his letter, he reaffirmed the USA's commitment to eastward NATO enlargement. The US Secretary of State also stated that there was huge US support for the Baltic states' efforts to join the Alliance, namely he referred to the Charter signed by the USA and the Baltic States in 1998 (BNS, 2001). In the weeks that followed, the Lithuanian State Security Council laid the foundations for a new counter-terrorism institution. The Security Council aimed to coordinate and meet the challenges arising in the field of state defence (Article 140 of the Constitution of the Republic of Lithuania, 2010). The implementation of the measures adopted by this body lasted from 3 months to 2 years. In its first decision, it established an anti-terrorism body for dealing with the detection, prevention, protection, management of the consequences of, and response to terrorism. This new institution was to be supported by an improved anti-terrorism legal framework. Secondly, it assigned roles to eight ministries to address terrorism from various aspects (Karlsson, 2012).

NATO accession had been a strategic goal of Lithuania ever since its independence. In an interview by Bradley Bryan with the US ambassador in Lithuania, John Tefft, the ambassador explained Lithuania's strong position for becoming a NATO member. In his opinion, NATO expected Lithuania's active participation in the War on Terrorism. He stated that Lithuania's determination was visible with its troops in Bosnia and Herzegovina and Kosovo and was convinced that Lithuania would participate in some way in the counter-terrorism strategy, even though it was then unclear what that support would

amount to. He stated that Lithuania was prepared to do everything possible to become a NATO member, as demonstrated by its active participation in NATO missions (Bradley, 2001). Less than 1 month after the 9/11 attacks, the NATO Secretary-General (SecGen Speech 4 Oct. 2001) announced that the North Atlantic Council had decided to invoke Article 5<sup>2</sup> (for the first time in NATO's history). On the request of the USA, the NATO member states agreed to adopt eight measures (Vaitkevičius, 2009). Lithuania, as a future NATO member state, had to comply with these measures. The fifth measure of this agreement allowed CIA-operated Air Force to land in or fly over foreign territory. Indeed, the NATO Allies agreed to grant, following the necessary air transport arrangements and national procedures, blanket over flight clearances to the USA and other Allies Air Force for military flights in connection with counter-terrorism operations, both individually and collectively, to participate in the War on Terrorism campaign. The NATO Parliamentary Assembly also endorsed these measures in its declaration on Combating Terrorism of 9 October 2001 and therefore NATO allowed these operations to a certain extent (Activity Report, 2005). On 22 November 2002, during an official visit to Lithuania, George W. Bush expressed his support for Lithuania's membership of NATO. The Baltic States, including Lithuania, are very pro-American and one should not overlook the political pressure of the Bush Administration. In Payne's opinion, Washington's support is the most important reason for NATO enlargement in the Baltic region (Voice of America, 2002). The former White House counterterrorism czar, Richard Clarke, stated that the new NATO members were grateful for the support provided by the USA to them to join the organisation. They were so grateful that they did everything the USA asked them to do, like offering cooperation on security and intelligence (Cole, Ross, 2009).

Lithuania actively contributed to the international fight against terrorism and ensured its NATO membership by implementing the following measures:

- Provided active diplomatic support to key countries in the anti-terror coalition, i.e. the USA, the United Kingdom, and their allies, and participated actively in international anti-terrorist operations;
- In 2004, 40 Lithuanian soldiers participated in the US-led coun-

2 Article 5 is the "collective defence" provision which obliges NATO members to protect each other, and means that an attack on one ally is considered to be an attack on all member states of the Washington Treaty (see NATO, 1949).

ter-terrorism operation ISAF peacekeeping mission in Afghanistan. Lithuania contributed politically and in other ways to the activities of the international coalition in Iraq. Four medics and eight logistics specialists voluntarily participated in a US-led operation in the Gulf region. Since June 2003, Lithuanian troops in the Danish contingent have participated in the post-war operations in Iraq, in the UK-led sector (54 troops). A further 48 troops were sent to the Polish contingent in the Polish-led sector. In September 2004, Lithuanians extended the participation of its troops in international anti-terrorist operations until the end of 2005 (Activity Report, 2005).

On 29 March 2004, Lithuania was one of seven new NATO member states to join the Alliance.

What may be deduced from this part of the article is that Lithuania is a huge supporter of the USA, then harbouring a strong desire to become a NATO member. This explains Lithuania's approach to tackling terrorism, its support for the USA and the creation of new institutions to tackle terrorism.

### **THE SECRET PRISONS IN OPERATION**

Most of the evidence concerning the time when the secret prisons were operating can be found in an unclassified summary of the US Senate (US Senate, 2014). This report ("The 2014 Senate Report") contained new information about the extraordinary rendition and secret detainee operations of the CIA and its partners, as well as details about certain detainees. One of them is Abu Zubaydah, who mentioned two possible dates for his detention in Lithuania – 17 February 2005 and 18 February 2005 – and a rescue CIA aircraft that could fly to Lithuania. It is known that he was detained in Lithuania until 5 September 2006, when he was transferred to the Guantanamo Bay Detention Camp, High-Security Camp 7. As lawyers who have been there have described, Abu Zubaydah was held in extreme detention conditions (ibid.). Another way to learn about what was happening in Lithuania at the time is through statements given by experts at the European Court of Human Rights (hereinafter "the Court"). The evidence presented to the Court includes reports from various institutions and organisations, public data on air travel and the testimony of several experts. These included Mr. Black (investigator at the Bureau of Investigative

Journalism) and Mr. J. G. S. (a lawyer and investigator under the Council of Europe mandate, who was also an advisor to Dick Marty<sup>3</sup>). These facts were also acknowledged and approved during the Seimas investigation by the Lithuanian Parliamentary Committee on National Security and Defence (“CNSD”) and confirmed during the preliminary investigation of the 2010–2011 trial (Amnesty International, 2011). In these investigations, were involved the Ministry of Justice, the Ministry of Interior, the Ministry of State Security (hereinafter “the SSD”), and the Ministry of Civil Aviation Administration (ibid.).

As part of the NATO agreement on cooperation in the fight against terrorism, Lithuanian officials authorised CIA flights in Lithuanian air and ground space. According to considerable evidence presented to the Court, on 17 or 18 February 2005 the CIA transferred prisoners to and from Lithuania in aircraft N724CL and aircraft N787WH. On 25 March 2006, however, the prisoners were transferred from Lithuania on a transfer plane (N733M) and one prison was closed (Cerna, 2018). The government still continues to deny that there has ever been any CIA detention in Lithuania. The facts presented by the Court are as follows:

(a) In the 2002–2005 period, CIA-connected aircraft passed through and repeatedly entered Lithuanian airspace. According to the CNSD, this happened at least 29 times.

(b) Between 17 February 2005 and 25 March 2006, four CIA-related planes landed in Lithuania:

- N724CL and N787WH landed at Vilnius International Airport on 17 February 2005 and 6 October 2005, respectively;
- Aircraft N787WH and aircraft N733MA landed at Palanga International Airport on 18 February 2005 and 25 March 2006, respectively.

(c) On three occasions, Lithuanian SSD officers, with knowledge of the SSD leaders, received the CIA Air Force and “accompanied what they had brought with them”:

- on 18 February 2005, N787WH, which landed at Palanga airport with five US passengers on board, without the aircraft having undergone a thorough customs inspection; according to the CNSD

3 Dick Marty was a Swiss member of the Parliamentary Assembly of the Council of Europe who in 2005 was leading an investigation into alleged unlawful CIA prisons in Europe.

- findings, “no cargo was being unloaded from or on the aircraft”;
- On 6 October 2005, N787WH landed at Vilnius Airport Palanga airport where an officer of the Lithuanian State Border Guard Service (hereinafter “SBGS”) was prevented from inspecting the aircraft and no customs clearance was carried out;
  - 25 March 2006, N733MA, which landed at Palanga airport, although the SBGS documents do not contain any record of the landing and inspection of the aircraft, and *no customs inspection was carried out*.

(d) In connection with the landing of N787WH at Vilnius on 6 October 2005, and N733MA at Palanga on 25 March 2006, the SDD issued secret letters to the SBGS, but the letter regarding the landing was delivered *ex post facto* and the SDD had never issued such letters before that event.

(e) High-ranking SSD officials *granted US officers’ unrestricted access to the Air Force at least twice*, including on 6 October 2005 (Cerna 2018, pp. 899-900).

According to the Lithuanian parliamentary investigation, the Lithuanian Intelligence Services set up and the CIA maintained two secret detention centres in Lithuania, called Project No. 1 and Project No. 2. The head of the Parliamentary Committee on National Security and Defence, Arvydas Anusauskas, stated that the investigation had shown that the facilities existed and that planes had landed in Lithuania. But *the Committee has found no further evidence of whether terrorist suspects and al-Qaeda members had been interrogated at either location* (Raw Story, 2009). According to Anusauskas, the first location was established in 2002. It was very small and intended to house a terrorist suspect “in response to our partners and the conditions that were imposed” (*ibid.*). The second site was set up in 2004 after Lithuania had formally become a NATO member. Some Lithuanian officials told ABC News that a leading CIA company, Elite LLC, had purchased property in Lithuania and set up a black site or Project No. 2<sup>4</sup>, as described in the 2014 Senate Report. Within a few months, the CIA Company managed to construct a building within a building. This site was to house eight terrorist suspects (Cole, Ross, 2009). One expert who testified before the judges of the European

<sup>4</sup> The location of this place was a riding school in Antaviliai, 20 km from Vilnius. This converted building was a secret prison until March 2006 (Cole, Ross, 2009).

Court of Human Rights gave some details about these two facilities. According to him, these objects definitely existed. They were set up in Lithuania as a detention centre. He called this the undeniable truth as the year 2014 Senate Report clearly states the date of operation of the code name "Violet" facility. Those dates coincide with evidence of CIA flights landing and taking off in Lithuania and with the dates of the operation of the Antaviliai facility (Project No. 2). This facility operated from February 2005 to March 2006. According to 2014 Senate Report, Project No. 1 did exist but was never put into operation, which is consistent with information revealed in the 2009 Parliamentary Commission investigation (Cerna, 2018). Regarding Project No. 2, representatives of the Lithuanian government took the view that the building in Antaviliai near Vilnius was not a prison but merely a centre for supporting the secret service (Beniušis, 2019).

#### **AFTER THE PUBLIC LEARNED ABOUT THE EXISTENCE OF THE SECRET PRISONS**

This part of the paper focuses on the consequences of the public announcement of the existence of secret prisons in Lithuania. The international media initially reported on the CIA's system of secret prisons. The first allegations came from an article dated 2 November 2005 by Dana Priest – a journalist from the Washington Post – and based on evidence provided by Human Rights Watch (HRW). The HRW report mentioned two European countries, Poland and Romania, as having been involved in the USA's extraordinary rendition programme (Priest, 2005). Project No. 1 was closed in November 2005 soon after the public mention of this programme by Dana Priest (Cole and Ross, 2009). As noted earlier, Project No. 1 was never put into practice. A few years later, in August 2009, ABC News mentioned Lithuania as the provider of a detention facility outside Vilnius where 'high-value detainees' (HVDs) were secretly held until the end of 2005, citing unnamed CIA sources (Cole, 2009).

Besides, a former CIA official stated that the prison in Lithuania (Project No. 2) was one of eight facilities the CIA used after 9/11 for the detention and investigation of senior Al-Qaeda operatives. Apart from Lithuania, there were one or more prisons in Thailand, Afghanistan, Morocco, Romania and Poland. On 6 September 2006, President Bush announced the HVD programme would be discontinued and the arrested detainees were transferred into US military custody at the US Naval Base at Guantanamo Bay (Cerna, 2018). After Obama became

US President in January 2009, he officially banned all secret prisons around the world being used in the War on Terror strategy (Cole and Ross, 2009). A few months later, on 20 August in 2009 Cole wrote that, according to directly involved CIA officials, there was a secret prison for HVDs in Lithuania. A former official intelligence officer involved in the programme revealed that countries of the former Soviet bloc had established and allowed such secret prisons on their territories because they wanted a better relationship with the USA. When asked whether these states had received any consideration from the USA after the prisons had been established, the official replied that the USA did not have to return the favour to them in any particular way. These states were pleased that the USA had recognised their sacrifice and support. However, the Lithuanian Embassy in Washington denied the existence of such a prison in Lithuania (Cole, 2009).

In December 2009, the Lithuanian President finally admitted Lithuania's participation in the CIA's secret prison programme by declaring that there had indeed been a secret "black site" on its territory during the War on Terrorism. In addition, officials of the Lithuanian State Security Service had assisted in the construction of a secret prison for suspected terrorists, according to a report by the Lithuanian Parliamentary Committee on National Security and Defence (Amnesty International, 2009). The Committee concluded that representatives of the Lithuanian Ministry of State Security failed to report to the President or Prime Minister of Lithuania violations of the law in CIA-related aircraft that had landed in Lithuania without the usual border controls (*ibid.*). Yet, the ex-President of Lithuania, Valdas Adamkus, who was in power for much of this period, told the Baltic News Service that he rejected the findings that these black sites had existed. Adamkus declared: "I am sure that this never happened and nobody has proven me wrong" (Al Jazeera, 2009). The above statements and debate show that high-ranking Lithuanian government representatives once denied and then confirmed the existence of secret prisons. This inconsistency has seriously affected or even ruined the reputation of the political elite and the political establishment as a whole.

The Council of Europe, the Lithuanian Parliamentary Commissions and the Lithuanian Prosecutor General made investigations into the existence of these prisons. The Parliamentary Assembly of the Council of Europe, more precisely the Legal Affairs and Human Rights Committee,

appointed the Swiss Senator Dick Marty as a special rapporteur on secret detentions in Europe. Referring to his confidential sources, he released information to the public in August 2009 claiming that Lithuania had detained HVDs in a secret prison on its territory the very next day after the ABC News report had been published (Marty, 2009). Several measures were taken after Marty's declaration. According to an Amnesty International Report (2011), Lithuania set up a special parliamentary commission to conduct an independent investigation. In September 2009, the Lithuanian CNSD spokesman, on his initiative, submitted an independent parliamentary investigation into the alleged existence of these secret prisons (Amnesty International, 2011). In October 2009, a joint statement by the parliamentary Committee on National Security and Defence and the Committee on Foreign Affairs claimed the investigation would be terminated due to having insufficient information to launch a full parliamentary inquiry. The two Committees also based this conclusion on written responses from Lithuanian state institutions that vehemently denied that such a prison could have existed (Amnesty International, 2009).

After the investigation was completed, the Civil Aviation Administration, the ministries of Justice and Home Affairs and the State Security Department officials *took no responsibility*. However, the lack of passenger data prevented the Prosecutor General's Office from filing a criminal complaint under Lithuanian law; *the limitation period for filing a criminal complaint for an "abuse of authority" under Lithuanian law is 5 years from the date of committing the offence* (The Rendition Project, 2014). Project No. 1 ended in 2003 and the statute of limitations expired in 2008. There were no data indicating that persons had been imprisoned in Project No. 2, meaning that no criminal charges could be brought for "abuse of authority" or the unlawful treatment of persons or unlawful restrictions of liberty. In addition, the State Security had 1 year to initiate disciplinary proceedings against three officials who, in any case, were no longer working at the department. *Lithuanian law does not stipulate that the details of the 'international cooperation' between Lithuanian intelligence services and foreign intelligence services must be 'clarified' at every political level*; such an exchange of information can take place based on the 'need to know' principle. Since SSD officials did not inform senior state officials about Projects No. 1 and No. 2 and this type of communication was not provided for in the law, no criminal activities had taken place. In addition, no disciplinary measures could be taken against the three mentioned SSD

*officials as they were no longer working at the SSD and disciplinary offences were in any case time-barred after 1 year (ibid.).*

In June 2010, the European Committee for the Prevention of Torture (CPT) – which includes the ‘extrajudicial preventive machinery’ under the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment – issued a press release stating that a CPT delegation had visited both sites during a visit to Lithuania from 14 to 18 June (Lowenthal, 2016) structure, procedures, and functions affect policy decisions. In this Seventh Edition, Lowenthal examines cyber space and the issues it presents to the intelligence community such as defining cyber as a new collection discipline; the implications of the Senate Intelligence Committee’s staff report on enhanced interrogation techniques; the rise of the Islamic State; and the issues surrounding the nuclear agreement with Iran. New sections have been added offering a brief summary of the major laws governing U.S. intelligence today such as domestic intelligence collection, whistleblowers vs. leakers, and the growing field of financial intelligence. – Amazon.com. What Is ‘Intelligence’? – The Development of U.S. Intelligence – The U.S. Intelligence Community – The Intelligence Process – Collection and the Collection Disciplines – Analysis – Counterintelligence – Covert action – The role of the policy maker – Oversight and accountability – The intelligence agenda, nation-states – The intelligence agenda, transnational issues – Ethical and moral issues in intelligence – Intelligence reform – Foreign intelligence services.”,author":[{"dropping-particle":"","family":"Lowenthal","given":"Mark M.","non-dropping-particle":"","parse-names":false,"suffix":""}],id:"ITEM-1",issued":{"date-parts":[["2016"]]},note:"The war on terrorism also resulted in an expansion of some CIA authorities, including its ability to capture suspected terrorists overseas and then render (deliver. The CPT delegation’s visit to Lithuania and the 2011 CPT report dealt with the issue of the alleged CIA secret prisons. The 2011 CPT report, which referred to Project No. 2, described the facility as “much larger than” Project No. 1 and consisting of “two interconnected buildings divided into four different sectors”. In one of the buildings, “the layout of the premises resembled a large metal container surrounded by an external structure”. The CPT did not provide a more detailed description of the facilities, but concluded that, although the premises contained nothing during a visit by the Delegation but were “highly suggestive of a detention context”,

both Project No. 1 and Project No. 2 could be adapted for detention purposes “with relatively little effort” (Cerna 2018, pp. 901-902).

Lithuania has been part of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment since 1999. Of central importance to the CPT were the leadership of the Lithuanian Prosecutor General and the status of criminal investigations at the secret locations. The Prosecutor General was criticised for failing to launch a criminal investigation when the media revelations first came to light in the summer of 2009, particularly in view of the scope and seriousness of the public information available on the serious human rights violations allegedly taking place in secret CIA prisons. The CPT also concluded that the scope of the preliminary investigation – which only focused on “abuse of authority” – was too narrow and that “it was clear that it would have been more appropriate if the scope of the preliminary investigation had explicitly covered the possible unlawful detention of persons (and their possible ill-treatment) on Lithuanian territory from the outset”. Finally, the CPT criticised the Prosecutor General for his/her *failure to provide the delegation with information on the investigation*, including the witnesses interviewed, documents received, records of on-site inspections, information requested from foreign authorities and whether such information had been received, and justifying the failure to disclose such information by invoking state secrets. The CPT recommended that restrictions on access to information based on state secrecy be kept to an absolute minimum and concluded that it was an “open question” whether the investigation had been thorough, as required by *Lithuania's international obligations* (Amnesty International, 2011).

In January 2011, the Lithuanian Prosecutor General's Office closed the investigation, justifying this step on highly dubious grounds without recommending any criminal prosecution, invoking the doctrine of ‘*state secrets*’ to avoid accountability. Due to concerns in various circles about an official cover-up by the government, the investigation remains closed and no one has been held accountable for facilitating the construction of the secret sites or for the human rights violations that may have occurred inside them. The Attorney-General refused to investigate the allegations made to him by representatives of Abu Zubaydah.

A European Parliament delegation visited Lithuania and, at least since

the beginning of 2012, the European Parliament's Committee on Civil Liberties, Justice and Home Affairs ("LIBE Committee") has been conducting an investigation into allegations of Lithuania's complicity in the CIA's extraordinary renditions. In September 2012, the European Parliament requested Lithuania to reopen the investigation based on new evidence suggesting that the CIA transported a terrorism suspect from Morocco to Lithuania in February 2005 (European Parliament, 2012). Lithuania was opposed to this, while the Lithuanian authorities tried to shed light on Lithuania's participation in the CIA programme through parliamentary and judicial inquiries. The investigations that took place in Lithuania between 2009 and 2011 could not prove that the prisoners were being held secretly in Lithuania. Lotte Leicht, EU advocacy director at HRW, pointed out that the NGO Redress (London) and Vilnius Human Rights Monitoring Institute had filed a complaint on behalf of al-Hawsawi in September 2013 against the Lithuanian Prosecutor General. Later, in September 2013, his office refused to open an investigation into their allegations, and a lower Lithuanian Court upheld the decision in December 2013. On appeal against the Lower Court's decision, the Vilnius Regional Court ruled in January 2014 that al-Hawsawi had the right to an effective investigation, overturned the Prosecutor General's original decision, and ordered the Prosecutor General to open a new investigation.

*On 21 February 2014, Lithuania opened the CIA Rendition Investigation based on the Lithuanian Prosecutor General's decision to open an investigation into the alleged transfer of Mustafa al-Hawsawi to Lithuania.* This decision was taken after the 28 January Vilnius Regional Court decision that al-Hawsawi was entitled to an investigation into his allegations (Amnesty International, 2014). On 9 December 2014, the US Senate Committee declassified a document in which, instead of the names of the countries that had cooperated with the CIA's activities and prisons, various colour codes were used with different colours for different locations. Experts from the European Court of Human Rights, Mr. Black and Mr. JGS, found that the "Violet" prison was a secret prison in Lithuania where al-Hawsawi had been imprisoned. Following publication of this report, the investigation of the Lithuanian Prosecutor General was reopened on 22 January 2015. *The Prosecutor General's Office proceedings are still on-going* (Cerna, 2018).

## COMPLAINTS BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS

According to the 2014 Senate Report (Report of the Senate Select Committee on the Intelligence Committee's Study on the CIA's Detention and Interrogation Program, 2014), Abu Zubaydah was detained until 5 September 2006 when he was transferred to the Guantanamo Bay Detention Camp (Abu Zubaydah vs. Lithuania, 2018). On 8 October 2018, the Court ruled that there had been a violation of Article 3 of the European Convention on Human Rights (hereinafter "the Convention") in its substantive aspect due to Lithuania's participation in the CIA's HVD Programme by allowing US authorities to subject Abu Zubaydah to inhuman treatment on Lithuanian territory. It also allowed the US authorities to transfer him from Lithuanian territory to Guantanamo Bay, despite a real risk that he would be subjected to treatment contrary to Article 3. The court held there had been a violation of Article 5 of the Convention due to the applicant's undisclosed detention in the respondent State and the fact that Lithuania had enabled the US authorities to transfer the applicant from its territory, despite a genuine risk that he would be subjected to further undisclosed custody. It also found a violation of Article 8 of the Convention and a violation of Article 13 of the Convention for the lack of effective remedies with respect to the applicant's complaints under Article 3 of the Convention. Consequently, Lithuania had to pay EUR 130,000 to Abu Zubaydah for damages and costs (*ibid.*). Mustafa al-Hawsawi, a Saudi terror suspect held at Guantanamo, filed a lawsuit against Lithuania in February 2019, alleging that he had also been tortured at a secret CIA prison in the country (Agence France-Presse, 2019).

In the cases presented above, the Court recognised that, given the information then available to the public, States should have been aware at that time that the CIA's officers had detained such persons and exposed them to a real risk of a breach of several Convention provisions. Thus, States should at least obtain assurances that an individual will not be exposed to flagrant violations of the Convention or be treated contrary to its provisions, thereby eliminating the serious risk of violations. Accordingly, both the States which allowed the establishment and operation of secret detention facilities on their territory, as well as those States which in any other way, actively or passively, participated in the CIA's extraordinary programme had violated several articles of the Convention. Any other decision of

the Court which, for the cases considered, did not find a violation of the procedural and substantive aspects of Article 3 5, 8 and 13 of the Convention, would be inconsistent with both the already established standards and previous European Court of Human Rights case law. The described judgments can have a significant impact on current and potentially other cases of complainants who are victims of the CIA's secret rendition programme with the assistance of European countries. These judgments give the signatory States to the Convention a clear message that any participation in a secret detention and extraordinary rendition programme is incompatible with the Convention.

## CONCLUSION

All of the gathered facts and statements considered herein have enabled us to confirm our argument that by allowing the establishment and operations of the CIA's secret detention facilities, Lithuania seriously limited its own sovereignty on its territory (airspace, airports, secret detention facilities, waiving of the usual border controls), allowed and cooperated in the violation of human rights on its territory and beyond (extraordinary renditions), and hindered effective and thorough investigations. It is also evident that Lithuania did this because it wanted to help the USA improve its security, efficiently participate in the War on Terrorism, have a better USA-Lithuania relationship, and increase its own chances of joining NATO. All of this was achieved at the cost of its own sovereignty and its own largely direct involvement in violations of human rights.

Lithuania is a huge supporter of the United States. This explains Lithuania's approach to tackling terrorism and its support for America and the creation of new institutions to fight terrorism, including its then strong desire to become a NATO member. This country was one of the host countries of the black sites used by the CIA for enhanced interrogation. Lithuania, as a forthcoming NATO member, had to make great efforts to establish a routine of intelligence sharing with NATO countries and with its partners. Lithuania, although 1 part of the 14 European countries that agreed to co-operate with the CIA's Extraordinary Detention Programme, has become one of the few countries *to disclose details* of its co-operation. It is also one of the rare countries to conduct parliamentary inquiries as well as criminal pre-trial investigations, albeit with considerable flaws. All of this has

brought Lithuania's co-operation with the CIA closer to the public's attention.

The omissions in the investigation as well as the excuses made by public officials that mean the Lithuanian and world public have been deprived of the truth and background to the whole story affected Lithuania's reputation and humiliated the Lithuanian government of the time. During the 2009 Parliamentary Commission investigation, 55 interviews were conducted with senior officials and key figures who in some way had been informed of the secret prisons and co-operation with the CIA. However, most of the information obtained from those interviews was incomplete. The interviewees either had no information or provided incomplete information. The biggest change made in Lithuania as a result of this 'Lithuanian Security Service scandal' is an amendment to the Lithuanian Security Service Act and a change to the democratic control and surveillance mechanisms used by the secret services in Lithuania in 2009, as Kvaraciejus (2010) showed.

Some describe the Lithuanians as the "new Atlanticists" due to their open support for the USA and their NATO advocacy. The main lessons that small Western Balkan states can take from this case is that there is a thin line between giving your partner unequivocal support and losing your international reputation and sovereignty. Concretely, these events have completely shaken the reputation of the people involved and the political establishment in Lithuania. Many politicians, the leader of the Lithuanian Security Service and several other members of the Lithuanian Security Service resigned in the weeks following publication of the ABC News article that revealed Lithuania's secret prison programme. Still, not one of them was convicted in the initial criminal proceedings because their actions were already past the statute of limitations. Nevertheless, the political and moral responsibility and harm in Lithuanian society is certainly a result of these accusations.

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# The Slovene Inter-War State-Building: *From Existential Fear to Seeking Opportunities*

Katerina Malšina<sup>1</sup>

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## ABSTRACT

The restoring of the Slovenian state-building has begun in August 1918, passed through four windows of opportunity and remained unfinished in the context of the planned dismemberment of Slovenian lands between Italy, Germany, Hungary and Croatia in 1941. The incompleteness of this process was due to the indecision of the Slovenian national-political program, the split of the Slovene politicum on the trends of Yugoslavism and "Sloveneness", which was rooted in the confidence of the Slovene people in their "non-historicity". The state-building process has restored in the most part of the Slovenian lands, which became part of the state of Yugoslavia, common with related Slavic peoples. The windows of opportunity of the state-building process show its wavering character: it was restored and accelerated in times of internal political chaos – the collapse of multinational states within which the Slovenian people lived, in conditions of the increasing external threat across the Slovenian northern borders with Italy, Austria and Hungary. Thus, in the conditions of a stable existence in multinational states with an authoritarian regime, the process of Slovenian state-building slowed down.

**KEYWORDS:** Slovenia, state-building, Yugoslavism, Sloveneness, windows of opportunity

## POVZETEK

Obnova slovenske državotvorne oblasti se je začela avgusta 1918, imela je štiri okna priložnosti in ostala je nedokončana v okviru načrtovanega razkosavanja slovenskih dežel med Italijo, Nemčijo, Madžarsko in Hrvaško leta 1941. Nepopolnost tega procesa je bila posledica neodločnosti slovenskega nacionalno-političnega programa, razcepa slovenske politike na trende jugoslovanstva in »slovenstva«, ki je bil zakoreninjen v zaupanju slovenskega ljudstva v njihovo »nezgodovinskost«. Državotvorni proces se je obnovil v večini slovenskih dežel, ki so postale del države Jugoslavije, skupaj s sorodnimi slovanskimi narodi. Okna priložnosti procesa izgradnje države kažejo obotavljanje: proces je bil obnovljen in pospešen v času notranjepolitičnega kaosa - propada večnacionalnih držav, v katerih je živel slovenski narod, v razmerah naraščajoče zunanje grožnje na slovenski severni meji z Italijo, Avstrijo in Madžarsko. Tako se je v razmerah stabilnega obstoja v večnacionalnih državah z avtoritarnim režimom upočasnil proces izgradnje slovenske države.

**KLJUČNE BESEDE:** Slovenija, državotvornost, jugoslovanstvo, slovenstvo, okna priložnosti

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## INTRODUCTION

In the history of each nation there are necessarily periods that decisively affect its further historical and political destiny. Such periods, regardless of their real consequences, become the subject of historiographical legendarization and are either silenced or studied one-sidedly and overgrown with a mass of aggregate details, mostly taken out of the real historical context, creating the desired historical and political concept.

Such a role in the history, not only of Slovenia but also of the whole of South-Eastern Europe, belongs to the interwar period. This period decisively influenced the fate of the peoples of the Western Balkans. The most difficult fate befell Slovenia. Four states had dismembered its lands and divided people. In the interwar period, Slovenia lost the chance to unite, to protect its language and culture from Yugoslav unification and to gain independence in the conditions of an authoritarian state, which justified its centralization by that unification. The problem of Slovenian state-building in the interwar period is poorly studied even in Slovenian historiography. If we summarize the views of Yugoslav historians on the state-building and political development of Slovenia in 1918-1941, their first and main conclusion was based on the comparison and similarities with the Serbian position on the political parties' activities during the First Yugoslavia: it was parliamentarism and fierce party struggle even at the highest authority of the country, which led to catastrophic consequences like separatism, dictatorship and the defeat of the First Yugoslavia. All this served as a good theoretical basis for justifying the one-party system and Yugoslavism, which first reigned during the dictatorship since 6 January 1929, and gradually passed into the Second Yugoslavia.

Over the last three decades, significant results have been achieved in the study of the interwar history of Slovenia. Every year new publications of archival materials change the general picture of its political life. In general, the modern history of Slovenia can be characterized by the opening for scientific discussions of those topics and problems that were completely silenced in the Second Yugoslavia. But it is too early to talk about a full understanding of the process of Slovenian state-building in this period. Slovenian historians only consider a significant period in Slovenian state-building during the stay of Slovenes in the State of SCS.<sup>2</sup>

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2 Perovšek, 2009, p.11, for more see Balkovec, 1992.

In the 20th century the process of disintegration of empires led to a rethinking (or rather - a new thinking) of self-estimation of national communities. The political and cultural existence of the “small” European Slavic peoples was practically reproduced, with the support of the national language and a return to the national spiritual tradition. Such peoples have included the Slovenes.

We consider the restoration of Slovenian statehood as a reproduction of the main branches of the Slovenian national state power - legislative, executive and judicial, among which research focuses on the first two.

Until October 1918, all Slovenian lands (except Venetian Slovenia) were administratively a part of Austria. At the end of the First World War, the Slovenes tried to unite their ethnic lands into a single state unit in a frame of the State of Slovenes, Croats and Serbs (hereinafter - the State of SCS). On December 1, 1918, the State of the SCS signed the Unification Act with the Kingdoms of Serbia and Montenegro. Thus, in the Western Balkans, a new multinational state arose, the Kingdom of Serbs, Croats and Slovenes (hereinafter - the Kingdom of SCS), which in 1929 was renamed the Kingdom of Yugoslavia. After World War II, Yugoslavia became a federation of six republics. In historiography, these Yugoslavias are often denoted by the terms First and Second Yugoslavia.

In the conditions of political stagnation of the First Yugoslavia, Slovenian state power was reduced to sprouts of self-government, the size of which depended on the balance of political forces under different regimes in the Kingdom of Yugoslavia.

Historical processes in the Slovenian lands, with the formation of the Slovenian early feudal state of Carantania in 623, led to the creation of appropriate branches of government - legislative, executive and judicial. The historical heredity of Slovenian statehood, which until the end of the First World War existed only at the level of historical narrative, was studied and proven in the 1930s and 1940s by the prominent Slovenian medievalist Josip Mal. He pointed to the formation of the main state institutions and Slovenian legislation, which proves the full compliance of Carantania with the concept of “an independent state”. These proofs of the “historicity” of the Slovene people, despite opposition of the prevailing state internationalism in both Yugoslavias, gradually ideologically freed the Slovene people from obscurity of

their own statehood past and substantiated the Slovene national idea on a historical and legal basis.<sup>3</sup>

### **“WINDOWS OF OPPORTUNITY” AS A HISTORICAL RESEARCH METHOD**

The peculiarity of the subject of research is that it is necessary to connect the uniqueness of the fact of the restoration of Slovenian statehood in 1918 and its further discreteness and incompleteness till 1941. This allows us to consider the process of state-building as a dynamic subject area through the construction of its model. We build this model in the continuity of a certain period; identification of manifestations (chronological “windows of opportunity”) and the reasons for its discreteness; as well as a set of factors of its failure. Its construction requires, above all, the definition of a chronological framework.

This is due to the definition of the chronological framework of the study. Applying a systematic analysis and problem-structural method, the dates of 1918-1941 are chosen in isolation from the established chronology of the interwar period, which for Europe is traditionally determined by two events: the end of the First World War on European fronts in the first days of November 1918 and the beginning of World War II in September 1939, or the entry of a certain state into the war, for Yugoslavia this was April 6, 1941. The logic and dynamics of the Slovenian state-building process, which resumed in August 1918 (starting date) in the form of the “August” National Council of the Slovenes, Croats and Serbs in Ljubljana, requires the final date of the study in September 1941, when in the conditions of Nazi-Fascist occupation the leaders of the second, “April” National Council for Slovenia, left the open political scene, and, thus, the Council finally went underground. Both dates are connected with the culminating crisis moments of the collapse of the states, in which Slovenia was involved, and are thus the widest “windows of opportunity”.

One of the political science concepts - *“windows of opportunity”* - is essential for considering the Slovenian statehood restoration as a dynamic subject area. The concept of “windows of opportunity” was developed by Vice President of the McKinnack Center for Public Policy (Midland, USA) Joseph Overton in the late twentieth century, as an elective political technology, so this type was called *“Overton windows”*.

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3 Mal, 1939, Mal, 1942.

The main idea is that it is not politicians but challenges of society that influence the choice of the direction of the state course. Joseph Lehmann, president of the center, wrote in 2010:

“Many believe that politicians move the window, but that’s actually rare. In our understanding, politicians typically don’t determine what is politically acceptable; more often they react to it and validate it. Generally speaking, policy change follows political change, which itself follows social change... The Overton Window doesn’t describe everything, but it describes one big thing: Politicians will rarely support whatever policy they choose whenever they choose; rather, they will do what they feel they can do without risking electoral defeat, given the current political environment shaped by ideas, social movements and societal sensibilities”.<sup>4</sup>

By content, “Overton Window” is adjacent to the modern broader concept of “window of opportunity” in all its diversity of application, intersecting with it in many respects. The concept of “window of opportunity” is more voluminous. First, it is an “applied” political technology, and secondly, it is characterized by “processuality”.

Thus, we define the “window of opportunity” as a general theoretical concept of a holistic historical continuum - a complex and internally contradictory historical and political phenomenon, which is revealed through the emergence of a set of conditions for the possible implementation of this event; the increase of this complex to the highest probability and the further decrease to the final loss or seize of opportunity.

On the other hand, the “window of opportunity” is a holistic existential (historical) phenomenon with the limits of its implementation, i.e. the achievement of the full probability of its realization. In the case of such a phenomenon as the process of Slovenian state-building, the will to achieve this is the driving force of the Slovenian national movement.

In this methodological focus, all attempts of Slovenes to resume the process of state-building in 1918-1941 should be understood, of course, not as one-time separate historical and political actions, but as events that had a complicated pre- and post-history and were a large-

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<sup>4</sup> Lehman, 2010.

scale phenomenon with clear boundaries of existence, within which different vectors of motion were possible.

## **SLOVENIAN NATIONAL AND STATE-BUILDING IDEA: HOPES AND FEARS**

The nineteenth century brought the “revival” to Central and South-Eastern Europe. The National Revival of the Slavic peoples, as the process of the formation of national identity among the southern and western Slavs, being under the rule of the Ottoman or Austrian empires, was associated with the struggle for political unification and state independence. As a rule, three stages of the National Revival are distinguished - 1) educational (late 18th - early 19th century), 2) national-religious (early 19th century - revolution of 1848) and 3) national liberation (after 1848-1849 until 1878 among the Slavs in the Ottoman Empire, and up to 1918 among the Habsburg Slavs).<sup>5</sup>

At the same time, the “revival” of Italians and Germans was taking place. *Risorgimento*<sup>6</sup> - the national liberation movement of the Italian people against foreign domination, for the unification of Italy, actively developed in 1820 - 1861, was accompanied by numerous uprisings and Austro-Italian wars<sup>7</sup> and ended in 1871 with the annexation of Rome to the Italian Kingdom.

Unification aspirations in Germany had already begun during the Napoleonic Wars (the creation of the German Confederation in 1806<sup>8</sup>) and were especially vigorous in the revolutions of 1848-1849 (Frankfurt Parliament<sup>9</sup>), but could not immediately lead to *de facto* unification. The problem was under whose hegemony to implement it - Austria (*Großdeutsche Lösung* - “Greater German solution”) or Prussia

5 For more see Hroch, 2000.

6 Il risorgimento (ital.) - revival, renewal. Italy was split into 8 states. More details: Giardini, Cesare (1958).

7 Three Austro-Italian Wars (1848-1849, 1859-1860, 1866 ) led to the unification of the Kingdom of Sardinia with Lombardy, Tuscany, Romagna, Parma and Modena, the Kingdom of the Two Sicilies, and later, in 1867, the region of Venice with Venetian Slovenia was annexed to Italy. For more see Marušič, 2011, pp. 32-33 and Mack Smith, 1968.

8 The German Union (Deutscher Bund) is an association of 35 independent German states and free cities, created after the Congress of Vienna on the site of the Holy Roman Empire, which was dissolved in 1806. It included the German-speaking territories of Prussia and Austria (including the Czechia and Slovenia, which were administratively subordinated to Austria). See Kermavner, 1962, p.83.

9 From May 18, 1848 to May 30, 1849, a single national assembly for the whole of Germany met in Frankfurt. The deputies actively discussed options for German state-building, based on the «Little German» model and developed a draft, named «Paulskirche Constitution», built on the principles of parliamentary democracy. The ideas failed when faced with the refusal of the King of Prussia, Frederick William IV, of the proposed title of Kaiser. The most important provisions of the «Paulskirche Constitution» were taken as a model when creating the constitution of the Weimar Republic in 1919 and the Basic Law of the Federal Republic of Germany in 1949. See Kirilina, 1994, pp. 3-11, Granda, 2001, pp. 475-510.

(*Kleindeutsche Lösung* - “Little German solution”). Supporters of the “Little German” way believed that the participating countries should unite into a single Germany under the leadership of the King of Prussia and without Austria. They believed that with the unification of Germany under the leadership of the Habsburgs, due to the multinationality of the Austrian Empire, the share of the German population in the new state could never reach the majority. Both countries were dependent on Austria, and it also hindered their unification.

At the same time, Slovenian lands are geographically located in a triangle between Italy, Germany and Austria. They used to be administratively divided into 6 provinces of Austria – Slovenian Littoral, Istria, Gorizia, Carniola, Carinthia, Styria (Slovenes inhabited them in different percentages), and thus were already part of the German Union. If the Germans chose the “Great German way”, the Slovenes would have to enter the “Greater Germany”. “The land on which Slovenes live, is the natural cross to the Adriatic Sea, which Germans would save for Mother-Germany”.<sup>10</sup>

On the other hand, the idea of irredentism,<sup>11</sup> which was developed in Italy at the end of XIX - early XX century, encroached on the Slovenian lands of Istria, Littoral and Gorizia.<sup>12</sup>

Namely at this time, at the beginning of the “Spring of nations”, the formation of internal preconditions for the restoring of the Slovenian statehood led to the drafting of the program of United Slovenia.<sup>13</sup> As Matija Mrazović said, “Slovenes are divided into six administrative lands: Gorizia, Trieste, Istria, Carinthia, Carniola and Styria. And although they sit in six provincial councils, everywhere, except in Ljubljana, they are a minority, and their voice is not heard at the throne.

Because of this, they are oppressed in every province by the lordly

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10 Mrazović, 1870, p.159.

11 In 1878, Menotti Garibaldi founded the Irredenta union (ital. irredenta – “unredeemed”) for annexation of the border territories of Austria-Hungary with the Italian population to the Italian Kingdom. Currently, the term irredenta denotes a part of a nation, that constitutes a minority within a given state, but compactly resides in close proximity to that nation state. Geographic proximity and compactness of residence distinguish irredenta from diaspora.

12 The Irredenta laid the foundation for the Italian irredentist movement, which aimed at uniting all ethnic Italians within one state. The territories, to which the movement made claims, included Trentino and Tyrol, as well as areas with a multi-ethnic population that included, in addition to Italians, Germans, Slovenes, Croats, Ladins and Istroromanians, such as South Tyrol, Istria, Gorica and a part of Dalmatia. Later, claims were made against the city of Rijeka (Fiume), Corsica, Malta, Nice and Italian Switzerland. For more see Večerina, 2001.

13 On the program of the United Slovenia see Granda, 1999, Melik, 1998, pp.15-20, Prunk, 1998, Prunk, 2000.

people, although, for the most part they are a nation; that is the case in Istria, Trieste and Gorizia, but not in Styria and Carinthia, where Slovenes are a minority in any case. The only parliament in which the Slovene tribe can raise its vote, is the *Carniolan Provincial Assembly* in Ljubljana. That is why today Slovenia is mostly only Carniola, and Slovenes cannot express themselves as Slovenes in any provincial council, except the one in Ljubljana”.<sup>14</sup>

Granda emphasizes that the consciousness of “Sloveneness” and “Slovenes” grew for at least several centuries, but only March 1848 created an opportunity for Slovenes to speak aloud for themselves and reveal their goals and desires.<sup>15</sup>

At the time, those goals were only outlined. On March 29, 1848, the Cathedral Chaplain in Klagenfurt and People’s Awakener Matija Majar-Zilsky in the article “Glory to God in Heavens” noted that “everyone should live in their country like at home, as he considers needed: a German in a German way, an Italian in an Italian way, a Hungarian in a Hungarian way”- that means, the Slovenes in a Slovenian way. He proclaimed the most important Slovenian aspiration: “let us be free, let us be able to introduce our Slovenian language in Slovenia when we want and as we want, in a small school or an office”.<sup>16</sup>

The essence of the program was most clearly expressed by Graz Slovenes: “Overcoming the historical division of the country into provinces, merging our Slovenian land within linguistic borders into a single country and thus the concentration of all of us into a single nation”.<sup>17</sup>

But after the election of the Frankfurt Parliament in May 1848, the Slovenes felt like a “small” nation threatened by “drowning in the sea of Germanness”.

The Croats had a similar goal - the unification of their state-administrative units into a single Greater Croatia - and saw it as trialism, that is, the idea of creating a common state of Austria-

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<sup>14</sup> Mrazović, 1870, p.159.

<sup>15</sup> Granda, 1974, p.53.

<sup>16</sup> Majar, 1848, pp. 4-6.

<sup>17</sup> Granda, 1974, p.53.

Hungary-Croatia. In addition, both nations had common historical external enemies (Turks and Italians). This strengthened the Slovenes, and they joined the united Yugoslav camp together with the Croats and Vojvodina Serbs.

The Slovenes wanted to save themselves either from the loss of any guarantee for their national development in Greater Germany, or from the dismemberment and pressure of Germanization and Italianization, which hindered their national development in Austria.<sup>18</sup> Therefore, they began to demand not full independence, but only national autonomy in the form of unification of all Austrian administrative units, in which Slovenes lived. They considered the Catholic Austria as a defender against absorption by Protestant Germany, and Croats as allies and brothers. Although the demands of other Western Balkan Habsburg Slavs went much further, they all saw a way out in a joint struggle under the slogans of Yugoslavism.

Thus, in 1848-1849 the Western Center for the Unification of the "State" of Yugoslavia was established on remnants of Croatian statehood as part of the Habsburg Empire; In the resolutions of the Croatian Sabor, the Serbian Vojvodina from the east and the Slovenian lands from the west were also programmatically connected with Croatia.<sup>19</sup>

Hundreds of scientific publications are devoted to the study of the development of Yugoslavism in the XIX-XX centuries, in all its manifestations and aspects. The subject of perennial discussions in Slovenian historiography, among others, was the connection between the program of the United Slovenia, as a national idea, and Yugoslavism, as a political idea that would make the national one come true. The main issues for discussion were the time and conditions of the inclusion of Slovenes in the Yugoslav movement. Historians have found that, as already mentioned above, in 1848<sup>20</sup> Croatian Sabor, in Art. XI § 6, included the point that the Slovenian provinces of Lower Styria, Carinthia, Carniola, Istria and Gorizia were in close alliance with the Triune Kingdom".<sup>21</sup>

18 Kermavner, 1962, p.84.

19 Ibid, p.82.

20 This decision of the Croatian Sabor in 1848 is forgotten too much somewhere, and we always hear it wrong, as if that first concrete formulation of Yugoslav or Croatian-Slovenian political reciprocity or unification arose on the Ljubljana Congress in 1870. For more see Kermavner, 1965-1966, p.339.

21 »Na visokome«, introduction, In: Zatočnik, št. 254 z dne 8. novembra 1870.

The failure of the “Spring of Nations” and the Greater Germany solution calmed the national liberation movements of the Habsburg Slavs for a long time. Among the Slovenes, the propensity for the idea of Yugoslavism developed slowly and gradually.

And already in 1867, Austria had to give Venetian Slovenia to Italy.<sup>22</sup> The disappointment of the Slovenes in Austria, as in a defender, in 1867 strengthened the idea of United Slovenia and led to the beginning of the Slovenian “camp” movement in 1868-1871. The camps were realised as thousands of national assemblies in the form of tent camps in peasant fields, organized by Slovenian cultural and political actors and students. Peasants, who represented the vast majority of Slovenes, as the basis of the national movement, the spiritual and secular intelligentsia, and the burghers took part in them.

“Slovenes are aware of themselves, they have awakened, and despite the political fragmentation, they know that they are one tribe. Therefore, in their camps, they demand the unification of the Slovenian tribes into a single political body”.<sup>23</sup>

In the autumn of 1870, under the influence of German victories in the Franco-Prussian War, Croatian and Slovene politics finally became closer. Prussia set out to create a new German empire and most likely wanted to seize the “hereditary” Habsburgs’ lands, which belonged to the German Confederation until 1866. There was the growing concern among non-German peoples in Austria who feared the worst ethnic oppression under the Prussian heel. “The German-French war raised the question of a closer national-political connection between the Triune Kingdom and the Slovene lands, which fell completely asleep after 1848”.<sup>24</sup>

The Slovenes were “always ready, ...relying on Croatia, to save themselves from the disintegration of the Habsburg Empire, which could drag the Slovenes into the mouth of Greater Germany,<sup>25</sup> which... would like to reach Trieste through their territory”.<sup>26</sup>

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22 According to the Prague Peace Treaty of August 23, 1867, Austria transferred Holstein to Prussia and withdrew from the German Confederation, thus refusing to participate in the union of the German states under its own leadership. Italy got Venice and Venetian Slovenia.

23 Mrazović, 1870, p.159.

24 Kermavner, 1962, p.83.

25 Ibid., p. 84.

26 Zwitter, 1962, p.145.

So, the existential fear aroused the Slovenes' belief in the need to unite with any political force to prevent national destruction.

Therefore, Slovenian politicians began the negotiations. First, they came to the Croats for a conference in Sisak on November 8, 1870,<sup>27</sup> and a month later, December 1-3, organized the famous Yugoslav Congress in Ljubljana.<sup>28</sup> These conferences discussed strategic and tactical approaches to the trialist policy of Austria-Hungary. Regarding the "Slovenian question", support for Slovenian unification and national-political Croatian-Slovenian unity were accepted.<sup>29</sup>

Obviously, the growth of Slovenian self-identification was accompanied by external factors: the threat of assimilative Germanization (Yugoslav Congresses of 1848<sup>30</sup> and 1870) and the beginning of the dismemberment of Slovenian lands (Austria's transfer of Venetian Slovenia to Italy in 1867). Since then, Slovenes have lost not only much of their people and their lands, but also their self-confidence in ability to protect the nation's integrity and identity.

Prerequisites for the restoration of Slovenian statehood were formed in the period 1848-1918. First, the Program of "United Slovenia" in 1848 formulated the Slovenian national-state idea (unification of all ethnic Slovenian lands into a single administrative unit with its own parliament and recognition of the Slovenian language, i.e. full national autonomy).

Secondly, the driving forces of the process were formed - the main political camps: clerical, liberal and socialist, whose programs were focused, to one degree or another, on the creation of a single national state unit. Their social bases sometimes intersected.

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27 Kermavner, 1962, p.83.

28 In Slovenian historiography, the Slovenian-Croatian association has been discussed since 1921. Its origins, actors, ideas and their supporters, connections, proposals, the development of political events became the subject of heated discussions in the 1960s and continue to attract attention in the latest historical literature. For more see Radojčić, 1921, Kermavner, 1962, pp. 81-144, Zwitter, 1962, pp.145-170, Kermavner, 1963, pp. 155-170, Kermavner, 1965-1966, pp. 319-354, Podgoršek, 2009, pp. 37-66.

29 «The issue of Slovenian unification needs to be discussed more in newspapers, at meetings and, finally, in the Carniolan Assembly... The 'Sisak program' includes a federation between Slovenia and the Triune Kingdom... Points of the 'Ljubljana Agreement' are given by Zatochnik on December 5, 1870. The main difference between the points of the 'Sisak Agreement' and the 'Ljubljana Agreement' is that the Ljubljana Program is silent about the inclination either to Hungary or to Cisleitania, and is also silent about the combination in which the Slavs themselves, living in the south in Habsburg Empire, would like to enter the empire. The issue of national unity was strongly emphasized, and an agreement was reached in paragraph 6, according to which neither Slovenes nor Croats should enter into any other union combination without prior agreement between each other - because only in this way the collective benefit can be preserved, only achieved in national and political unity». For more see Mrazović, 1870, p.159.

30 The Slavic Congress was held in Prague on June 2-12, 1848. For more see Gestrin, Melik, 1966.

The Conservative camp had the support of large, medium, and small landowners, the Catholic clergy, and some intellectuals. The liberal camp relied on the petty-bourgeois social base. The workers' (or communist) camp, as in other countries of the world, had a proletarian social base, which was supplemented by the urban intelligentsia.

Slovene political camps in 1918-1941 were divided into two currents - nationalism, or "Sloveneness", and Yugoslavism, i.e. the national unification of the Habsburg Slavs. These currents saw different paths to the United Slovenia. The autonomists (the clerical camp - the Slovenian People's Party, hereinafter "SPP") promoted "Sloveneness" as the national idea and the United Slovenia - as the state idea. In politics, the way to achieve this goal was to implement the principles of *Corfu Declaration* (July 20, 1917), namely the federal structure of the future Yugoslavia.

The Yugoslavists-centralists (liberals) thought that only a unified Yugoslav nation in a centralized state could give Slovenes the opportunity to survive and develop.

The communist camp, which had been illegal since 1921, initially supported Yugoslavism, basing it on the principle of internationalism, but from 1923 had taken a hard nationalist stance. The positions of clerics and communists often coincided, albeit on opposite grounds.

#### **THE FIRST "WINDOW OF OPPORTUNITY"**

***State-building processes in the Slovenian lands restored in August-November 1918.*** The meaning of those processes was the creation of the first national state bodies and the gradual formation and development of the main branches of government - legislative ("August" National Council in Ljubljana), executive (National Government in Ljubljana, National defense, military command, police) and judicial. Those processes took place in the Slovenian lands as part of the State of the SCS, a multinational entity that had a confederation character and all the features of a bourgeois-democratic republic.

The existence of the State of SCS, as the well-known Slovenian publicist and historian Fran Erjavec wrote in 1923, can rightly be placed among

the best parts of Slovenian history.<sup>31</sup> For a short time during the “coup era”, as another famous Slovene, A. Prepeluh, called it,<sup>32</sup> the Slovenes relied exclusively on their own strengths and capabilities and proved to be brilliant organizers in this ordeal. The period from August 1918 to January 1919, in Slovenian history, proved to be the most fruitful in the state-building sense.

Full autonomy was exercised on the most of Slovenian territory (with the exception of the occupied Slovenian Littoral, Carinthia and Prekmurje) within the State of SCS. On the domestic political scene, the newly created Slovenian authorities resolved almost all issues of state-building: the creation of their own administrative, judicial system on the ground and law enforcement structures, the formation of the Slovenian Armed Forces, the beginning of establishing the state borders. Slovenian became the official language. The peculiarity of their activity was that it went beyond the chronological framework of the State of SCS. The first National Council in Slovenian history functioned from August 16, 1918 to April 30, 1919, so the Slovenes had become the first between the other Habsburg Slavs in the process of the national emancipation. The National Government also worked for some time after the formation of the Kingdom of the Serbs, Croats and Slovenes, hereinafter ‘SCS’ (December 1, 1918 – January 23, 1919).

Slovenes (represented by their most prominent politicians) entered the international arena with the aim of further resolving their national question - uniting all the ethnically Slovenian lands into a single state unit.

In domestic politics, the formation of its own legislative branch of the government had to end in the recognition of the National Council by the Slovenian Parliament. Its actual functions and methods of activity in August-November 1918 fully met its title. But attempts to recognize the “August” National Council as Slovenian parliament, however, remained only written on paper and were lost in the inter-party disputes of the National Government.

It was the widest “window of opportunity” that had never been renewed to such an extent. Unfortunately, this “window” also closed too quickly (finally with the adoption of the Vidovdan Constitution in 1921), and many Slovenian initiatives did not achieve their goal.

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<sup>31</sup> Erjavec, 1923, p. 67.

<sup>32</sup> Prepeluh, 1938.

From the first days in the new common state - the Kingdom of the SCS - a gradual attack on the full autonomy of the Slovenes slowly began. The replacement of the National Government of the SCS in Ljubljana by the Provincial Government for Slovenia abolished Slovenian autonomy, halted the process of Slovenian state-building and marked the beginning of centralization. Of the previous 12 “Commissions” - “ministries”, only four remained – the most politically and economically insignificant ones. “Thus, the last elements of Slovenian statehood, created in the struggle for liberation and unification, were eliminated”.<sup>33</sup>

On the Yugoslav political scene, attempts to secure guarantees of a federal-autonomous system failed. Koroshets's<sup>34</sup> achievements at the Geneva Conference proved futile because of the political games of other actors. An important role in the acceleration of Yugoslav unification in the form of a monarchy was played by an external factor - the Italian threat to the Slovenian Littoral and Istria and Croatian Dalmatia.

In foreign policy, the formation of the state had to be completed with uniting of all the Slovenian ethnic lands (except Venetian Slovenia) and the protection of the newly established borders, but this did not happen. Slovenians had to reconcile with the Italian occupation of Littoral, the loss of Carinthia and Prekmurje.

But ahead, the Slovenes were looking forward to the just fulfilment of their aspirations - to live their lives in the United Slovenia. These expectations, which did not come true with the 1<sup>st</sup> December Act, were now associated with the Paris Peace Conference and the Constituent Assembly. Again, the Slovenes were waiting for the resolution of fateful issues from external actors. The provincial government had to solve all the state-building problems inherited from the National Government, but in much more difficult internal and external conditions.

If we summarize the activities of the Slovenian authorities in the first “window of opportunity”, we will see the stability and continuity of their efforts to fully resolve the “Slovenian question”.

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<sup>33</sup> Zečević, 1977, p.211.

<sup>34</sup> Anton Koroshets (slov. Korošec) – the leader of the Slovenian People's Party, the president of the Slovene Club (1906-1918), the president of the Yugoslav Club of the Austrian parliament in 1917, the president of the National Council of Slovenes, Croats and Serbs and a participant at the Geneva Conference (1918), vice-president of the first Yugoslav government and minister in different fields (forests and mining, traffic, education and internal affairs), the Prime Minister of the Kingdom of the Serbs, Croats and Slovenes (July 27, 1928–January 6, 1929), the minister of the later cabinets (1935-1940).

The ways in which Slovenian governments maintained their autonomy in the new domestic political conditions (gradual offence on democratic gains, liquidation of national authorities and considerable slowness of the Serbian bureaucracy) in the Kingdom of SCS in December 1918-June 1921 were: passive resistance to the centralization policy in the form of continuation of the activities of all departments of the National Government and the National Council in Ljubljana (until February and April 1919, respectively); the provincial government's struggle with Belgrade over the balance of competences between the center and the province (February 1919 - June 1921), in which the clerics succeeded in expanding its powers significantly in the socio-economic sphere.

The government achieved an increase of the number of permitted Commissions from four to six, and thus distinguished itself between the other provinces of the Kingdom. But its administrative responsibilities did not achieve Slovenia's previous full autonomy due to full subordination to the central government in Belgrade. When Slovenian liberals headed the government, Belgrade won the fight.

The work of the Slovenes in the Constituent Assembly in 1920-1921 was also unsuccessful. The Vidovdan Constitution was adopted hastily, despite all the remarks and shortcomings. It approved everything, what the leading Slovenes fought against, - the monarchy, centralization, national unification.

From December 1918 to October 1920, the National and Provincial Governments for Slovenia made every effort to implement the United Slovenia Program and to preserve the integrity of the Slovenian people, in a particularly unfortunate combination of international circumstances for Slovenian ethnic interests. Among them: the management of the armed forces, occupation of Styria, western Carinthia, Prekmurje, participation in resolving the Slovenian issue at the Paris Peace Conference (work of the Slovenian delegation as part of the joint delegation of the Kingdom of SCS and administrative and informational support of its activities during the conference on Slovenian borders).

The second of the main state-building tasks of Slovenian policy - to complete the process of uniting all Slovenes in a single country - was not achieved as well. The main reason was the unusual position of Slovenian lands on the international arena. During the First World War,

Slovenia was part of Austria-Hungary, which was defeated, and joined a state, common with Serbia, which was in the “winners’ camp”. So the Slovenes’ expectations to reach the “Slovenian question” solution on the Paris Peace Conference failed.

The Paris Conference made decisions in favor of Austria, not for Austria but against Yugoslavia, because it was supported by France from the beginning. The fact is that at the Conference, the Kingdom of the SCS was generally perceived as an enlarged Kingdom of Serbia, and it was not about the rights of peoples, but about the growing influence of France in the Balkans.

Serbia, in its turn, having entered the world arena for the first time, did not yet have sufficient experience in diplomatic battles. In addition, it used Slovenian lands as a “small coin” to bargain for territorial concessions for itself on the southern borders. Therefore, both military and diplomatic assistance from the Serbs in recapturing Slovenian borders was not sufficient. Italy, together with Austria, in their turn, made every effort to seize as many Slovenian lands as possible, despite Slovenia sought after uniting them.

As the continuation of the Paris Conference, on October 10, 1920, a plebiscite was held in Carinthia - the last hope to join the Slovenes who remained in Austria. But then, the consequences of centuries of Austrian social and national pressures on the local Slovenes have appeared which effects are still evident today. The internal reasons for this were centered around the social structure of Carinthian society, where a small number of nationally conscious wealthy peasants voted for the SCS, and mercenaries and burghers voted for Austria. Carinthian Slovenes were largely indifferent to the process of building their state, where they would be one of the titular nations, also because of fears of tax pressure from Belgrade. In addition, they were not campaigned for Slovenia, but for Yugoslavia (a kingdom, and, moreover, with an Orthodox dynasty at its head), but the Carinthians had the opportunity to remain in the Catholic bourgeois republic.

The plebiscite’s defeat, which for the Slovenes symbolically absorbed other territorial losses, became one of the decisive factors in slowing down the process of Slovenian state-building. The process of unification of Slovenian lands has remained unfinished. 40% of Slovenian lands

and population remained outside Slovenia, including about 1 million Carinthian Slovenes. All of this have complicated the Slovenes' relationships with the central government, which they blamed for the loss of Carinthia, and with their neighbours by borders, which "have torn" Slovenia - cut off Carinthia (Austria), Littoral with Trieste (Italy) and Porabje (Hungary). Only in the Kingdom of the SCS, the Slovenes did gain some quasi-self-government.

The conditions of the factual political demodernization, which began with Slovenia's entering the Kingdom of the SCS, and the intensive intervention of superpowers and neighboring countries in the process of defining Slovenia's borders, led to the defeat of the Provincial Government in all areas. Belgrade completely ceased its activities on July 12, 1921. The "window of opportunity" closed.

However, if the position of Yugoslavism in 1918 was taken by the vast majority of the Slovene electorate, then the liquidation of national authorities, the creation of the Kingdom of SCS with the regent on its head, undemocratic electoral law and the Constituent Assembly's way of working, undisguised centralism and national unitarism of the Vidovdan Constitution, which didn't generally meet principles of the Corfu Declaration, led to the transition of that majority of the electorate to the position of "Sloveneness".

## **THE SECOND "WINDOW OF OPPORTUNITY"**

*The development of Slovenian state-building in the 1920s* was based on the new domestic and foreign policy position of Slovenia as a dependent territory with the people, whose national identity was no longer recognized. Moreover, the Slovenian lands, instead of uniting, were divided into two regions - Ljubljana and Maribor; in some places their borders did not coincide with ethnic ones. Therefore, the second "window of opportunity" (1927-1929) had a fairly long "vestibule".

The struggle of Slovene politicians for the preservation of the remnants of self-government and United Slovenia appeared in the form of confrontation between the ideological and political Yugoslavism and "Sloveneness".

In 1923-1925, the ranks of Yugoslavists were further reduced. This was facilitated by the transition of Slovenian communists to nationalist

positions (1923) and the results of the election campaign to the National Assembly in 1925, which did not have the desired effect due to a completely different political tradition - Serbian (i.e. personal ties, behind-the-scenes intrigues and political maneuvering).

The defeat in the Constituent Assembly, the use of undemocratic and morally conflicting principles at the highest levels of government had an impact on the activities of leading actors in Slovenian politics. Analysis of the political situation in daily circumstances had become an integral part of Slovenian political practice.

When the SPP understood the way of making decisions in the Kingdom (based on the Serbian tradition), its leadership resorted to political games, which were an integral part of Belgrade's policy. The main goal was to use every opportunity to win as many rights and benefits for Slovenia as possible.

Therefore, in 1926, autonomist forces, which found themselves in opposition to the central government, used political maneuvering to come to power in regional self-governing bodies. After the non-recognition of the Vidovdan Constitution and the political boycott of 1921-1925, the SPP reached an agreement with the ruling regime to return and preserve the autonomy gained in the process of state-building that began during the State of SCS.<sup>35</sup> Thus, the SPP achieved political dominance in the Ljubljana and Maribor regions, and most importantly, entered the central government, which provided the party with significant advantages on the ground and contributed to the implementation of the party's nationalist program. This opened a second "window of opportunity" for a new wave of Slovenian statehood.

The success of this tactic was the particularly extensive funding of activities and the expansion of the legislative jurisdiction of the assemblies of the Ljubljana and Maribor regions, which led the Yugoslavs to call Slovenia a "state within a state."<sup>36</sup>

The activities of both Slovenian regional assemblies were characterized by distinctive features: parliamentary methods of work, synchronicity

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35 In 1927, the SPP concluded a political agreement with the government on the recognition of the constitution and power of the king (Bled Agreement). For more see Friš, 1998.

36 Stiplovšek, 2008, p. 161.

of meetings and the constant struggle with the central government for the extension of their competences.

Unfortunately, political adaptation and related compromises have yielded only partial and temporary results. After the royal coup of January 6, 1929, the abolition of the fundamental bourgeois-democratic foundations in Yugoslavia and the beginning of repression sharply intensified the confrontation between the Slovene centralists and the autonomists. An additional catalyst for such an aggravation was the beginning of the Great Depression and the sharp deterioration of socio-economic conditions in Slovenia. This has led to the fact that the programs of Slovenian political camps have also become more categorical. The clerical autonomist opposition, which followed Croatia in an open statement against the unitarism and centralism of King Alexander's personal dictatorship, lost. Its leaders were repressed.

On the background of the general stagnation of political life in Slovenia, it would seem that no new opportunity for the restoration of even the smallest sprouts of self-government could arise. The only authority where Slovenes could express their opinions and make some decisions was the Brava Council of the Drava Banovina, which officially had only advisory functions, often addressing various aspects of difficult social problems caused by the economic crisis.

However, in 1933-1935 the activity of the ban council was significantly politicized. At the proceedings on the budget of the banovina, political dimensions gained, in particular, some discussions on the balance of competences between the banovina and local self-government, as well as the elections of the banovina council, on the state's financial policy towards Slovenia.

Alexander I needed to find ways to improve the domestic political situation, while maintaining all the power and raising his popularity among the population and abroad. Therefore, in 1933, the authorities were forced to demonstrate a return to democracy - elections to municipal councils, the lowest level of administrative responsibility. For this, the government gave the Ban Councils the power to make decisions on various aspects of elections. This meant expanding the competencies of the Ban Council of the Drava Banovina in the legislative direction.

The authorities used the long-awaited and therefore encouraging elections to disguise the municipal reform of uniting small municipalities, which saved the state budget but worsened the socio-economic situation in Slovenia, a mountainous region with weak infrastructure.<sup>37</sup> But, even in the semi-forbidden position, the autonomists still took the opportunity, received very strong support from the population and took many important positions in the municipalities, strengthened in the desire to find ways to resume intensive activities. The percentage of seats, won by the opposition in Slovenia, was the highest in Yugoslavia.<sup>38</sup>

In general, it should be noted that the autonomist efforts of the Ban Council of the Drava Banovina were conditioned by its parties' compositions and, in particular, by the consequences of the changes of ruling regimes.

### **THE THIRD "WINDOW OF OPPORTUNITY"**

The 1930s were a turning point in ideological views in Europe, the liberal democracy lost credibility, and the proponents of class visions came to the fore, that an individual should subordinate his interests to the collective – community, class, nation. Adherence to both corporate and class organization meant the rejection of individualism and the restriction of democratic freedoms. This global phenomenon has not bypassed Yugoslavia, and certainly not Slovenia, especially after the assassination of King Alexander I, in the autumn of 1934.

Thus, on the eve of the disintegration of Yugoslavia in 1941, Slovenian clerics-autonomists remained the main driving force of the state-building process. After the Alexander I's assassination, they were given the opportunity to withdraw from the long-standing opposition and re-enter political life. The only way to do this was to join the regime party, the Yugoslav Radical Union (YRU).

The decision of the permanent chairman of the SPP, A. Koroshets, to join the YRU and the government of M. Stoyadinovich<sup>39</sup> in 1935, has

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37 Žontar, 1999, pp. 609-613, Grafenauer, 2000, pp. 230-237.

38 The opposition in Slovenia was the most successful compared to other banovinas (25.7% of the vote, a majority in 1/7 of Slovenian municipalities). Gašparič, 2007, p. 201.

39 Milan Stoyadinovich (*serb.* Stojadinović, 1888-1961) - the Prime Minister of Yugoslavia from 1936 to 1939.

fatefully marked the political events in Slovenia.<sup>40</sup> This allowed them to open the next “window of opportunity” for returning of Slovenian autonomy, and it was by the example of Croatia.

The Concordat crisis of 1935-1937 laid the ground for Croatian separatism, which manifested itself in the creation of the Banovina of Croatia, bypassing the Octroyed Constitution, in accordance with the “*Tsvetkovich-Machek* (Cvetković-Maček) *Agreement*” of August 26, 1939. This precedent raised the question of the creation of the Banovina of Slovenia. The reason for this was the decision of the central government to extend the right to create a national banovina to other peoples of Yugoslavia. The condition for this was the timely preparation of all necessary documents for approval by the regent, while the Slovenian political elite had an influence in the central government, especially in the person of Koroshets. Active preparation for the creation of the Banovina of Slovenia<sup>41</sup> was carried out by the Ban’s Council, which at that time consisted mainly of the members of the SPP.

The issue of the Banovina of Slovenia forced the clerical camp to look for a state-political model of Slovenian society, considering the examples of solving the national question provided by Europe in the second half of 1930s. The rapid course of events in Europe in 1938-1941 caused significant fluctuations in the choice of survival model. The SPP was inclined to the Slovak experience, where a Catholic social model with elements of European democracy was implemented in its autonomy. And after the Nazi lightning conquest of Poland, the clergy, in concern for the self-preservation and territorial integrity of Slovenia, finally leaned towards the example of Slovakia’s survival through its accession to the Nazi “New Order”.<sup>42</sup>

The outbreak of World War II gradually shifted the focus of the Belgrade government’s policy to the international arena, and the process of creating the Slovenian banovina was curtailed at February 1941. Not the least role in this was played by the death of A. Koroshets on December 14, 1940. One more “window of opportunity” has been closed.

40 Ibid, p. 245. , Godeša B., Dolenc E., 1999, p.150.

41 See more Gosar, 1940.

42 Godeša, 2004, pp. 69-80.

## THE FOURTH "WINDOW OF OPPORTUNITY"

The last "window of opportunity" for Slovenian statehood was related to the *attempt to restore national autonomy during the Nazi-Fascist occupation of Slovenia in April-September 1941*.

In foreign policy, the SPP admitted the possibility of the Axis powers' victory and the «New Order» in Europe. After the coup in Yugoslavia on March 27, 1941, the SPP changed its tactics - in the case of occupation, the party leadership decided not to cooperate with the occupier and fulfil its civic duty to Yugoslavia.

But at the beginning of the April War of 1941, the occupiers' invasion to Yugoslavia has begun through the territory of Slovenia. The state-building program of the SPP for the war period, hastily formulated in difficult domestic political circumstances on the last day before the occupation, was based on several principles, the main of which were in any way to preserve the unity of the Slovenian people; the physical composition of the population, economy and infrastructure, and, the first of all, to prevent bloodshed.

The defeat of the policy of independence, i.e. the slowing down and cessation of the process of Slovenian state-building in 1919-1920, laid the ground for further resumption of this process in similar conditions in April 1941, but on the basis of collaborationism. That group of the leaders, who remained in the homeland together with Ban (Governor) Marko Natlachen,<sup>43</sup> for the salvation of the Slovenian people, chose full independence as the only way of survival, apparently following the example of Slovakia, and saw a temporary solution under the auspices of the occupiers.

Influenced by information about Yugoslavia's inability to resist the attack, as well as Nazi plans to create a protectorate of Slovenia, the SPP changed its patriotic plans to nationalistic: the creation of a single, indivisible, independent Slovenian state (possibly common with the Croats) under one occupier. Political tactics were chosen to continue

<sup>43</sup> Marko Natlachen (*slov.* Natlačen, 1886 - 1942) the last Ban of Drava (September 1935 - 17 April 1941), the leader of the Slovenian People's Party during the Nazi-Fascist occupation of Slovenia.

the positive tradition from the time of the State of SCS, i.e. to create a multi-party National Council.

The task of the National Council for Slovenia was to take power in Slovenia and to do its best to implement the strategic plan of the SPP.

In the eyes of the Yugoslav government, although the direct connection with it was severed, the existence of the National Council for Slovenia was unacceptable and could not and was not recognized by the government, as no official law of Yugoslav legislation provided for dual power. The creation of the National Council was a state-building step that was not renewed by any other people of Yugoslavia. The National Council was thus an exception in Yugoslavia.

With the declaration of sovereignty on the territory of the Drava Banovina, the Ban and the National Council *de facto* refused to submit to the authorities in Belgrade. With the transformation of the National Council into a government and an attempt to form a Slovenian army (with the organization of the Slovenian Legion), steps were taken to implement the plan of the United Slovenia as a “kind of German protectorate.”

The rapid changes in the Slovene autonomists’ state-building program right before and during the five-days occupation process in April 1941, the use of a set of methods of communication with the highest occupying authorities, the hope of restoring the entire Slovenia and uniting all the Slovenes under one new government make us think, that the Slovenian autonomist forces (at least until September 1941) felt the similarity of their position in the Kingdom of the SCS / Yugoslavia and under the occupier. None Slovene was killed during the April War. Therefore, they did not see a betrayal in collaboration with the new government; on the contrary, it was a natural transition for them, a step towards a possible improvement of the political situation, towards achieving the long-awaited autonomy.

The work of the National Council during fateful days April 6-17, 1941 can be considered in stages: at first, the Croats hurried to create the Independent State of Croatia, and the plans of a joint Slovenian-Croatian state failed. The creation of an independent Slovenian state was hampered by the unexpected Italian occupation of western Slovenia, together with Ljubljana. Attempts

by the advisers to unite Slovenia under a single occupation authority, first Nazi and then Fascist, also failed.

The Italian occupiers banned the National Council (and it went underground), but promised to recognize Slovenian autonomy and set up the *Consulta* (an advisory body to the head of the Italian occupation authorities in Ljubljana), which included representatives of the National Council. Because of this, the *Consulta* could be for a while considered a legal continuation of the Council, then already illegal.

Due to the failure of all its plans, the SPP again came to the recognition of the Yugoslav government in exile. Slovenia found itself at war, and the difference between Slovenia's position in Yugoslavia and under Nazi-Fascist occupation became apparent.

After the German attack on the USSR and the expansion of Partizans' operations, the conditions of the Italian occupation changed to more severe, and in September 1941, the main actors of Slovenian politics - the leaders of the main Slovenian political camps, left the *Consulta*. This could be considered the end point of legal Slovenian state-building activity in the interwar period.

## CONCLUSION

The process of restoration of Slovenian state-building in 1918-1941 was complex and nonlinear, with advances and retreats, which allowed building *the model of the dynamic system of political relations* within Slovenian society and the relations of Slovenian society with the external environment.

We see an important external factor in the process of restoration of Slovenian statehood in relation to international actors in the 19<sup>th</sup> - first half of 20<sup>th</sup> century to Slovenes and their ethnic lands as a bargaining chip in interstate border trade involving Austria, Hungary, Italy and Serbia.

This, in turn, affected the *particular features* of the Slovenian state-building process, such as the limited territory where the process resumed, and the *search for partners* to defend the unity of Slovenian

lands, first outside Austria, which failed to guarantee this unity, and later outside the Kingdom of Yugoslavia. State-building in Slovenia, as an idea and practice, developed in the form of self-government.

This model allows us to determine the chronological “windows of opportunity” for the restoration of Slovenian statehood.

The Slovenes took advantage of **the first “window of opportunity”** within *the borders of the State of SCS*, when the *first-ever national democratic authorities were established*. In August-November 1918, an interesting unique collision arose concerning the division of powers between the Slovenian National Council and the National Government, and at the same time between the Slovenian authorities and the Zagreb National Council. In fact, it was a *question of the independence of the Slovenian bourgeois-democratic republic or its full autonomy within the federal State of SCS*. As a result of the discussion, the National Government adopted a resolution on the executive subordination of the National Council<sup>44</sup> in Zagreb and the advisory role of its own National Council.

It can be concluded that the restoration of state-building in the Slovenian political space during the stay of Slovenes in the State of SCS had a specific character - it took place as the genesis of Slovenian statehood in the form of a bourgeois republic within the multinational federation of Habsburg Slavs. Internal and external factors determined the specific feature of this process - it took place on the basis of common political practice, not theory, i.e. empirically, through their own unique experience. Political practice has shown that the presence of an external legislator - the National Council of the SCS in Zagreb - indicated the topical relevance of the National Government in Ljubljana. The National Council would take place as the Slovenian parliament only if the Slovenes dared to create their own sovereign state.

**The next opportunity** arose only in 1927-1929, when it was allowed to elect the *Ljubljana and Maribor regional assemblies*. The election of regional self-governing bodies was a significant achievement of the political struggle of Slovenian deputies (along with Croatian ones) in the Constituent Assembly. The territory of Slovenia at that time was divided into two areas, which was a step backwards from

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44 Narodno Vijeće.

an administrative point of view. Therefore, the main tasks of the leadership of the regional assemblies were to synchronize the activities of both assemblies, especially in the making common decisions on all issues, which was a step forward in the development of Slovenian parliamentarism, as far as possible under the Vidovdan Constitution.

**The third opportunity** to continue the state-building process in Slovenia reopened with the creation of the *Drava Banovina and its Ban's Council*. The Drava Banovina united all Slovenian lands under a single administration, which was a step forward in this respect. The culmination of this process was the preparation for the creation of the *Banovina of Slovenia* in 1939-1941. Foreign policy factors, however, were not in favor of Slovenian efforts. The Belgrade government gradually reversed all reforms after the occupation of France, its main ally in Europe.

**The last, fourth, attempt** to restore Slovenian national autonomy during the activity of the "*April*" *National Council for Slovenia*, in the first period of Nazi-Fascist occupation of Slovenia (April - September 1941), naturally followed the failed attempt to create the Banovina of Slovenia and was closely related to the culminating period in Slovenian statehood during the "*August*" National Council and the State of SCS. But the Slovenes' hopes for salvation of own people and land, at least by getting autonomy under Italian occupation, were quickly lost. The brutality of the occupation regimes in Slovenian lands took away the last chance to create a United Slovenia within the framework of bourgeois democracy.

*The reason for the termination of the Slovenian state-building process in each "window of opportunity" was an external factor.* In 1919-1940, it was the Serbian policy of state centralization and national unification. The dictatorship regime added rigidity to the framework in which the political process was driven throughout the state. The last time, in April 1941, the complete cessation of any development of Slovenia was due to the Nazi-Fascist occupation.

As we can see, crises open windows of opportunities, and *the deeper is the crisis, the wider is the window*. It was the political crises in Austria-Hungary (May-November 1918), the State of SCS (late November 1918) and the Kingdom of SCS / Yugoslavia (1926, 1934, 1937, March and April 1941) that opened "windows of opportunity"

for the Slovenian state-building. The most acute were the first and last of those crises, and they have been associated with the highest intensification of this process and the activities of the two Slovenian National Councils – the “August” one in 1918 and the “April” one in 1941.

We see that Slovenian state-building resumed at the end of 1918, but did not end due to the indecision of the Slovenian national-political program, due to the split of Slovenian politics in the currents of Yugoslavism and “Sloveneness”. The combination of external and internal factors was such that the process of Slovenian state-building was “wavering”. It was restored and accelerated in times of domestic political chaos - the collapse of multinational state-buildings in which the Slovenian people lived (Austria-Hungary, Kingdom of SCS / Yugoslavia), in the context of increasing external threat throughout the Slovenian northern border by states created by linguistically unrelated peoples (Italians, Austrians, Hungarians), in most of the Slovenian lands, which became part of a state common to related Slavic peoples (Croats and Serbs). In the conditions of stable existence in multinational states with an authoritarian regime, the process of Slovenian state-building slowed down.

But in any situation, Slovenian autonomists ***looked for opportunities, and when they found them, they made every effort*** to fulfil the program of United Slovenia.

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# Life in Greek Open Camps during Covid-19 Era

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## ABSTRACT

The coronavirus pandemic has both short-term and long-term effects on society and many researchers have already been trying to outline the new scenario in our life. Open refugee camps, which are a special separate part of our society, should not be excluded from this field of research. Based on data from empirical research and on review of Greek policy, this paper pays special attention to the preparedness of the camps to deal with the spread of the virus as well as the consequences of the measures taken in Greece from March until August 2020 within the open camps. It's not only about human rights since the micro-society of the camps has been shaped in such a way where by examining one phenomenon you encounter another that deserves parallel investigation. It is necessary to have a specialized action plan for each camp, with frequent evaluation and cooperation with all relevant stakeholders. The problem of crisis management within camps is not a problem that comes from the virus but from the operating system.

**KEYWORDS:** open camps, immigration, coronavirus pandemic, human rights, Greece

## POVZETEK

Pandemija koronavirusa ima tako kratkoročne kot dolgoročne učinke na družbo in številni raziskovalci že poskušajo orisati nov scenarij v našem življenju. Odprta begunska taborišča, ki so poseben ločen del naše družbe, ne bi smela biti izključena s tega področja raziskav. Na podlagi podatkov empiričnih raziskav in pregleda grške politike, ta članek namenja posebno pozornost pripravljenosti taborišč za spopadanje s širjenjem virusa in posledicam ukrepov, sprejetih v Grčiji od marca do avgusta 2020 v odprtih taboriščih. Ne gre le za človekove pravice, saj je mikro družba taborišč oblikovana tako, da s preučevanjem enega pojava naletite na drugega, ki si zasluži vzporedno preiskavo. Za vsak tabor je potrebno imeti poseben akcijski načrt s pogostim ocenjevanjem in sodelovanjem z vsemi ustreznimi zainteresiranimi stranmi. Problem kriznega upravljanja v taboriščih ni problem, ki izvira iz virusa, ampak iz operacijskega sistema.

**KLJUČNE BESEDE:** odprta taborišča, priseljevanje, pandemija koronavirusa, človekove pravice, Grčija

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## INTRODUCTION

The pandemic came. Another crisis for Greece. However, this crisis has a great factor of uncertainty, as it is an unprecedented situation for society, affecting many of its parts and highlighting its pathogenesis. Many crisis management models were applied to deal with it, which were largely affected by the way people reacted based on citizens' empathy.

In Greece, the start of the epidemic coincided with the provocation on the Greek-Turkish land border and the attempt of a large number of immigrants to enter in Greece from Turkey. The months that followed brought about significant changes in the management of migration flows, with strategies being pushed and changed by the continuous developments that no one had predicted. Initially, significant weight was given to dealing with the growing flows that threatened Greek borders. Under these conditions, less attention or less projection of the situation is given in the open camps that existed in the country.

The purpose of the research is first to highlight how the coronavirus affected the management of open camps and what changes it brought about in the lives of immigrants. The choice of study of the camps was decided due to the interest that the operation of the camps presents for the society and the discussions that take place about the immigration and its management. In recent years, Greece has experienced great pressures for its proper management and challenges for the integration of immigrants in society. Now, another challenge has been added, the pandemic, which in itself has brought about serious changes in society, and probably more in a society of immigrants who have to deal with major survival problems, such as food and livelihoods.

However, the state has given the main emphasis to tackling the pandemic, providing medical care and addressing its effects on the country's economy. The focus of society has shifted from how the "other" people in our society live, which re-ignites only when a new camp is to be created or when new cases of covid-19 are detected in an open camp and are close to a residential area. This research offers a remarkable contribution, highlighting the effects of the pandemic on migration and in particular the current situation within the camps in Greece. But what makes the research extremely interesting is that it touches on many areas of research: public administration, crisis management, human rights, racism, health care, immigration and society.

## METHODOLOGY

The research focuses on the Accommodation Camps for Immigrants and Refugees (open camps) and not on the Reception and Identification Service (RIS) due to their different nature of operation. The RIS are at entry points in Greece and the immigrants are screened. The open camps house the immigrants who have applied for international protection and are entitled to housing and food. Therefore, where the research refers to a camp, it means the open ones that according to their statutes, the movement of immigrants inside and outside is free, observing only the rules of their operation. The research on the living conditions in RIS should be a separate research, which is also of particular interest.

The period of the research is from March 2020 to the beginning of August 2020. The open camps in that period in Greece were 26. These camps were created from the period of 2015 onwards, and operated in collaboration with many agencies (stakeholders), such as the army, local government, NGOs, Hellenic Police, international organizations, health units, but, in each one, they operated with a different composition and with different roles. The refugee population living in the camps is estimated at approximately 84500 people<sup>2</sup>.

The main motivation for conducting this research was the fact that there is no relevant literature or articles on this topic. The research was mainly based on the collection of information from those involved in the management of the camps that were of course evaluated during the on-site visits to two camps in Greece for their verification. For this purpose, the Diavata Camp in the former Anagnostopoulou camp and the camp in Klidi in the Municipality of Sintiki were selected. The choice of these two camps was made to compare the operation of a camp (Diavata) near a large city (Thessaloniki) with the operation of a camp (Sintiki) in a remote location with difficulty in accessing Greek society. They also have another important difference, the camp of Diavata is a camp structured with containers, training facilities and other activities while the camp of Sintiki is a new camp with tents for the immediate housing of new immigrants. It is noted that my access to the camps was made after approval by the Ministry of Immigration and Asylum.

During the site visits, discussions were held with key figures within

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2 UNHCR, 2020. Fact sheet. <https://data2.unhcr.org/en/documents/download/77528>

the camps who were called upon to manage the pandemic crisis. These discussions contributed substantially to the formation of a complete picture of the situation. The discussions were semi-structured in order to have a flow in the discussion, asking specific questions but at the same time giving the opportunity to develop some more aspects. The main concern was to capture the pre- and post-pandemic situation. The interviewees are shown in the following table<sup>3</sup>:

**Table 1: Interviews**

Role	Date
Commander of Diavata camp	31-07-2020
Supervisor of NGO in Diavata camp <sup>3a</sup>	31-07-2020
Member of Central Administration of Red Cross	04-08-2020
Commander of Sintiki camp	20-08-2020

It is mentioned that the Red Cross has signed a contract with the Ministry of Health for the provision of health services in the camps of Sintiki, Malakassa and Corinth from March 2020 through a financing program. The services concern the provision of primary hygiene by sending doctors to the camps (pediatrician, gynecologist, pathologist and dermatologist) but also the provision of hygiene products (soaps, sponges, etc.)

Finally, regarding the management of the situation, a review of the policies was conducted and of the legislation issued for the camps during the pandemic, along with a review of the relevant publications in the press (mainly electronic) on highlighting the issue. The examination of the guidelines issued by the Ministry demonstrates the reaction of the administration and for this purpose was also subject of study in the research.

## THE ERA OF THE CORONAVIRUS PANDEMIC

The coronavirus has been shown to be quite contagious with serious effects on public health. In societies that did not take precautionary measures in time, it resulted in a large number of deaths. The World Health Organization upgraded the spread of the coronavirus to a “pan-

<sup>3</sup> Concrete data (names and interviews) available at the author of this paper.

<sup>3a</sup> This NGO provides site management support services (water, sewerage, sanitation, non-food items), protection interventions (legal counseling, psychological support and non-formal education (life skills, language courses, space for children).

demic” in March 2020.<sup>4</sup> Of course, scientists had predicted that there would be a pandemic after the last one in 1918 but they did not know the exact time.<sup>5</sup> The state of a pandemic in the modern world was unprecedented for everyone, except for a few specialized scientists who, however, did not witness the effects on society. For this reason, the virus was also associated with the word uncertainty.

Greece has few Intensive Care Units (ICU) and the possible sudden spread of the virus would probably mean the collapse of the medical system. The reaction of the government was to limit the social events with a large number of people. Schools closed on 10 March 2020 and social gathering places and shops, such as museums, restaurants and bars, were closed on 13 March. Finally, on 23 March, the restriction of citizens’ traffic, otherwise known as lockdown, began, and was lifted gradually from the 3rd of May. It means that for two months society experienced an unprecedented exclusion.

The borders between the countries were closed and each country tried to safeguard the public health of its society and its security, as it claimed, by restricting the free movement of citizens, even of European Union citizens. The Schengen Agreement was tested and partially repealed<sup>6</sup>, on the grounds that the presence of coronavirus in neighboring countries poses a high risk of new imported cases.

In Greece, the restrictions were combined with the restriction of the transfer of migratory flows from the border to the mainland. Since the beginning of March, the country experienced a sudden attempt of a large number of immigrants to enter at its northern border. At the same time, it was decided to postpone the submission of an asylum application for a month (March). These events triggered in Greece a security crisis in parallel with the health crisis and for this reason, a strictest approach to anyone who violates Greek borders implemented.

### **WHAT DOES THE PANDEMIC MEAN FOR IMMIGRANTS?**

Immigrants who already live in uncertainty from the moment they left their homelands, now they face a higher rate of uncertainty. The

4 Κορωνοϊός: Πανδημία κήρυξε ο ΠΟΥ [Coronavirus: WHO declared a pandemic ] <https://www.kathimerini.gr/1068688/article/epikairothta/kosmos/korwnoiios-pandhmia-khry3e-o-poy>

5 Gates, B., 2020. Responding to Covid-19 – A Once-in-a-Century Pandemic?, <https://www.nejm.org/doi/full/10.1056/NEJMp2003762> (Accessed 20 July 2020)

6 Thym, D., 2020. Travel Bans in Europe: A Legal Appraisal, Universität Konstanz <http://eumigrationlawblog.eu/travel-bans-in-europe-a-legal-appraisal-part-i/> (Accessed 21 June 2020)

coronavirus restricted the movements of people, forcing everyone to stay where they are for a long time without knowing how long this condition would last. Access to services was possible only for important reasons and under specific conditions. For the immigrants living in Greece, the access to information about the situation was minimal, as interviewers claimed.

As in all times of crisis when public safety is threatened, extreme beliefs develop. Humans are considered potential enemies that may carry the virus and thus become a ‘security’ threat, as the Italian philosopher, Giorgio Agamben claim (Shani, 2020). In this context, immigrants are the focus of attack and racism by claiming that they are carriers of diseases since they do not live in appropriate conditions and they cross the borders illegally, without border control for COVID-19. The aversion to them grew not only in Greece but also in other countries resulting in strict surveillance measures<sup>7</sup>.

## THE MEASURES IN THE OPEN CAMPS

One of the measures someone expects to see in the camps is to restrict the movement of immigrants. At this point, it is interesting to see the press release archive. Most articles in their titles mention movement restriction in open camps while there was not legislative decision. Below, are some titles:

- “By joint decision of the Ministers of Citizen Protection, Health and Immigration and Asylum until April 21, a temporary restriction of the movement of those residing in the Reception and Identification Centers is implemented, as well as in open camps for asylum seekers throughout Greece”.<sup>8</sup>
- For reasons of public health, the two camps in Malakasa and Sintiki, Serres will remain closed.<sup>9</sup>

7 Ο Στρατός αναλαμβάνει τα Κέντρα Μεταναστών στην Ιταλία [The Army takes over the Immigrant Centers in Italy] <https://www.armyvoice.gr/2020/07/%CF%83%CF%84%CF%81%CE%B1%CF%84%CF%8C%CF%82-%CE%BA%CE%AD%CE%BD%CF%84%CF%81%CE%B1-%CE%BC%CE%B5%CF%84%CE%B1%CE%BD%CE%B1%CF%83%CF%84%CF%8E-%CE%BD/> (Accessed 31 July 2020)

Acu, C., 2020. “Stay at Home?” How Syrian Refugees Face a Crisis of Shelter in Jordan , *THE CENTRE FOR THE STUDY OF GLOBAL HUMAN MOVEMENT*, <https://centreglum.com/2020/07/25/stay-at-home-how-syrian-refugees-face-a-crisis-of-shelter-in-jordan/?fbclid=IwAR3JPwxh3mc1Mih0zrMSTzuUEOQ2NSUXqzLOWbFmsfbwHhg9rv4SCCBeno> (Accessed 30 July 2020)

8 Έκτακτα μέτρα και στις δομές προσφύγων λόγω κορωνοϊού [Extraordinary measures in refugee camps due to coronavirus] Source: [www.lifo.gr](http://www.lifo.gr) <https://www.lifo.gr/now/greece/275122/ektakta-metra-kai-stis-domes-prosfygon-lo-go-koronoioy>

9 Υπ. Μετανάστευσης: Κλείνουν οι δομές φιλοξενίας Μαλακάσας και Σιντικής, 07-04-2020, <https://www.tovima.gr/2020/04/07/society/yp-metanasteysis-kleinoun-oi-domes-filoksenias-malakasas-kai-sintikis/>

- Coronavirus: Protection measures in RIS, open camps and Asylum Service.<sup>10</sup>
- JMC of Traffic Restriction in the Open Camps of Asylum Seekers, Official website of the Minister of Immigration and Asylum<sup>11</sup>

However, in the ministerial decision that was issued, the open camps are not mentioned, but only the RIS:

*Article one: 1. The temporary restriction of the traffic from 21.03.2020 until 21.04.2020 of the resident citizens of third countries in the Reception and Identification Services (RIS) of the whole territory “.*<sup>12</sup>

The open camps were finally added, with the Joint Ministerial Decision Δ1 α / Γ.Π.οικ. 42069/2020 - Government Gazette 2730 / Β / 3-7-2020 decision in article 2, which stipulates *that* “the no. Δ1α / Γ.Π.οικ.20030 / 21.3.2020 joint decision of the Ministers of Civil Protection, Health and Immigration and Asylum (B ‘985) applies both in the Reception and Identification Centers (RIS) as well as in all open camps and any kind of camp for third country nationals of the country. “

In other words, until July 03 2020 there was no legal provision restricting the movement of immigrants in open camps. Legally, until then, immigrants are allowed to leave camp during the lockdown period for specific reasons and after sending a message or completing the required form, following the same procedure as the other Greek citizens. The form, of course, must be pointed out that it was written in Greek and English and certainly, immigrants would have difficulties completing it.

Moreover, on March 17, the Ministry of Immigration and Asylum announced a series of protection measures in the open camps, which include the suspension of all visits of individuals and institutions to the camps except those who work there, the mandatory temperature control of new arrivals, virus prevention instructions in a number of languages, such as Arabic and Farsi, general hygiene rules with indoor disinfection, suspension of informal education facilities, closure of

10 Κορωνοϊός: Μέτρα προστασίας σε ΚΥΤ, δομές φιλοξενίας και Υπηρεσία Ασύλου, 17-03-2020 <https://www.naftemporiki.gr/story/1575981/koronoios-metra-prostasias-se-kyt-domes-filoksenias-kai-ypiresia-asulou>:

11 ΚΥΑ Περιορισμού Κυκλοφορίας στις Δομές Φιλοξενίας Αιτούντων Άσυλο, 23-03-2020, <https://www.mitarakis.gr/gov/migration/1962-dt-yma-ky-a-periorismou>

12 Joint Ministerial Decision No. Δ1 α / Γ.Π.οικ. 42069/2020 “Taking measures against the occurrence and spread of cases of coronavirus COVID-19 in the Reception and Identification Centers, throughout the Territory, for the period from 21.03.2020 to 21.04.2020” (B ‘985).

indoor activities (such as gyms and libraries) and operation special isolation areas in each camp.<sup>13</sup>

On March 27, the Ministry of Immigration and Asylum announced another new package of six (6) measures for the protection from the coronavirus in the R.I.S. Islands and other hosting camps<sup>14</sup>, which include the withdrawal of money within the camps by A.T.M., new shops for the purchase of necessities and the strict surveillance of the camps by the police.

## **WHAT AFFECTS LIFE IN CAMPS?**

### **ADMINISTRATION**

The administration of the camps in Greece is organized by the state. According the law (4375/16, Article 15), there should be a commander in each camp who is responsible for the general management. However, many other stakeholders (NGO, Police and Military etc.) are engaged in camps with different duties. Each of them has different project manager in his/her organization. Under these circumstances, the cooperation of so many stakeholders is a challenge and it demands concrete project management.

For the purpose of this research and because we examine the pandemic as a sudden change in our society, we will focus on risk management. Risk management plays a special role on the identification of risks and the development of actions for the best strategic management of each risk. Risks, whether risk or opportunity, are an uncertain factor. But an uncertain factor is like fire, if you control it, it will help you, but if you leave it unchecked, it will grow and destroy you, as Theodore Roosevelt said. What needs to be emphasized is that risk management is not implemented when risk occurred. This is crisis management. Risk management means being proactive in making pre-determined decisions to achieve project goals, as defined by Alex Sidorenko.

The epidemic as a possible danger has always existed but the degree of probability of happening was small. The magnitude of the consequences for businesses and society in the event of its occurrence

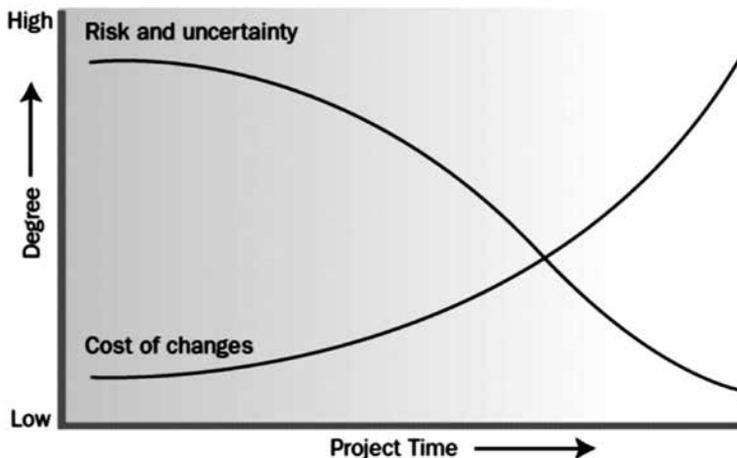
13 Χονδρόγιαννος, Θ., 2020. Μέτρα και φόβοι για την προστασία των προσφύγων από τον κορονοϊό [Measures and fears for the protection of refugees from the coronavirus] , <https://insidestory.gr/article/covid19-metra-fovoi-prostasia-prosfygon-koronois?fbclid=IwAR0Sz-4igGHno6XbPhM4QprmnWRqysOW5P1SkL02pdWMuQEHNbwByLJNWUU> (Accessed 20 July 2020).

14 New 6-meter package of the Ministry of Immigration and Asylum for the protection from the coronavirus in the R.I.S. Islands and the other hosting camps, 27-03-2020 <https://www.mitarakis.gr/gov/migration/1970-dt-yma-neadesmi-metrwn>

had been estimated to be huge but there are still no accurate data to assess the situation. A contingency plan had never been tested in practice and everyone was faced with an unprecedented situation. For this reason, there is also the view that pandemic is a *black swan risk*, which means an unpredictable factor that could not be predicted and has huge consequences. This view, however, should be rejected as it has been pointed out that experts expected the pandemic but they did not know when it would happen. Moreover, in open camps with a population from many parts of the world, various diseases are circulating and the case of transmission and spread of viruses within the camp is quite possible and should have been prevented.

The following table shows why it is important to predict risks; if the risk is predicted early and the required measures are taken immediately, the cost and impact of this on the project would be small. But if not taken care of it immediately, the cost over time increases significantly.

**Image 1: The relation risk and cost**



**Source:** PMBOK guide, 2017, p. 549.

The risk management at the timing of this writing was non-existent in camps' management. After all, who was responsible for designing it? And if one agency had drawn it up, was there acceptance from the other agencies? And was it possible to carry out the contingency plans in case they were required? Thus, the coronavirus found the camps without risk management since there was not even a centralized

administration. The commanders of camps took over in mid-May<sup>15</sup> when the restrictions were gradually lifted. Until then, there was no specific administration with separate responsibilities for each stakeholder operating within them. Their operation was based on the good cooperation and communication of the various stakeholders. Thus, for example, in case a modification was needed in the existing configuration of the space, correspondence was required between the bodies to determine who can be in charge, with the final role in the negotiation of the respective Ministry of Immigration.

Regarding the crisis management planning in the camps, as stated by the Ministry and a relevant publication, the government, recognizing the lack of a special plan to deal with the pandemic within the camps, drafted the Agnodiki plan, which was not made public. According to the Insidestory website<sup>16</sup>, *“According to the introductory note of “Agnodiki”, drafted on March 17, the plan aims to protect the human life of all those living in the R.I.S. and open camps, but also to protect the general population from threats and dangers, which may create situations of internal security crisis including health threats “. “It is the National Crisis Management Plan in Refugee Camps for major internal security issues including pandemics”...*

*“Agnodiki envisages three classified scenarios: first, the preventive isolation of the area, second, the total exclusion of the area and, third, the evacuation of the area.”*

Furthermore, according the official government website<sup>17</sup>: *“The Plan includes the development of medical units (examination room, treatment center and isolation ward), daily reporting and control at the points of entry and exit from the structures, recording of any suspicious cases and recording of all the personnel involved.”*

## **BUT IS THIS PLAN ENOUGH?**

It is certainly very positive that a special plan was immediately developed to protect the health of all immigrants residing in the camp.

15 Ορίστηκαν 32 νέοι διοικητές σε υφιστάμενες δομές φιλοξενίας της ηπειρωτικής Ελλάδας [32 new commanders were appointed in existing camps of mainland Greece] <https://www.capital.gr/epikairoτητα/3454813/oristikan-32-neoi-dioikites-se-ufistamenes-domes-filoxenias-tis-ipeirotikis-elladas> (Accessed 28 July 2020).

16 Χονδρόγιαννος, Θ., 2020. Μέτρα και φόβοι για την προστασία των προσφύγων από τον κορονοϊό [Measures and fears for the protection of refugees from the coronavirus] , <https://insidestory.gr/article/covid19-metra-fovoi-prostasia-prosfygon-koronois?fbclid=IwAR0Sz-4igGHno6XbPhM4QprmnWRqysOW5P1SkL02pdWMuQEHNbwByLJNWU> (Accessed 20 July 2020).

17 Προληπτικά μέτρα για την αποφυγή της διασποράς του κορονοϊού σε Κέντρα Υποδοχής και Ταυτοποίησης και Δομές Φιλοξενίας Πολιτών Τρίτων Χωρών, 23-04-2020. <https://covid19.gov.gr/proliptika-metra-gia-tin-apofygi-tis-diasporas-tou-koronoiou-se-kentra-ypodochis-ke-taftopiisis-ke-domes-filoxenias-politon-triton-choron/>

It should not be assumed, however, that *“No operational plan can withstand the first contact with the enemy.”*<sup>18</sup> Unbalanced factors are always present and should be anticipated as early as possible so that there are alternative action plans with the least possible consequences.

The situation within the camps should be assessed on a daily basis, potential vulnerabilities should be identified that will enhance the spread of the virus and alternative action plans should be drawn up for each potential risk. For this reason, it would be useful based on the general plan Agnodiki to prepare a special plan for each camp separately, where the Commander together with the other stakeholders will properly evaluate their camp and identify vulnerabilities in the prevention-suppression of spread of the virus in the camp. As observed from the analysis of the situation within the camps, there is no similarity either in the agencies operating inside, or in the provision of medical services or in the layout of the camps. So, a general plan for all camps cannot be implemented.

The involved agencies in case of activation of the plan are the Reception and Identification Service, the Armed Forces, Hellenic Police, National Public Health Organization (N.P.H.O.) and the International Organizations, such as the United Nations for Refugees and the International Organization for Migration. The mere fact that there are so many involved in the action plan is in itself a challenge to its proper implementation. In the framework of the above proposal for the preparation of a specialized plan in each camp, with the participation of all the agencies and their regular evaluation intervals, their immediate activation will be achieved when required. They will also be aware of any changes to the action plan. It is also noted that there must be constant communication, problem solving and management of their disagreements and constant engagement with all issues of the camp.

In this way, the problem of bureaucracy mentioned by the spokesperson of the Red Cross may be solved. As she said, each organization has its own reporting procedures but at the same time references to the other agencies within the camp. As she pointed out, different reports for each player often lead to a waste of time. Under a new administration and a new planning, it would be useful to review reporting in a unified format.

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18 [https://en.wikiquote.org/wiki/Helmuth\\_von\\_Moltke\\_the\\_Elder](https://en.wikiquote.org/wiki/Helmuth_von_Moltke_the_Elder)

Another important part in the management of the camps is cultural awareness. Immigrants are the subjects of protection within the camps and for this, the way of their reaction to any action plan should be taken into account. It is characteristic that the head of the NGO in the camp of Diavata considers the instructions given by the immigrants as a factor of success in non-spread of the virus. That is, the “Afghan headquarters” within the camp and especially the community leader, who influences its own people and so in the call for distancing and observance of hygiene, their leader helped by properly influencing his compatriots. However, this is not the case in the Sintiki camp, which is a new camp and no ‘community leaders’ have yet been created. Nevertheless, at the same time, there are some others immigrants who do not obey orders and defy the exit and entry measures in the camps as well as any other restrictive measures.

### **PROVISION OF MEDICAL SERVICES**

The provision of appropriate medical care during the coronavirus era is one of the most important issues in our society. The state tried to strengthen the Intensive Care Units (ICU) by all means. The fear in this sector is the inability to provide medical care in the event of multiple cases in one area at a time.

The provision of medical care within the camps was a challenge even before the coronavirus era. The problem in the case of immigrants is that they are not entitled to care except in emergencies. At the beginning of 2020, it is decided a Temporary Insurance and Health Care Number of Immigrant (PAAPA) to be given to all applicants for international protection without exception<sup>19</sup>. The relevant application came into force in April 2020 but due to the closure of the Asylum Services this number was not given to the refugees.<sup>20</sup>As the representative of the NGO points out in the camp of Diavata the fact of lack of A.M.K.A. (a registration in National Health System) or of the above personal number creates obstacles in the service of people with health problems and especially now that access to hospitals is done with specific protocols and procedures.

Of course, the lockdown limited access to doctors and hospitals for all

19 Προσωρινός αριθμός ασφάλισης και υγειονομικής περίθαλψης για τους αιτούντες άσυλο [Temporary Insurance and Health Care Number of Immigrant (PAAPA),] <https://www.e-nomothesia.gr/law-news/prosorinos-arithmos-asfalisis-perithalpsis-gia-aitoyntes-asylo.html> (Accessed 01August 2020).

20 Migrant children and asylum-seekers still denied healthcare, 12 February 2020 [https://www.amnesty.org/en/documents/eur25/1801/2020/en/e6czmhEembNmZCMxLMt1t-M2YS-72Z1VhM9-OHcdlLsnjURW\\_AlaTkr2SddbR](https://www.amnesty.org/en/documents/eur25/1801/2020/en/e6czmhEembNmZCMxLMt1t-M2YS-72Z1VhM9-OHcdlLsnjURW_AlaTkr2SddbR)

citizens of the country. This fact also affected the immigrants of the camps who were in fact alone inside the camp and only in exceptional cases were they allowed access to hospitals.

At the timing of research, within the camp of Diavata, there are 40 people from N.P.H.S. but they are general doctors while in the Sintiki camp the medical services are provided only by the Red Cross. The representative of the NGO pointed out that there is already a shortage of basic medicines and in her opinion, more equipment and types of medicines are needed to serve the immigrants. Impressive is the fact that other NGOs donate medicines that do not require prescription to the immigrants, as NGO representative said.

For health incidents, the Agnodiki plan states that *“for reasons of limiting the spread of diseases, viruses, infections” or other health-related threats, it is envisaged that a medical team will be set up with an examination room for at least one person, a hospital / hospital for six people and isolation area for 30 people. In addition, exclusively accredited staff of N.P.H.S.-EODY and EKAB (Emergency Transportation) will move in the area of interest, while staff of the General Secretariat for the Reception of Asylum Seekers or of international organizations and NGOs may participate, with the appropriate protective equipment. “*

However, what the public opinion demanded was the closing of the camps and restriction of immigrants’ movement. Apparently for this reason, the press stated that all the camps are closed and not only the R.I.S., which was the truth. The letter of 17-03-2020 of the Panhellenic Medical Association “Letter of P.I.S.” to the Ministry Of Health, Undersecretary Of Health, General Secretary of Dim. Health & EODY titled *“Camps of refugees and immigrants, air travel from the islands and recommendation for necessary protection measures to the media”* is interesting. It proposed the quarantine of camps for the protection of immigrants and society as a whole without further explanation. However, the European Center for Disease Prevention and Control (European Center for Disease Prevention and Control) has the opposite opinion, which in its guidelines of 15-06-2020 for the prevention and control of coronary artery in detention centers and refugee camps points out that there is no evidence that quarantining all centers limits the transmission of the virus.<sup>21</sup>

21 ECDC, 2020. Guidance on infection prevention and control of COVID-19 in migrant and refugee reception and detention centers in the EU/EEA and the UK, <https://www.ecdc.europa.eu/en/publications-data/covid-19-guidance-prevention-control-migrant-refugee-centres> (Accessed 30 July 2020)

It is noted that in addition to the Agnodiki plan, N.P.H.S. has issued specific instructions for Covid cases in hosting camps as mentioned on its official website.

In addition, what immigrants fear is that in case of many sick people within the camp, they will be left alone, excluded from other special care. Of course, it should not be assumed that many immigrants experience the chilling effect as it is called in medicine, *“the fear of possible arrest in case they ask for help”* (Viladrich, 2020). In addition, stigma, in the event of an outbreak, which exists even among indigenous citizens, is a deterrent to seeking help. However, as stated by the officials of the camps, the immigrants respond positively to the courses of personal hygiene and protection and there is a desire to participate in all the relevant programs.

It should not be omitted that in a pandemic, the risk of transmitting the virus is two-way. There is a risk of transmission of the virus from the staff active in the camp to immigrants. As the representative of the Red Cross pointed out, there is a greater chance of spreading the virus from the staff that continues its life after finishing its work inside the camp by participating in a number of social gatherings than from the immigrants who have limited movement. To this end, the Red Cross attaches great importance to the training of its own staff.

## **RESPECT FOR HUMAN RIGHTS**

Since the outbreak of the first cases, the state has taken a number of restrictive measures for citizens and imposed the closure of businesses and services to protect public health, a public good of particular importance to our lives. There is of course no previous case of lockdown and it is something unprecedented for society and the legal world. There is not even a legal definition of lockdown. In medical terminology, it means medical isolation (sanitation) that is deemed necessary for the necessary incubation period of the disease. From a legal point of view, it can be said that it is the temporary imposition of a restriction. Alternatively, as it has been accepted, the state limits the social influences between people and their movements.

Public health is for Greece a right that is protected both by the Constitution (article 5 par. 5) and by the penal code (article 285 of the Penal Code). In order for the State to impose the measure of restriction or prohibition of the movement of citizens, in part or in whole in the territory, a legal decision must be issued concerning the relevant area

or the whole territory respectively. Decisions issued to protect public health, despite the fact that they restrict the freedom of the people, - also a very important right-. However, these decisions were widely accepted and considered to be in full proportion to the intended purpose. It is noted that the Greek Constitution in Article 5 allows restriction “*only when and as stipulated by law*”, giving weight to the legality of imposing deprivation. Article 5 of the E.C.H.R., which has been signed and ratified by Greece, moves in the same direction: “*1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:*

*...(e) the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;...*”

The peculiarity of the provisions of E.C.H.R. is that they are talking about deprivation of liberty and not about restriction of liberty as most measures state now. There is no relevant case law except in the case of *Enhorn vs Sweden* (no. 56529/00) in which, however, the Swedish national was suffering from a disease and his movement was restricted. In this case, the court ruled that the restriction is in accordance with article 5 of the ECHR, despite the fact that the article refers to deprivation and not restriction. But what if there is restriction to healthy citizens? Is this restriction subject to article 5 of E.C.H.R. since it explicitly refers only for the case of persons capable of transmitting the disease?

In the above context, there has been a lot of discussion about the legality of enforcing restrictions and the securitization of the covid-19 in states' effort to prevent the spread of the virus. Many states have declared a state of emergency and bypassed democratic institutions to protect citizens from the virus. Transparency in these cases is not so visible and the draconian measures were considered problematic. On the other hand, there is the view that authoritarian regimes control better the virus as they can and do monitor citizens more closely and by this way limit the spread of the virus.

Under the above conditions, the creation of a climate of isolation of the camps was promoted and was observed in Greece as well. As noted above, the Ministry and the media spread that the camps are closed while this restriction was valid only for the R.I.S. until 03-07-2020. In the measures announced by the Ministry, the goal was to provide services to the immigrants inside the camps (placement of ATMs)

while the strict supervision by the Police was emphasized in every announcement. Even when the restrictions for Greek citizens had been lifted, there were still restrictions on the camps and in particular a regulation on the hours of entry and exit from them. The United Nations for Refugees spoke of “*discriminatory treatment of refugees, leading to their stigmatization*”.<sup>22</sup>

Of course, in such an environment the minorities and non-citizens are disproportionately affected by the crisis. First of all, they are considered as a threat to society because of their way of life (overcrowding, large families) but also because of the overwhelming of the health system by them and not by the Greek citizens of the country. For this reason, immigrants and minorities experience marginalization, discrimination and inequality, especially in access to health care.<sup>23</sup> The situation of marginalization created within the camps results in the creation of appropriate conditions for increased violence, tensions between migrants, domestic violence and the victimization of the most vulnerable groups. These phenomena, as observed, have increased throughout society, let alone in a camp where conditions are more unfavorable and uncertainty is enormous. However, the increase in violence and any mental illness is difficult to be measured and be recorded given the lack of data but also the fear of immigrants to report the acts to the competent authorities.

It is very likely that these people will feel strongly social isolation, have financial difficulties and feel weak. As the representative of the NGO in the camp of Diavata pointed out, the immigrants want to leave from Greece. Although Greece responded well to the first phase of the virus, they believe that their lives will be better in another European country.

It is also emphasized that during the pandemic, the Asylum Services in Greece were closed for two (2) months (from 12.03.2020 to 18.05.2020) and the asylum seekers could not apply for asylum or to renew their application, creating additional insecurity and fear for their future. Of course, for the second case (renew), their application was automatically extended, but in the first case, the immigrants were

22 Αιτήσεις για εθελοντική επιστροφή [Applications for voluntary return], <https://www.kathimerini.gr/1089962/article/epikairothta/ellada/aitheis-gia-e8elontikh-epistrofh> (Accessed at 08 August 2020)

23 The UN and the Council of Europe have already highlighted the problem facing these categories of citizens. <https://www.coe.int/en/web/portal/-/national-minorities-and-covid-19-inequality-deepened-vulnerability-exacerbated> and <https://www.ecmi.de/infocchannel/detail/ecmi-minorities-blog-securing-the-covid-19-pandemic-the-impact-on-democracy-and-minorities?fbclid=IwAR33VWxUJ0A2WQ9if7mZn40bBaxC4udrarX6h8bRQs0HDxN4QibRyUx8ZEc> (Accessed 01 August 2020)

living in an uncertain situation. Failure to file a full application does not guarantee them the rights of an asylum seeker.

Coronavirus insurance is a threat to all citizens and the fight against the pandemic must be a fight for human rights. The marginalization of immigrants and the adoption of strict measures are not in the benefit of society in the long run.

## MIGRATORY FLOWS

One would expect that restrictions around the world and Greece specifically due to the strengthening of forces at the border would reduce migratory flows dramatically. Certainly, the numbers are not the same as before the coronavirus but what is observed is that the immigrants did not lose their will to come to Europe<sup>24</sup>. The problems they face in their countries are so difficult that the pandemic is not an obstacle to their plans. On the contrary, because of the virus, the situation in their countries has become worse both financially and in terms of the provision of health care. In this context, despite the economic crisis in almost all countries, these people continue to want to leave. Some researchers are talking about a new wave of migration due to a pandemic.<sup>25</sup>

Of course, in times of pandemic, traffickers not only do not stop their work but also add new stricter lines and conditions<sup>26</sup>. Crossing the border is not easy now and so the traffickers had to take more risks. This risk has also been passed on to immigrants who, as vulnerable to the new conditions, are now at greatest risk of achieving their goal and reaching their destination. The lack of information about the restrictions that applies both in Greece and in other countries made their position difficult. It should not be overlooked that organized crime of migrant trafficking finds fertile ground within the camps in the above context of their marginalization and entrapment.

24 The 06-07-20 Press Release of the Ministry of Immigration and Asylum: First Semester 2020: The image of immigration in Greece is changing: (a) with a 51% reduction in flows on the islands <https://www.mitarakis.gr/gov/migration/6202-allazei-i-eikona-tou-metanasteutikou>

25 The impact of the covid-19 emergency on migration flows and the new redistribution strategy after Malta agreement: "As indicated in the EUROPOL report published on 19 May 2020 by the European Migrant Smuggling Center (EMSC), prolonged economic instability and the persistent lack of opportunities in some African economies, in particular the drastic reduction in the tourism sector, could trigger another wave of migration: for instance, the appearance of migrants from Egypt on 10 July." <https://www.respondmigration.com/blog-1/impact-covid-19-emergency-migration-flows-and-new-redistribution-strategy-after-malta-agreement> (Accessed 10 August 2020).

26 Sanchez, G., Achilli, L., 2020. Robert Schuman Centre/ EUI, May 2020 [https://cadmus.eui.eu/bitstream/handle/1814/67069/PB\\_2020\\_20\\_MPC.pdf?sequence=1&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/67069/PB_2020_20_MPC.pdf?sequence=1&isAllowed=y) (Accessed 20 June 2020).

What effect does this have on camps? Migration flows result in the need to decongest the islands and Evros region by transporting immigrants to inland camps. Even during the lockdown period, immigrants were transported at a time when there was a recommendation for everyone not to move<sup>27</sup>. As a result, the likelihood of the virus spreading through the camps increased. Of course, it should be emphasized that due to the open type of camps, it is easy for new illegal immigrants who managed to reach Thessaloniki for example on their own, to enter and seek asylum as soon as they arrived at the Diavata camp.

However, due to restrictions around the world, the returns of immigrants to their origin country have also stopped<sup>28</sup>. For a long time (April-July 2020) there were no returns of immigrants to their countries, even to neighboring countries<sup>29</sup>. At the same time, migrants could not leave through the voluntary return program<sup>30</sup>. They were trapped in Greece, even if they wanted to leave. They were forced to stay in an environment against their will. The program of volunteering return was reactivated on 30 July 2020.

## **RACISM ATTITUDE**

The rhetoric of hatred and the reactions of the inhabitants against the camps made their appearance as mentioned above in the local communities. Of course, these have existed since the crisis of 2008 when nationalist policies and a vocabulary of fear emerged. The coronavirus crisis has brought to the fore dilemmas that divide various professional, scientific or social groups, but also the citizens themselves. With the justification of the protection of public health and safety, they came into direct conflict with the rights of immigrants for movement and residence.

Local communities reacted to the view of immigrants going to supermarkets or going out and demanding secured measures from the government. The government responded by placing ATMs and small shops inside the camps, restricting their move and satisfying

27 The Ministry Press Release dated 04-06-2020: 13,728 inland transports from January 1 - the decongestion of the islands is essential, <https://www.mitarakis.gr/gov/migration/6163-enimerotiko-maios>

28 ΒΗΜΑ, 2020. Μητράκης: Αυστηρή αλλά δίκαιη μεταναστευτική πολιτική [Mitarakis: Strict but fair immigration policy] <https://www.tovima.gr/2020/07/22/politics/mitarakis-aystiri-alla-dikaii-metanasteytiki-politiki/> (Accessed at 08 August 2020)

29 Even Albania, where deportations are made by road, due to coronavirus, did not accept returns of its illegal nationals from our country.

30 Γεωργιοπούλου, Τ., 2020. Αιτήσεις για εθελοντική επιστροφή [Applications for voluntary return] <https://www.kathimerini.gr/1089962/article/epikairothta/ellada/aithseis-gia-e8elontikh-epistrofh> (Accessed 08 August 2020).

the common sense. In many cases, where covid-19 cases occurred inside the camps, there were also requests to remove the camp and close them. The mayor of Ermionida, Giannis Georgopoulos, had sent two letters to the government, dated April 3rd and 7th, in which he expressed his concerns about the effective prevention of the spread of the coronavirus due to a hotel full of refugees.<sup>31</sup>

On the other hand, the inhabitants of the islands had already strongly expressed their views on the decongestion of the islands.<sup>32</sup> In this context, the government decided to establish two new camps at the beginning of the coronavirus era, one in Serres and one in Malakasa, assuring that they will be closed camps.<sup>33</sup> In fact, government deployed police forces to guard them in order to calm down the reaction of the people. Immigrants were transferred to these camps which provided accommodation in tents. The government also intended to reopen hosting hotels; hotels in the areas of Pella and Kilkis but the reactions of the residents changed its initial relocation plans.<sup>34</sup>

UN Secretary-General Antonio Guterres has called for an end to *“hate speech around the world”*, saying the coronavirus pandemic had triggered a *“tsunami of hatred and xenophobia, scapegoats and danger”*. He added that hatred against immigrants can be found both online and on the streets.<sup>35</sup>

With regard to the camps in question, it should be emphasized that immigrants are more careful and obey to the protection measures. They are aware that the spread of the virus within the camp will create most problems in their lives. Thus, they claim that they are wrongly criticized for not obeying the rules of hygiene in relation to other citizens.

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- 31 Χονδρόγιαννος, Θ., 2020. Μέτρα και φόβοι για την προστασία των προσφύγων από τον κορονοϊό , [ Measures and fears for the protection of refugees from the coronavirus ] <https://insidestory.gr/article/covid19-metra-fovoi-prostasia-prosfigon-koronois?fbclid=IwAR0Sz-4igGHno6XbPhM4QprmnWRqysOW5P1SkL02pdWwMuQEHNBwByLjNWUU> (Accessed 20 July 2020)
- 32 Επεισόδια στη Χίο: Κάτοικοι λένε «όχι» σε νέα δομή φιλοξενίας - Προπηλάκισαν τον Μητράκη [Episodes in Chios: Residents say “no” to new hospitality structure - They ousted Mitarakis] Πηγή: [iefimerida.gr](https://www.iefimerida.gr) - <https://www.iefimerida.gr/ellada/hios-sygkentrosi-diamartyrias-katoikon-dimarheio/> (Accessed 22 July 2020)
- 33 Σαββίδης, Π., 2020. Μεταναστευτικό - Σέρρες: Αντιδράσεις και αντιπαράθεσεις για τη Δομή Μεταναστών στο Κλειδί, [Immigration - Serres: Reactions and controversies about the Immigrant camp in Kleidi] <https://www.prothema.gr/greece/article/1004963/serres-giati-kollaei-i-kleisti-domi-sto-kleidi-sidikis/> (Accessed 20 June 2020)
- 34 Κιλκίς: Ένταση και διαμαρτυρίες κατοίκων για την επαναλειτουργία δομής φιλοξενίας μεταναστών στις Μουριές [Kilkis: Tensions and protests of residents for the reopening of the immigrant hosting hotel in Mouries] Πηγή: [iefimerida.gr](https://www.iefimerida.gr): <https://www.iefimerida.gr/ellada/kilkis-diamartyries-katoikon-domis-metanaston> and Ρατσιστικές αντιδράσεις στην προσπάθεια φιλοξενίας προσφύγων που ανήκουν σε ευάλωτες ομάδες, [Racist reactions to the attempt to host refugees belonging to vulnerable groups] [https://www.karatzova.com/2020/05/blog-post\\_86.html](https://www.karatzova.com/2020/05/blog-post_86.html) (Accessed 20 July 2020)
- 35 ΟΗΕ: «Όχι» στη ρητορική του μίσους, [ NO at Rhetoric of hate ] <https://www.tovima.gr/2020/05/08/world/oie-oxi-sti-ritoriki-tou-misous/> (Accessed 01 August 2020)

It is also noteworthy that the employees of NGOs and other bodies within the camps did not stop offering their services during the pandemic, except during the lock down period when they are not able to go to the camp. There were no cases of employee phobia against immigrants. In the schools of the area where the children of the Diavata camp attend, no case of assault on a child was observed and since the schools opened in June, the children have been attending their classes normally.

In the camp of Sintiki there were reactions of the inhabitants from the beginning of its creation until the assurance that the camp will function as a closed camp. The camp initially operated as a closed type but later became open, which caused dissatisfaction among residents who insist on restoring the closed type camp, despite the fact that the camp is in a remote location and several kilometers away from homes.

Fortunately, the successful outcome of the fight against the virus in Greece so far, has provoked small reactions against immigrants, but there are indications of the strengthening of far-right beliefs in the event of an increase in covid-19 cases and the prevalence of fear in society.

## **CONCLUSION**

In this new reality of the pandemic era, the crisis has highlighted the pathogenesis of camps. People neglect the life of immigrants inside camps and how the next day in a camp would be if the virus spreads throughout the camp, it is still one unanswered question.

This research in two open camps in Greece underlines the main problems that should be confronted. Firstly, there is a lack of centralized management and risk management plan that would help to stop the spread of any virus within camps. Secondly, violation of free movement rights is at the limit of legality. Thirdly, migratory flows did not stop completely during the coronavirus era. Fourthly, access to the health system by immigrants is not easy. Finally yet importantly, racist views have increased and there were protests from residents to the relocation of immigrants.

Following these findings, it is necessary to have a specialized action plan for each camp, with frequent evaluation and cooperation with all relevant stakeholders. The problem of crisis management within camps

is not a problem that comes from the virus but from the operating system. If it fails, we will talk about systemic failure. Risk management becomes essential and that is why it is necessary to have a central administration within the refugee camps, proper preparation with many alternative action plans and daily evaluation of the available data so as to deal with any new threats that will hinder the implementation of action plan. Each camp should develop its own plan taking into account the particularities that characterize it and its own channels of communication with the co-competent agencies.

It should be also equal treatment of all citizens, immigrants and non-immigrants, without discriminatory restrictions. The circumstances in refugee camps, natural foreclosure, housing conditions, as well as exclusion from social services and health services increase the possibilities of covid-19 spread. The provision of additional medical services is considered extremely necessary. This can be done in two ways, either by deploying more doctors to the camps on a daily basis for their on-site examination or by providing the possibility of serving immigrants in hospitals on a more frequent basis. At the same time, it would be useful to perform a coronavirus test on a regular basis within the camps to reassure citizens rather than restricting the movement of immigrants unnecessarily when they are healthy.

In addition, in this context, the isolation areas should be immediately determined, as provided for in the Agnodiki plan, and the existing facilities should be improved by increasing the distances between the tents or better replacing them with containers.

Nevertheless, does the Agnodiki plan apply a different protocol than the one that applies to other citizens? According plan, the entire camp would be isolated, which constitutes discrimination against immigrants. In every other case of camp within the state (nursing homes or services), there was no universal ban on all citizens except those who tested positive. The legal regime of preventive restraint of immigrants within the camps cannot be considered as a legitimate measure to combat the spread of the virus.

As far as racist attitudes, raising public awareness on the provision of equal services and opportunities to all citizens can reduce racist beliefs. As the Minister of Immigration and Asylum himself stated, the measures are stricter for immigrants.<sup>36</sup> Immigrants are stigmatized

36 Τα μέτρα που πήραμε στις δομές ήταν πιο αυστηρά από τα γενικά μέτρα για την προστασία από τον κορωνοϊό [The restrictions were stricter for immigrants], 11-4-20, <https://www.mitarakis.gr/press/81-tv/1991-metra-domes>

and unjustly accused of spreading the virus. Xenophobic responses from various actors in the country do not help while on the contrary they bring negative effects on public health. The economic crisis is unfortunately setting aside humanism for the sake of improving economic interests. As the economy worsens, there will be new harsh attitudes towards immigrants. The concept of security is changing and it may not be the same after the crisis.

The Secretary-General of the United Nations has stated that it is not a health crisis; it is a human crisis that is destroying lives and deepening distrust.<sup>37</sup> However, the mere outcry of austerity measures is not always to the benefit of human rights unless accompanied by other acts. A tendency for mutual assistance should be developed despite the individual approach taken so far to crisis management. The crisis can lead to more sustainable humanitarian aid and a different policy in all areas. It is an unprecedented crisis and it is difficult to predict the future. However, we can predict trends and risks. If we do not take action, the most vulnerable, as refugees living in camps, will face many challenges.

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37 Coronavirus pandemic fast becoming a 'human rights crisis', UN chief warns, 23/04/2020 <https://www.euronews.com/2020/04/23/coronavirus-pandemic-fast-becoming-a-human-rights-crisis-un-chief-warns> (Accessed 16-08-2020).

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# Cultural plurality as a Success Factor

Zijad Bećirović<sup>1</sup>

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## ABSTRACT

In addition to the classic economic approach, which encompasses classical economic criteria for determination of business success that are predominantly based on economic rationale, it is now necessary to also include other elements that can have significant bearing on modern business operations and success. The classic economic approach tends to forget the invisible elements that transcend economic rationale and give a company its specificity and unique identity. These elements include various personal attributes, culture, religion, beliefs, motivation, feelings, system of values, ethics, ideology, climate, environment, psychology, etc. Culture and religion introduce irrational elements in a company and can have significant impact on the company and its employees, but also present a solution to many organizational problems. A company needs to conduct cultural due diligence before entering new markets and establishing international business operations, as its business success is dependent on it. Experience and practice shows that the main reasons for business failure include inadequate information about the business environment, but also lack of knowledge and understanding of other cultures and traditions.

**KEYWORDS:** culture, religion, company, cultural due diligence, management, cultural pluralism

## POVZETEK

Poleg klasičnega ekonomskega pristopa, ki obsega klasične ekonomske kriterije za ugotavljanje poslovne uspešnosti, ki pretežno temeljijo na ekonomski utemeljitvi, je sedaj treba vključiti tudi druge elemente, ki lahko pomembno vplivajo na sodobno poslovanje in uspešnost. Klasični ekonomski pristop po navadi pozablja nevidne elemente, ki presegajo ekonomsko utemeljenost in dajejo podjetju posebnost in edinstveno identiteto. Ti elementi vključujejo različne osebne lastnosti, kulturo, vero, prepričanja, motivacijo, občutke, sistem vrednot, etiko, ideologijo, podnebje, okolje, psihologijo itd. Kultura in religija vnašata iracionalne elemente v podjetje in lahko pomembno vplivata na podjetje in zaposlene, predstavljata pa tudi rešitev številnih organizacijskih težav. Podjetje mora pred vstopom na nove trge in pri vzpostavitvi mednarodnega poslovanja opraviti skrbni pregled kultur, saj je od tega odvisen poslovni uspeh. Izkušnje in praksa kažejo, da so glavni razlogi za neuspeh poslovanja neustrezna informiranost o poslovnem okolju, pa tudi pomanjkanje znanja in razumevanja drugih kultur in tradicij.

**KLJUČNE BESEDE:** kultura, vera, podjetje, skrbni pregled kultur, management, kulturni pluralizem

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## INTRODUCTION

Demographic changes on the labor market in the US and particularly the forecasted growth of number of members of minority groups in the next ten years (Bureau of Labor Statistics, 2004) have significant and heterogeneous impact on the organizations. Konrad (2003) established three main arguments regarding labor diversity. One, the competition to get the best talents requires from companies to step forward and embrace maximum possible workforce diversity. Two, global economy dictates to companies to employ multiethnic workforce for the simple reason of the increasing number of multiethnic clients. Hence, the labor force can increase company's growth at the stock market, but also drops in companies lacking their workforce diversity. The third postulate places an emphasis on talent and creativity, which people of different backgrounds bring in abundance, innovation and successful problem solving, which all leads to higher competitiveness on the market. Furthermore, diversity is becoming a much more desirable and acceptable way for resolution of otherwise difficult and controversial social problems related to racism and gender-based discrimination. Finally, someone can say that encouraging multiethnicity and other forms of diversities among employees is the only correct and logical thing that we as corporate citizens in a multiethnic society can do, regardless of the economic situation and policy.

Therefore, the problem of valorization is the central issue for any culture, as well as culturology, ethnogeography, etc. So how to approach other, different and mainly unknown cultures? Is it acceptable to value them in line with one's own criteria and then treat them in line with such a valorization? Values that define a culture are always very diverse, and in some cases even incompatible. This incompatibility can be logical, principled and practical. Values are logically incompatible when it is impossible to simultaneously implement them. In example, when neither a social actor can work to simultaneously implement them, nor is it possible to implement them in any subject area (Križan, 2008, p.55).

A question that emerges in this context is should another culture be viewed through the eyes of one's own culture. The starting point is that all cultures are equivalent and respect worthy. That is why it is important to establish a process of intercultural learning, which would be voluntary. Interculturality is the reality of our time. Furthermore, projections indicate that it will only increase with time because of the

globalization processes. Therefore, it is important for organizations to prepare for both the challenges and opportunities associated with interculturality.

It is important to emphasize the necessity for the organizations to conduct cultural due diligence before they enter new markets and establish international business operations, as it can determine whether they will experience a business success and failure. Before entering new markets, establishing new partnerships or procuring new companies, organizations invest time and money in due diligence with respect to the financial market, that is classic economic indicators, products and other aspects of the business enterprise. However, in this respect they tend to neglect the “soft factors” and particularly culture. The accuracy and sophistication of information will inform the quality of decisions and ultimately success. However, culture and the necessity of doing cultural due diligence, which are the crucial factors of success, is often neglected or minimized. Research and experience shows that the most important reasons behind business failures were inadequate information on the business environment and lack of understanding of other cultures. A testimony of this are the numerous examples of business failures by major global companies, which invested enormous funds in promotion of their products on new markets without taking into account the differences in values and needs of the people in the respective cultures. A textbook example is the first attempt of penetration of Japanese markets by renowned make-up companies, in which the difference in the perception of beauty and care of women was neglected (Bahtijarević Šiber et al., 2008, pp.397-398).

Companies that take into account cultural due diligence are far more successful in their business operations. It is necessary to make an appropriate mix of cultural dynamics and diversity, as the combination of cultural factors has to be adjusted to the requirements and circumstances to which it is applied. Therefore, it is important that, before entering new markets and establishing international business operations, companies conduct the so-called cultural due diligence, as it could define to a large extent whether they will be successful or fail. When managing different business entities it is inevitable to adjust and harmonize intercultural communication, which will include and respect the cultural differences of the entities and provide for equal and equivalent treatment of all cultures.

In addition to theoretical limitations, which are related to the inability to provide the literature, there are also practical restrictions, which are related to ethnic, racial, gender, religious, religious, cultural, worldview and other differences among managers and employees in general, as many companies do not keep any records of the kind, while the legislation of some countries bans keeping of such records. Limitations also emerge with respect to appropriate representation of specific cultural groups. In example, research has shown that colored people are less represented in the top management of banks in the US.

The aim of doing due diligence is to provide inputs to company management. It is necessary to collect a plethora of data, more specifically technical data, in a very short period of time, as well as information required for making of business decisions or formulation of efficient strategy for penetration of culturally demanding markets. This is often done in the circumstances of restricted access to sources of information (Buble, Kulović, Kuzman, 2010, p.197). Hence, it is necessary to bring together a team of different subject matter experts. In the process of a takeover of a company, the previously completed takeovers and the size of the company doing the takeover will define the takeover method and the experts that will be on the team. "The taking-over company (acquirer) with experience in implementation of takeover processes and a bigger organization will have the key employees who in cooperation with external consultants can conduct due diligences, while the taking-over company with less experience and a smaller organization will mainly have to hire external consultants." (Gole, Hilger, 2009, pp.93-94) Therefore, due diligence should not be perceived as a perfect model for provision of necessary information, but rather a tool or aid for projection of future business decisions (Buble, Kulović, Kuzman, 2010, p.197).

Successful managers readily and swiftly adapt to intercultural diversity, recognize and implement in practice the cultural factor. It is worth emphasizing that the countries that do not face the necessary processes of changes, plurality and dynamic in company cultures, will increasingly lag behind their competition on the market, because progress and development is not just a matter of technology, money and market, but is increasingly also a matter of culture.

### **CULTURAL PLURALITY**

The cultural differentiation is a continuous process, which is more prominent in larger communities. At the same time, "value tensions"

and contradiction of ideas occurs within cultural groups, as well as conflicts among its members and external influences. This generates new cultural occurrences. Diversities yield new values.

The term “cultural plurality” indicates existence of multiple cultures and cultural groups in a society or a state, on a territory, etc. Some authors use the terms “cultural pluralism” and “multiculturalism” for such a phenomenon. Such cultures, which are perceived as a different system of values, norms, customs, methods of cultural and material reproduction of the society, etc., are a result of the diversity of often irreconcilable human needs and diverse conditions defined by the environment in which these needs are being fulfilled (Križan, 2008, p.50).

Globalization, as well as the intertwining of cultures, has led to the emergence of a “cultural mix”, which can be linked to all societies, as it is when differences exist that the learning process takes place. Cultural intertwining is a feature of all modern societies.

It is estimated that companies spend 8 billion US dollars annually for various diversity trainings (Hansen, 2003). This means that companies get involved in various activities, invest significant funds in all kinds of initiatives related to the issue of diversity, management staff that is dedicated to diversity and programs offering various benefits to employees, i.e. flexible working arrangements, benefits for spouses, corporate-sponsored programs for groups of employees with similar needs and similar programs designed to attract and sustain a workforce that is structurally diverse.

How to define diversity? Before we move to the results on the effects of diversity on successful business operations of a company, it is important to establish how companies themselves define diversity. For many this definition has evolved from the initial attention directed at legally protected attributes such as race, gender and age, to the today’s much more broader definition that also entails a whole range of diversities.

Table 1 shows parts of statements on diversity published on websites of companies that the Fortune magazine has ranked as the 50 best companies for minorities.

**Table 1: Descriptive Statistics and Correlations**

Variable	Mean	s.d.	n	1	2	3	4	5	6	7	8	9
1. Size	11.70	1.26	155									
2. Growth strategy	0.22	0.41	155	.24**								
3. Percent white in management	0.94	0.16	153	.06	.01							
4. Percent men in management	0.54	0.21	153	-.25**	-.03	.12						
5. Racial diversity in management	0.05	0.10	150	.29**	.05	-.43**	-.17*					
6. Gender diversity in management	0.41	0.15	150	.35**	.06	-.05	-.49**	.06				
7. Innovativeness	4.45	1.27	154	.29*	.04	.06	-.15	.12	.12			
8. Risk taking	3.64	0.99	155	.20**	.13	.04	-.13	.05	-.01	.45**		
9. Productivity	3.23	0.64	153	.29**	.14	.24**	-.03	-.03	.12	-.02	.03	
10. Return on equity	13.00	6.32	152	.31**	.04	.04	-.09	.06	.09	.18*	.06	.58**

\* Size was the logarithm of total bank assets averaged for 1997 and 1998. Growth strategy was the percent annual change in total assets between year-end 1996 and year-end 1998. For risk taking and innovativeness, scores ranged from 1.00 to 7.00. Productivity was the log of net income per employee for year-end 1998. Return on equity was the percent return averaged for years 1997 and 1998.

\*  $p < .05$

\*\*  $p < .01$

**Source:** Cited in Richard et al., 2004, p. 260

All the statements accentuate the requirement to accept all the employees as they are. As further evidence of a growing move toward inclusion as a strategy, it was observed in the Institute of Human Resources (2003) in a report on a Fortune magazine survey conducted in 1,000 companies that: 96% of the respondents had said they provided training programs on preservation of diversity, i.e. for racial differences, 88% gender equality, 85%, ethnicity, 65% age, 64% people with special needs, 57% sexual orientation, 54% religious differences.

Inclusion as a diversity strategy attempts to unite and initiate all the differences among employees with the aim of achieving corporate benefit from them. As a result, management of the overall labor potential becomes the focus of corporate initiatives. Inclusion as a diversity strategy has to be different from affirmative actions and programs for equal employment opportunities. Equal opportunity to get employed means that race, sex, sexual orientation, etc. were put in the second plan. The affirmative programs are designed as a remedy for the problem of discrimination in the past and are aimed to prevent such occurrences in the future through embracing of a proactive approach. Both groups are focused on the attributes protected by law and expand their scope by including much wider forms of human diversity. However, due to the increasing support to inclusion in the nineties a massive employment of minorities occurred, whereas affirmative programs remained in the second plan (Hansen, 2003).

What all does a program aimed to promote diversity entail? Such programs come in different forms. Some or all of such actives are given in Table 2.

**Table 2: Results of Regression Analysis**

Variable	Productivity, Model 1			ROE, Model 1			Productivity, Model 2			ROE, Model 2			Productivity, Model 3			ROE, Model 3		
	b	$\beta$	Hypothesis Tested	b	$\beta$	Hypothesis Tested	b	$\beta$	Hypothesis Tested	b	$\beta$	Hypothesis Tested	b	$\beta$	Hypothesis Tested	b	$\beta$	Hypothesis Tested
Control																		
Intercept	0.21	(0.64)		-3.89 <sup>†</sup>	(6.63)		1.38	(0.98)		-17.54*	(10.54)		0.49	(2.73)		-4.27	(21.84)	
Size	0.17***	(0.05)	0.33***	1.97***	(0.49)	0.40***	0.17***	(0.05)	0.33***	1.91***	(0.53)	0.38***	0.28***	(0.10)	0.52***	1.52	(0.79)	0.40*
Growth strategy	0.11	(0.12)	0.07	0.64	(1.25)	-0.04	0.16 <sup>†</sup>	(0.12)	0.12 <sup>†</sup>	-0.21	(1.29)	-0.01	-0.38	(0.29)	-0.19	0.94	(2.33)	0.07
Percent whites in management	0.98*	(0.42)	0.22*	1.14	(4.37)	0.03	1.09*	(0.43)	0.24*	1.79	(4.62)	0.04	2.41	(2.02)	-0.45	-12.02	(16.14)	-0.33
Percent men in management	0.11	(0.27)	0.04	-0.84	(2.77)	-0.03	-0.16	(0.28)	-0.05	-0.90	(3.00)	-0.03						
Racial diversity in management	-3.87**	(1.42)	-0.57**	-12.33	(5.02)	-0.18	4.43	(5.95)	0.66	57.84	(63.69)	0.85	19.76	(17.38)	3.24	108.16	(138.0)	2.60
Gender diversity in management	0.76	(1.44)	0.18	11.96	(4.73)	0.28	-6.75	(6.68)	-2.05	-34.90	(73.95)	-0.82	1.76 <sup>†</sup>	(1.06)	0.26 <sup>†</sup>	2.37	(2.31)	0.59
Racial diversity in management squared	11.71**	(4.02)	0.60**	26.05	(41.92)	0.13	-8.65	(15.13)	-0.44	-116.0	(161.0)	-0.60	-36.92	(32.01)	-2.80	-222.24	(255.0)	-2.48
Gender diversity in management squared	-1.07	(2.76)	-0.13	-28.26	(28.58)	-0.35	13.57	(13.71)	1.67	95.82	(148.0)	1.19						
Entrepreneurial orientation																		
Innovativeness							-0.21 <sup>†</sup>	(0.14)	-0.42 <sup>†</sup>	0.25	(1.53)	0.05	0.28	(0.29)	0.48	2.37	(2.31)	0.59
Risk taking							-0.05	(0.21)	-0.08	1.92	(2.24)	0.29	0.05	(0.37)	0.08	1.01	(2.96)	-0.22
Interactions																		
Innovativeness × racial diversity							-3.50**	(1.40)	-2.50**	-33.02*	(15.03)	-2.33*	-4.94 <sup>†</sup>	(3.09)	-4.03 <sup>†</sup>	-41.03 <sup>†</sup>	(24.75)	-4.88 <sup>†</sup>
Innovativeness × gender diversity							-0.87	(1.25)	-1.16	-5.84	(13.47)	-0.78						
Risk taking × racial diversity							2.48 <sup>†</sup>	(1.61)	1.39 <sup>†</sup>	21.03	(16.52)	1.19	1.30	(3.78)	0.86	24.49	(30.23)	2.37
Risk taking × gender diversity							4.01*	(2.05)	4.38*	21.52	(21.83)	2.37						
Innovativeness × racial diversity squared							9.22*	(4.49)	2.08*	89.45*	(48.02)	2.02*	9.94 <sup>†</sup>	(7.06)	3.26 <sup>†</sup>	96.30*	(56.41)	4.65*
Innovativeness × gender diversity squared							3.04 <sup>†</sup>	(2.36)	2.07 <sup>†</sup>	16.61	(25.28)	1.13						
Risk taking × racial diversity squared							-6.17	(4.95)	-1.13	-70.17 <sup>†</sup>	(52.97)	-1.28 <sup>†</sup>	-3.97	(8.03)	-1.07	-70.35	(64.01)	-2.77
Risk taking × gender diversity squared							-6.44**	(3.94)	-4.70**	-57.71 <sup>†</sup>	(42.44)	-3.25 <sup>†</sup>						
R <sup>2</sup> /Adjusted R <sup>2</sup>	.19/.14			.13/.06			.30/.20			.19/.08			.49/.30			.32/.06		
Model total	145			144			145			144			45			44		
F	3.98***			2.46*			2.97***			1.75*			2.60*			1.23		

<sup>a</sup> Standard errors are in parentheses. Model 3 uses a reduced sample.

<sup>†</sup>  $p < .10$   
 \*  $p < .05$   
 \*\*  $p < .01$   
 \*\*\*  $p < .001$

Source: Cited in Richard et al., 2004, p. 261

The first three components are the key to modification of the structure of workforce and include efforts for its recruitment, retention and promotion. Promotion programs include also attempts to promote diversity through improvement of external relations with various groups outside the organization, including suppliers and minority communities. Efforts to argue the existence of such programs recognize and reward success in attainment and sustainment of diversities can facilitate establishment of additional components. The training is the regular, integral part of the program and includes attempts to raise awareness about discrimination and prejudices and to improve behavioral skills of employees towards their colleagues from different cultural milieus. Finally, an integral part of the program is also the creation of internal structures that would work on the sustainability of the program.

Experiences with nationalisms over the last two centuries with respect to the efforts to establish a homogeneous nation or culture have resulted in a situation in which all those who remained outside the respective nation were largely exposed to negative discrimination. The advent of globalization led to cultural pluralization and the dynamics of cultures. The readiness of societies to come to terms with cultural diversity was created. In the context of cultural pluralism, it is crucial to preserve fundamental human freedoms, equality, rights, harmony, security and prosperity. At the same time, it is a challenge, because there are no constitutional orders in the world in which democracy and cultural plurality are mutually adjusted and harmoniously connected.

The term “cultural plurality” means coexistence of a number of different cultures and cultural groups in a society, state, on a territory, etc. (Križan, 2008, p.50). Therefore, it is important to train the managers to know how to manage diversity and establish an optimal combination of diversity that can achieve the best results. The process of training the managers in the intercultural segment is a demanding job, which requires an appropriate approach.

When people of different cultures enter into intercultural communication with each other, they initiate a “confrontation” of the two cultures. Such interaction can develop into a form of empathic communication, which is a rarity. It usually initiates intercultural conflict. Every “conflict” between two cultures is a “confrontation” of symbols of different cultures (Vreg, 1990, pp.283-284).

The intertwining of cultures and their interconnectedness has led to the emergence of “cultural syncretism”, which characterized the today’s world. The intertwining of cultures leads to development of a cultural mix and the creation of new (sub) cultures through the emergence of cultural syncretism.

According to Bhikhu Parekh “The common good and collective will, that are vital to any political society, are generated not by transcending cultural and other specificities, but by means of their interaction through dialogical confrontation. A dialogically constituted multicultural society has a strong notion of common good consisting in respect of consensually founded civic authorities and basic rights, maintenance of justice, institutional and moral preconditions of deliberative democracy, vibrant and plural composite culture and an increasingly stronger sense of community. It cherishes not static and ghettoized but interactive and dynamic multiculturalism” (Križan, 2008, p.520).

*Mondialization* rests on a somewhat broader concept. Guided by the principle that it is very difficult to offer an exhaustive definition without falling into a mere description, we will try to focus on the dynamic dimension of this complex process.

Multiculturalism is acceptable and desirable in terms of accepting cultural plurality and caring for equivalence and equality, both of different cultural groups and their members. Assisting cultural groups in order to stabilize the common liberal-democratic order can also be legitimized. In this respect, the policy in such orders should therefore be multiculturalist. Beyond this meaning of multiculturalism, liberal-democratic cultural plural societies have no reason to seek to strengthen or multiply cultural groups, instrumentalize them, encourage citizens to change them frequently, or seek to tie them tightly to such groups (ibid., p.83).

The growth of cultural pluralism is an inevitable process for which organizations must be prepared. This is especially important for the successful operation of companies in modern markets. It is important that companies have educated and trained personnel for intercultural management.

## CULTURAL CLUSTERS AND VIRTUAL TEAMS

The emergence of today's clusters and their dominance provide insights into the microeconomics of competition and the role of location in competitive advantage. Although the importance of the existence of clusters in the era of globalization has declined, the new influences they have on competition strengthen their importance in an economy that today is dynamic, complex and based on information and knowledge. Clusters represent a new way of thinking of national states and local economies; gain the necessary place in the development of companies, for different levels within the government and in other institutions, thus improving competitiveness.

Clusters, or geographically concentrated and interconnected companies, represent a striking phenomenon, which on a figurative, virtual level; bear the characteristics of every nation, state, region, and even metropolis. Cluster management reveals important insights into the microeconomics of competition and the role of location in competitive advantage. Clusters are a form of networking of companies, which in a flexible way instigates development of small and medium-sized companies, and thus the development of the respective local community and the region as a whole. A cluster is a geographically-close group of interconnected companies and associated institutions in a particular field of work, which share certain similarities and complementarities. The geographical scope of the cluster can be regional, state and even urban (Porter, 2000).

Local and cultural clusters, which include the comparative and cultural advantages of individual countries, can provide a special impetus to the development of the domestic economy. Leveraging the economics of the location, that is optimal locations anywhere in the world for various activities in the process of value creation, is becoming more pronounced.

Globalization often calls into question the "think globally, act locally" slogan. In fact, are there global and national companies at all? Modern approaches do not talk about these dimensions, but only about successful and unsuccessful companies. Certainly, globally and locally, they can connect. Examples of this can be found in clusters.

For a long time already, the clusters have been a part of the economic

landscape with geographically concentrated markets and companies in specific industries that have existed for centuries. The intellectual ancestors of the cluster-concept date back to Marshall (1890 -1920). His book titled “Principles of Economics” includes a chapter on the concentration of specialized industries in particular localities. The geographical scope of a cluster can range from a local community, region, state, all the way to interregional and interstate cooperation, and its structure depends on the economic sector in which the cluster members operate and the number of members interested in development of a common strategy. The operational field of one cluster is determined by the total area within which informative, transactional, incentive and other activities take place. Clusters include a significant number of related industries (not just one) and other entities important with respect to competitiveness. They can include, in example, suppliers of specialized accessories, machine parts, services, suppliers of specialized infrastructure.

Clusters often expand “downstream” towards customers and later towards manufacturers of complementary products or related companies (with respect to capabilities, technology, or similar inputs). Many clusters include government or other institutions (universities, standard-setting and research agencies, trade organizations, organizations providing specialized training, education, skill-development, as well as information, and technical support). Likewise, many clusters include trade associations and other bodies that include cluster members. Finally, foreign companies can and are members of clusters, but only if they are significantly present at the local level and bring lasting investments. Cluster development is a relatively complex process, requiring simultaneous cooperation of government representatives, companies, local authorities, financial institutions, trade unions, educational institutions and various other organizations. Due to their geographical proximity, cluster members create many different forms of positive effects through their business activities, such as: easier access to suppliers and customers, a specialized labor market, as well as far easier access to business information and new knowledge. By interacting with their specialized customers and suppliers, cluster members continuously conduct learning, knowledge and information exchange processes (Porter, 1990).

The closeness of cultures does not necessarily represent an advantage, because if there is no staff educated and trained in intercultural

management to manage the differences, it can lead to a business failure. Managing minor differences is a particularly big challenge for the management. In fact, cultural conflicts occur most often in case of minor cultural differences.

One of the significant problems in the context of intercultural research is identification not only of differences but also similarities between individual cultures, i.e. to identify cultural clusters of countries that, as a result of a number of historical, religious, geographical and other reasons, can be expected to have relatively similar values, world views and ways of doing business, which would imply that similar social and business behavior can be expected. In this context, recently special attention is given to Europe and ideas of European management, as well as the research of similarities and differences within it. Different European countries have different approaches and styles of management, from the typically hierarchical, autocratic one in France, to the completely democratic, consensual style of management in Sweden. These countries are typical representatives of European cultural clusters and there are significant cultural differences between them. Cultural clusters in Europe are based on Hofstede's<sup>2</sup> research results (Bahtijarević Šiber et al., 2008, p.417).

The EU enables the creation of different cultural clusters, because there are no administrative barriers due to the existence of single economic space and the fact that the market is governed by EU regulations. Some parts of the EU represent specific cultural clusters, such as Romanesque culture, German culture, etc.

Porter (2000) in his text entitled „ Location, Competition, and Economic Development: Local Clusters in a Global Economy“ warns of the emergence of clusters and their dominance in modern macroeconomics.

Clusters represent a new way of reasoning by national states and local economies; they get the necessary place in the development of companies, for different levels within the government and in other institutions, thus improving competitiveness. Competitive thinking

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2 Gert Hofstede developed the most famous model of intercultural management research, which is based on the study of cultural differences among various countries. The important features and advantages of Hofstede's model are that it is a comprehensive comparative research of national cultures and that it introduces a new generally accepted paradigm of value dimensions of culture, development and understanding of intercultural management. Hofstede conducted the most comprehensive study of culture to date in the period 1967-73, which included as many as 116,000 persons in 74 countries, employed by the multinational company IBM.

and company strategy usually depend on what is happening within competing organizations. Clusters suggest that a good portion of the competitive advantage lies right outside companies, even outside their industries, that is where their business units are based. This creates important agendas for management, which are rarely recognized. E.g. clusters represent a new unit of competitive analysis made for the company or industry. The “cluster-oriented reasoning” goes in a direction that suggests to the company to seek tangible and significant gains in its environment, where it is located; in a way that transcends taxes, electricity costs and wages. The health of the cluster is important for the health of the company. In fact, companies could even benefit from increased competition at the local level. Trade associations can be competitive assets, not merely lobbying and social organizations (Porter, 2000, p.16).

An interesting example is the Slovenian cluster in the automotive industry, which significantly participates in the GDP of Slovenia. There were cultural clusters in the former SFRY (Socialist Federal Republic of Yugoslavia) as well.

In the age of globalization, virtual teams are gaining in importance. Virtual teams represent another opportunity for global businesses. Virtual teams, working asynchronously, must work without mechanisms that facilitate coordination of activities and conflict management, usually available to synchronized teams. Research has shown that the way in which virtual teams deal with internal conflicts is essential for success and that time management has a significant moderating role.

Global virtual team is a group of geographically and temporally dispersed individuals assembled via advanced technology to accomplish an organizational task (Townsend, DeMarie, Hendrickson, 1998; Jarvenpaa, Liedner, 1999.) We focus on teams defined as time-limited, non-repetitive groups charged with producing a one-time output (Cohen, Bailey, 1997). The pressures that today’s organizations face have led many to consider establishment of global virtual teams. Recent technological discoveries support this idea and enable new ways of structuring, processing and distribution of business and communication activities, as well as overcoming the limitations imposed by space and time. (Boudreau, Loch, Robey, Straub, 1998). More precisely, new technologies provide resources for dispersed (different place), asynchronous (different time) virtual work.

Virtual teams must find a way to synchronize their activities and deal with conflict management, all with the goal of being successful. It is necessary to continue the research into how virtual teams can be more effective when high technology becomes (is) the central tool of the team process.

### **CULTURE OF UNITY AND CULTURAL GROUPS**

As on the one hand, the process of cultural differentiation within cultural groups takes place, on the other hand, a culture of community is being formed.

In liberal-democratic societies, affiliations with cultural groups are unstable, multiple and very diverse. Therefore, the cultural structure of a society cannot be encompassed by a definite system, and is generally infinite. Therefore, in liberal-democratic societies it is not possible to establish a situation similar to that in the Ottoman Empire, where the division into millets was the most important cultural division, to which all other divisions were subordinated. For one citizen, the most important thing is to be a Catholic who adheres to all religious regulations, that is to obey God's commandments, regularly go to church and confess, to another it is that he is a homosexual, who fights for the rights of other homosexuals and regularly participates in various conventions and parties of homosexuals, to a third person it is that he can change his "identities" at will, that is his/her group affiliations, i.e. be a rock musician today, tomorrow a politician, the next day a philanthropist, and in old age perhaps a preacher in a religious sect. Cultural groups emerge and disappear, become "very in" and then go out of fashion, change their definition and move their borders, lose their members and gain new ones, intertwine and overlap with each other in various ways, enter into conflicts with each other and resolve those conflicts, etc. However, the state does not have the ability to bring order to the confusion of group affiliations; since it must strictly respect the human rights of its citizens and must not interfere in the issues of the doctrines they support (Križan, 2008, pp.29-30).

Culture is the basic precondition for the success of organization and development. Given the strength of culture, one can speak of strong and weak cultures and cultures of high and low contextuality.

According to (Bahtijarević Šiber et.al., 2008, p.429) strong cultures are

those in which there is a clear and cohesive set of values and norms shared and adhered to by most members of the organization. In such cultures the values, norms and other elements of culture send a clear and consistent message that connects members of the organization and informs a similar style of behavior, approach to problems, internal and external relationships of all employees. These are the cultures that strongly influence members of the organization and their behavior. Weak cultures are those, in which organizational values are not consistent and clear, thus have little impact on the behavior of its members.

As forms of pluralism differ from one social community to another, they require adequate responses. Heterogeneity is a challenge but it should first and foremost be seen as an opportunity. That is why we must learn from the recent past. In example, Yugoslavia was as a specific community of republics, people and cultures.

Namely, the Yugoslav communication system was an expression of the federal social order. The communication structure of the Yugoslav community thus reflected the pluralism of political, economic, technological development, international, defense, cultural, scientific and other interests of individual republics and provinces. Furthermore, it also expresses - if it is in the function of the federal community - the responsibility for shaping the common, general interests of the Yugoslav community.... The specificity of the Yugoslav community as a new form of federal community is that it is not a homogeneous entity, but comprised of autonomous people's cultures and the public (Vreg, 1990, pp.292-293).

Different processes take place in heterogeneous cultural communities. The inclusion of heterogeneous factors is as important as transcultural mediation. This was not given adequate attention in the former Yugoslavia, so over time various conflicts developed within it and led to misunderstandings.

Today, more than ever, it is clear that we need transcultural mediators, who will be able to initiate and develop processes of mutual understanding. This method includes tolerant dialogue, argumentative polemics and scientific communication. No one is to think that it is possible to "remove" inter-republic misunderstandings, ethnic stereotypes, various national syndromes and traumas with surgical

procedures overnight. What is possible is to continue the started processes of transcultural mediation in politics as well as in all other areas of social life (ibid., p.298).

An individual is born and lives in a certain cultural tradition or environment, rarely in several cultural traditions. The process of learning other cultures is almost daily and inevitable. This process should be approached in a systematic way, because managers are professionals with a clear task to fulfill the mission of their companies and create new value and achieve business success.

Individuals grow up in a certain culture. Through such enculturation they gain the respect of members of their cultural community and on the basis of it they develop their self-esteem. However, they also need respect of the wider environment, i.e. other cultural communities that belong to the same political community, the political community as a whole and the country. They can most easily gain the respect of other cultural communities by showing respect to them, in different ways including intensive intercultural communication with them. This may result in the state's readiness to show its respect of them, i.e. by extending various forms of assistance to them. Needless to say, such assistance strengthens the loyalty of the respective cultural community to the political community that connects them to other cultural communities (Križan, 2008, pp.429-430).

Therefore, it is important to establish a cultural community or cultural consensus, which enables peaceful and constructive social communication and cooperation. Achieving cultural consensus is a very demanding task, which requires that individuals do not perceive or value their culture as superior to other cultures and traditions.

Convergence of cultural horizons of different cultures through their mutual familiarization also facilitates expansion of the sphere of common values, which is expansion of the base of values that enables interculturally-relevant valorization. In other words, intercultural communication expands the possibilities of interculturally recognized valorization and thus "pulls the carpet under the feet" of cultural relativism. When someone comes into contact with a culture that was foreign to him/her until then, he/she can hardly avoid valorizing the culture - its elements, its values, and, ultimately, the culture as a whole

- even if implicitly or unwittingly. However, at the same time, as he/she learns more about the culture, he/she will inevitably gradually modify his initial and therefore probably superficial judgments of the culture. He/she does this partly because he/she concludes that some of them were wrong, and partly because the culture he/she is getting to know is less and less foreign to him, he/she understands its values and semantic whole better and accepts some of its meanings, beliefs and values. Such corrections of one's own stances during the process of getting to know unknown cultures only confirm the fact that the processes of intercultural familiarization are always at the same time processes of valorization (ibid., pp.66-67).

It is important for an individual to use the concept of social exchange when in contact with another culture. As individuals engage in social exchange, through the process of mutual interactions and exchange, they create a social system. Participants in the process engage in it with the expectation that they will meet their needs, which they would not otherwise meet if they did not engage in the process. The other side engages in the process with the same expectations. The ideal exchange is when mutual benefit is achieved.

The essence of the crisis of socialist state party systems is that they were not able to articulate and synthesize the interests of different social groups, peoples and nationalities, political and ethnic minorities, subcultures and social movements (Vreg, 1990, p.293). Lessons must be learnt from the experiences from the recent past, so that similar mistakes are not made in the future. The goal is to meet the needs of all actors or that they achieve the expected benefit.

### **LAYERS AND LEVELS OF CULTURE**

It is necessary to know not only the culture of your organization, but also the culture of the local community, national culture and the culture of the country in which one operates. Culture is layered and has several levels, but also consists of several sub-elements or subcultures. This inevitably leads to emergence of cultural syncretism.

The system of cultural values can be learned and is part of a continuous learning process. It strongly influences every organization. Therefore, the culture of others must not be relativized. According to Trompenaars (1993) culture has several layers: basic beliefs and assumptions;

values and norms; customs, routines and procedures; competitive environment; implicit; explicit.

The deepest, invisible and most abstract layers of culture are the basic conditions for the development of certain values and behaviors. They refer to the fundamental views on life and the nature of people (whether they are basically good or bad), the relationship to nature, the nature of human relations and human activities, truth, time, etc. Managers must understand the basic elements of a culture in order to understand and even predict the values and behavior of the representatives of that culture with whom they cooperate and do business. For example, the perception of time is the source of many misunderstandings and frustrations in the contacts of different cultures.... Behavior and various artifacts (language, clothing, food, customs, architecture, etc.) are on the surface and visible. To understand them requires an understanding of the deeper, invisible layers of culture. If they want to achieve successful intercultural cooperation, managers must understand the basic elements, different values, worldviews and behavior of different cultures, as well as see them as complementary and a basis for synergy that can increase the positive effects of mutual cooperation (Bahtijarević Šiber et.al., 2008, pp.104-105).

Levels of culture are: individual, other subcultures, organizational culture, professional culture, branch, national and transnational culture. The increased attention given to diversity management through the practices of the human resources and research sector reflects the inevitable consequences of the global economy and demographic change.

Does diversity help organizations perform better? Ask many organizations today and the answer is a resounding “yes.” What for many initially was an effort to meet some governmental and legal requirements has evolved into a strategic priority aimed to achieve a more competitive position on the market (Hansen, 2003).

This means that companies engage in various activities and devote resources to a variety of other diversity-related initiatives, including dedicated diversity management staffs and workplace programs and benefits such as flexible work arrangements, domestic partner benefits, corporate-sponsored employee affinity groups, and other programs designed to attract and retain a diverse workforce (Corporate

Leadership Council, 2003). Companies pay a lot of attention to diversity initiatives because they believe it is good for the bottom line, as well as that diversity is a business imperative.

### **VISIBLE AND INVISIBLE CULTURE**

In one's life, human beings have different transcendent experiences. These are invisible elements, which have a strong influence on him/her and determine him/her. The culture in the company exists on two levels: visible and invisible.

In "natural" everyday life, we practically count on the inevitable, that a lot of things will happen – things that we do not want to happen, as well as that there are many things we want but that will not happen (Luckman, 1997, p.109). In everyday life an individual pays more attention to visible than invisible cultural values. New trends show a growing tendency towards greater commitment to the invisible culture.

Cultural values are not genetically transmitted, but are learned from birth throughout life. The manager must therefore respect the values and value systems of different cultures. Today, almost every society is multinational, multiconfessional and multilingual. Therefore, companies, especially multinational ones, must take into account the cultural values of their employees, especially when they come from different cultures, as well as business partners or the environment in which the companies operate (Sikavica et al., 2008, pp.114-115). We should not view culture as a static but as one of the most dynamic categories, whose plurality and dynamism are conditioned by the constant changes and challenges produced mostly by the globalization process. Multinational companies give special importance to intercultural aspects of business.

Culture is a very complex phenomenon and consists of different elements and dimensions, that is layers. It is the result of a complex interaction of values, attitudes and behaviors of group members. It consists of several elements, some of which are explicit and visible (e.g. behavior) and others implicit and invisible. The visible part is usually considered to comprise 10%, and the invisible part, the one below the surface, 90 % (Bahtijarević Šiber et.al., 2008, p.104).

It is sometimes difficult to draw a line between the visible and invisible elements, which are often strongly intertwined. Invisible elements are generally neglected or not given the necessary importance. Invisible elements often require an “esoteric” approach in their perception. The practical needs of companies and managers have in led to increased interest in research and study of invisible elements.

Visible signs of culture include: status symbols, ceremonies, stories, slogans, behavior, language, jargon, style of dressing, etc. Invisible signs of culture include: shared values, beliefs, assumptions, attitudes, and feelings (Bahtijarević Šiber et al., 2008, p.129).

Invisible elements represent the real driving force of visible elements. Invisible elements are difficult to quantify, but their impact on business results is often crucial. The invisible structure within the organization is far easier to understand using the “esoteric” approach, which leads to important insights for the organization and management. The invisible elements represent a kind of spirit, while the visible elements represent a form.

Man is the creator and implementer of the organization, and as such appears in the organization in all its dimensions and thus forms an “invisible” structure, which we call an informal organization. Empirical research has confirmed the hypothesis that the “invisible organization”, which is encompassed by the so-called organizational culture, is an important factor of the efficiency and success of the company as a whole (McEwan, 2001, p.327). As human beings we are more determined by the invisible. Since cultures are subject to change, a change also occurs in the organizational culture, which is associated with the changes in the people who work in the company.

Most studies deal with the invisible differences in management, such as position background and employment (right of use, right of possession) of top management (Finkelstein, Hambrick, 1996). However, the notion of cultural diversity also implies visible characteristics such as race and gender (Cox, 1994). Several studies on diversity have shown that it has a positive effect on individuals and small groups (Cox, Lobel, McLeod, 1991; Watson, Kumar, Michaelson, 1993). On the other hand, others have concluded that heterogeneous groups perform worse than homogeneous ones (Pelled, Eisenhardt, Xin 1999; Tsui, Egan, O Reilly, 1992). Existing theories simply do not offer sufficient explanations

for such variable data. Therefore, existing theoretical explanations (value in diversity, social identity and theories of self-categorization) are included in the context of the theory of heterogenesis (Blau, 1977) and set the thesis that the relationship between cultural diversity and success must be much more complex than previously proposed models indicate. Moreover, the analysis was extended beyond a simple linear relationship and potential curve-prediction relationships were investigated. A significant diversity of managerial staff was added to the research, by examining two visible components of diversity - race and gender. Furthermore, instead of analyzing the effects of diversity on the level of individuals and small groups, the management and success of companies were analyzed.

Earlier research on the diversity of management groups has mainly focused on 1) invisible aspects of diversity such as work background and 2) top management teams. Visible signs of culture are more recognizable in a company, but that does not mean that the invisible signs of culture are less important for determining the organizational culture.

### **(CULTURAL) DUE DILIGENCE**

Due diligence is a procedure that checks various aspects of the subject of the in-depth investigation, most often business, in order to obtain necessary information and gain trust in the information presented. Due diligence is a process that includes a methodology for detection, processing and verification information, starting with development of a list of questions and preparation of requests for provision of documentation, and ends with a multi-purpose report, which is used as the basis for calculations, analysis and decision making, the foundation for development of various documents and a good basis for the work of the management.

Culture is considered one of the most important factors of behavior. It provides common values and meanings of things and phenomena, desirable behaviors and their final outcomes. Culture determines the way of life, acceptance of change, way of doing business and running a business. Based on the knowledge of a particular culture, it is possible to predict the practices of the organization, management style, characteristics of leaders and forms of behavior that are most effective in it (Bahtijarević Šiber et al., 2008, p.398). In the modern

world, economic borders are being erased, while cultural borders are being drawn, which represents a new challenge for businesses.

Extended due diligence includes: financial, tax, legal, human resources, environmental issues, information technology, marketing, organizational culture and other business segments.

Financial due diligence has high importance and includes all factors of the company's business. It is based on company's financial statements and "for many acquirers they are the most important component of due diligence" (Lajoux, Elson, 2010) from which "basic business indicators of the company are derived, through which its business and financial position is diagnosed." (Buble, Kulović, Kuzman, 2010, pp.216-217). "The real goal of financial due diligence is to gain insight into the information provided by the target company, and help the 'buyer' make an opinion on profitability." (Howson, 2006, p.67) The successful implementation of financial due diligence depends on the achievement of the following objectives (Pretnar Abičić, 2015, p.118-124):

- Identification and quantification of financial and tax risks, potential liabilities,
- Analysis of profitability and financial flows in the society achieved in the past, presence and protection of future operational prospects,
- Determining the assets and liabilities of the company, internal controls and the actual operational situation in order to provide an appropriate basis for the implementation of further negotiations, strategic decisions and planning of the post-acquisition business plan and integration process,
- Taking into account the results and findings of other types of due diligence (legal and commercial), determine whether the investment goal is in accordance with the general strategy and investment principles of the buyer.

Cultural pluralism and constant change make it difficult to design models for cultural due diligence. With the emergence of subcultures, cultural differences within and between countries are being differentiated, consolidated and strengthened, which affects businesses and increases the cost of cultural misunderstanding.

Some authors warn of the necessity for organizations to implement the so-called cultural due diligence before they enter new markets and establish international business operations, as their business success will depend on it. They warn that it is common practice for organizations to invest time and money in due diligence of financial markets, products and other aspects of the business before entering new markets, establishing new partnerships or buying new businesses. The quality of the decision and the final success depend on the accuracy and sophistication of the information. However, the culture and cultural due-diligence, as the crucial factor of success, often get forgotten or minimized. Research and experience have shown that inadequate information about the business environment and lack of understanding of other cultures is often the main reason behind business failures. This is confirmed by numerous examples of business failures of large global companies that have invested heavily in product promotion in new markets without taking into account the different values and needs of people in these cultures. A textbook example of this is the first attempt by renowned make-up companies to penetrate the Japanese market, ignoring their different concept of women's beauty and care.

Therefore, research of intercultural aspects of business, cultural due diligence and search for appropriate models, without relativizing other cultures, will be an increasing challenge for researchers and managers.

## CONCLUSION

Management is used all around the world with all its specifics for specific countries, activities, companies, clusters, strategic alliances and every aspect of human life. However, it is culture that gives the soul to every management and every place. It is important to have management trained in diversity and change management. Diversity gives birth to new values. Every “conflict” between two cultures is a “confrontation” of symbols of different cultures. Culture is the basic precondition for the success of organization and development. An individual is born and lives in a certain cultural tradition or environment, some even in several cultural traditions. The process of learning about other cultures is almost daily and inevitable.

Cultural plurality and its dynamics means the existence of several different cultures and cultural groups in a society or state, in a territory, etc.

The terms “cultural pluralism” and “multiculturalism” are also used. Failure to have intercultural management staff educated and trained in diversity management can lead to business failure. Managing small differences is a particularly big challenge for the management.

In one’s life, human beings have different transcendent experiences. These are the invisible elements, which have a strong influence on them and define them. In a company the culture exists on two levels: visible and invisible.

The need for cultural due-diligence usually arises when a company is considering entering a foreign market, an acquisition or investment, changes in management, restructuring, etc.

Due-diligence is a multidisciplinary process, because the knowledge required for it covers different areas. However, in practice, financial, legal and tax due diligence are the most common forms, except in the conditions of acquisition of new technologies or capacities, when in-depth investigation of production or new technologies is a fundamental value being acquired. Due diligence includes the issue of sensitivity of various types of data, particularly as some national legislations ban record keeping for specific data. However, cultural due diligence, which is a specific challenge because of the cultural

plurality and dynamics, is often neglected. It is not possible to design a static model for cultural due diligence that would include all the necessary elements. Research of intercultural aspects of businesses, cultural due diligence and finding appropriate models will be an increasing challenge for both the researchers and managers.

The globalization process led to establishment of clusters, which represent a form of connecting and networking of companies. Establishment of clusters instigate, in one way or another, development of small and medium-sized companies, thus contributing to development of local communities, regions, states, as well as increasing competitive advantage. Clusters connect similarities and complementarities, that is, they connect globally and locally. Establishing virtual teams is a reality of modern business operations.

Cultural pluralism and dynamics are increasingly seen as an asset, while managing them is the greatest challenge for managers of our time. Cultures produce meaning and modern managers must recognize this, as the importance of intercultural management will only increase. Modern approaches are focused solely on successful and unsuccessful companies.

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# Arthur C. Clarke's Childhood's End: *Ad Hoc Diplomacy and Three Types of its Envoys*

Milan Jazbec<sup>1</sup>

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## ABSTRACT

This paper is focusing on the analysis of diplomatic aspects of the groundbreaking classical science fiction novel "Childhood's End" by Arthur C. Clarke. Its main diplomatic characteristic is the role of ad hoc diplomacy and the envoy as its driver in the centre. Ad hoc diplomacy blossomed in the period of early diplomacy and came again in the forefront with the outset of postmodern diplomacy. Clarke presents three types of an ad hoc envoy starting with the UN Secretary General and the Alien in the first part and closing in the third part of the text with the third one, as a fully atypical one, due to the highly unconventional circumstances. All the three of them discuss, negotiate and report — the third one with a switch that is unusual for diplomatic practice. The author uses diplomacy as a frame, driver and tool in his narrative, not dwelling on inside diplomatic work and practice, but on diplomatic form and messaging. Diplomacy as an activity and method is confirmed in Clarke's masterpiece and also developed to diplomacy of the first contact.

**KEYWORDS:** ad hoc diplomacy, science fiction, Arthur C. Clarke, Childhood's End, envoy, diplomacy of the first contact

## POVZETEK

Članek se osredotoča na analizo diplomatskih vidikov enega od prelomnih romanov znanstvene fantastike "Konec otroštva" Arthurja C. Clarka. Osrednja diplomatska značilnost romana je vloga ad hoc diplomacije z vlogo odposlanca kot njenega izvajalca v ospredju. Ad hoc diplomacija je cvetela v obdobju zgodnje diplomacije, na pomenu pa spet pridobiva v postmoderni diplomaciji. Clarke predstavi tri tipe ad hoc odposlancev, začenši z generalnim sekretarjem OZN in z Drugim v prvem delu ter zaključí s popolnoma atipičnim odposlancem v povsem posebnih okoliščinah. Vsi se pogovarjajo, pogajajo in poročajo, tretji izvaja slednje na način, ki v celoti odstopa od skozi tisočletja oblikovane diplomatske prakse. Avtor uporablja diplomacijo kot okvir, promotorja in sredstvo, pri čemer se ne spušča v podrobnosti diplomatskega dela, ampak se ukvarja z njeno obliko in sporočilnostjo. Diplomacija kot dejavnost in metoda je potrjena v tej Clarkovi znanstvenofantastični mojstrovini in razširjena na diplomacijo prvega stika.

**KLJUČNE BESEDE:** ad hoc diplomacija, znanstvena fantastika, Arthur C. Clarke, Konec otroštva, odposlanec, diplomacija prvega stika

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## INTRODUCTION

Diplomacy is the management of relations between states and international organizations. It is exercised by professional diplomats, but also by other individuals in this field. Career diplomats are those who deal with these activities on a permanent basis, as part of a diplomatic apparatus of a given state, i.e. of the Ministry of Foreign Affairs. But there is also a variety of other persons that occasionally deal with diplomatic tasks, although they are not part of the professional diplomatic service. They are by the rule tasked with one issue only and figure as representatives, special representatives etc., commonly being described as envoys exercising ad hoc diplomacy. Ad hoc diplomats or envoys dominated the diplomatic scenery during the period of early diplomacy (till 1648).<sup>2</sup> This was the time before introducing residential diplomacy as well as permanent instructing and reporting into diplomatic practice, and before forming diplomatic services of nation states. Diplomats negotiate, observe and report to their governments, as well as establish and deepen friendly relations among states and nations.<sup>3</sup>

We dwell significantly on these aspects later on when we focus our research interest on one of the groundbreaking science fiction novels, namely *Childhood's End* by Arthur C. Clarke. The role of ad hoc diplomacy and its envoys stand out in it from the diplomatic point of view. One could additionally claim that this text presents a unique understanding of ad hoc diplomacy, which is placed in the distant future, although being written already in 1953. Our approach is that works like the one discussed here help us understand and comprehend diplomacy better and more thoughtfully. In this paper we focus primarily on diplomacy as activity and method. But such works offer a more comprehensive view in complying with the literature works as well.

We try to answer two research questions in this paper. Firstly, how the distinguished author presents and perceives ad hoc diplomacy and the role of ad hoc envoys in his monumental work, and secondly, what is his contribution to diplomatic studies and their expertise on the phenomena of diplomacy as exercised in this text. The following methods are used in this research: analysis, comments, comparison

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2 For more on categorization of diplomacy see Jazbec, 2021.

3 Comp. functions of a diplomatic mission, Vienna Convention on Diplomatic Relations, Article 3.

and interpretation and – since the author is a career diplomat – also the method of observing through one's own participation.<sup>4</sup> Last but not least, with our research endeavour we try to further add to the innovative study of diplomacy in literature, in particular in science fiction.

## **DIPLOMACY AND ENVOYS**

Among the numerous definitions of diplomacy, which do not contradict each other, but rather complement themselves,<sup>5</sup> we focus our attention in this paper on understanding diplomacy as an activity and as method. For this purpose we point out at the beginning the way diplomacy is defined by Nicolson and Satow. The former sees diplomacy as negotiation and the processes and machinery by which such negotiation is carried out, (1988, pp.3-5) and the latter as the management of international relations by negotiation as well as the method by which these relations are adjusted and managed by ambassadors and envoys, but also as negotiation (1994, p.3). Barston (2006, p.1) claims that “[D]iplomacy is concerned with the management of relations between states and between states and other actors. [...] As such it is the means by which states through their formal and other representatives, as well as other actors, articulate, coordinate and secure particular or wider interests, using correspondence, private talks, exchanges of view, lobbying, visits, threats and other related activities.”

As we can see, diplomacy is, in the first place, carried out by formal representatives of a given state, meaning diplomats. Diplomats are members of the diplomatic service of a Ministry of Foreign Affairs. When posted abroad, at the receiving state or at an international organization, they have a fixed term appointment, nowadays usually up to four years. A commonly used expression for diplomats is also envoy (Berridge and James, 2003, p.94), though currently this term sounds outdated.<sup>6</sup> Hence the term envoy is mostly used for ad hoc diplomats that could be career diplomats on a one issue mission or persons out of the diplomatic service, those who are not diplomats, but function in this status and are tasked with a diplomatic mission.

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4 For more on the latter method see Burnham, 2004 and Mason, 2002.

5 Benko, 1998, p.39.

6 Compare Feltham, 1993, p.4.

As mentioned already in the previous part, ad hoc diplomacy was typical for the period of early diplomacy that spanned from approximately 3,000 B.C. up to the Peace of Westphalia in 1648, when the period of classical diplomacy started. With the appearance of the nation state as the direct consequence of 1648 that led to the establishment of the first foreign ministry in France in late 17<sup>th</sup> century, and before this with introduction of residential missions and permanent communication (instructions and reporting) between the sending authority and its mission at the receiving authority to the diplomatic practice during the period of the Italian City states towards the end of the period of early diplomacy, ad hoc diplomacy started to lose its dominance. This is also illustrated by the fact that ad hoc diplomacy should “be distinguished from the conduct of diplomacy through resident and permanent missions” (Berridge and James, 2003, p.3). However, in the late 20<sup>th</sup> century the practice of ad hoc diplomacy and envoys has been gaining on importance again. This is the period of postmodern diplomacy that is from one point of view characterized and determined by globalization and from another one by increasingly developing media and communication technology. Both have transformed international community to such extent that it is decisively different from that of early 20<sup>th</sup> century when modern diplomacy began (or to any diplomatic and historical situation in the preceding history). Hence we understand the role of ad hoc diplomacy and its envoys as highly complementary to resident and permanent missions, i.e. diplomacy.

There is one important common characteristic of ad hoc envoys while comparing those from early diplomacy at its peak from 14<sup>th</sup> century on with those of postmodern diplomacy. The former were high level aristocrats from the Emperor’s closest vicinity and the latter are by the rule former high ranking politicians, mostly former Heads of States and Prime Ministers. In any case, in principle an ad hoc diplomatic envoy could be each person tasked with a diplomatic mission, be it public, private or secret one, to manage an open issue between two formal sides in the international intercourse.

As a matter of fact, we could develop further the meaning of envoys in diplomatic business, claiming that they are occupied with three types of tasks: they establish diplomatic relations, they maintain them and they exercise special tasks within this frame. They can pursue only one of this duties or all of them, something that depends on the concrete historical, social, political, security and diplomatic environment and on

the consequent instructions from the sending authority (that of their state). At the same time, as already pointed out at the beginning, they perform all five of diplomatic functions: they represent their sending authority, they protect its interests, they negotiate, they observe and report as well as establish, maintain and deepen friendly relations. An envoy is by the book a one man band mission, to say so, but he/she can perform all the diplomatic functions although being only one person.<sup>7</sup>

From the terminological point of view we speak about business of diplomats, but with a *differentia specifica* in mind, we use the common term envoy. This by definition means a onetime task that could be timely clearly limited or ends with the fulfilment of the task that could basically not be timely defined, but relates to circumstances and the development of the process. Anyway, when speaking of envoys, we mean diplomatic envoys and we have in mind *ad hoc* diplomacy. This used to be by far the most prevailing form of diplomatic business in early diplomacy, but nowadays it is an important and indispensable element of postmodern diplomacy.<sup>8</sup>

There exist various terms that could serve as synonyms for the envoy in the explained frame, such as representative (also special and personnel representative), emissary, legate, messenger, mediator, intermediate and other similar. We use in this paper envoy as the established term, for *ad hoc* diplomacy (unless otherwise specified in a given case).

## CHILDHOOD'S END

It was the year 1952, when *Childhood's End*, a groundbreaking science fiction novel was written. Clarke says that it was "extensively revised in the spring of 1953" (Clarke, 1995.b, p.1) and then published in August of that same year. It was Clarke's first major appearance in a novel form "both within science fiction circles and in the wider literary world" (Zebrowski, 1995, p.v). The novel is structured in three parts: *Earth and the Overlords*; *The Golden Age*, and *The Last Generation*. The first part is a revised and expanded short story *Guardian Angel* that was published in 1950 (Clarke, 1995.b, p.1). Just to take a note, it should be mentioned that Clarke has become one of the classics of this genre,

7 In the conduct of diplomatic relations through missions it is possible (and it happens often in diplomatic practice) that diplomatic missions can exercise all the listed functions even being staffed with one diplomat only.

8 Here we do not intend to refer to the relation between bilateral and multilateral diplomacy. This is from one point of view not our main ambition and from the another one the relation between the two types of diplomacy are so dynamic and changeable within a given frame that such a discussion would take us far away from our topic in this paper.

along with Asimov, Bradbury, Dick, Heinlein, Herbert, Huxley, Le Guin, Lem, Orwell, Simak and others.<sup>9</sup> This is also the reason why we do not present the story as such here. We leave it to the encouraged reader of this paper to do this by themselves. At the same time we believe that the way this paper is developed gives enough information about the story to be able to follow our elaboration. Additionally, and in the same spirit as above we understand Verne, Wells, Zamjatin and some others as the founders of the genre.<sup>10</sup>

For a broader understanding and contextualization of Clarke's work it is important to point out that with the *Childhood's End* he introduced in the genre at the very beginning of his long and highly successful career the topic of the first contact. One could even claim that among the classical authors of this genre Clarke was the biggest and most consistent promotor of this topic, starting with the here discussed novel and continuing with the *Space Odyssey* and the *Rendezvous with Rama* cycles. As Zebrowski put it "[T]he central idea of *Childhood's End* is its provocative, preemptive view of human history, in which humanity is drawn from its chrysalis of human history and engulfed by an alien purpose – whether for better or worse, we cannot say" (1995, p.v). Here, additionally, "the first contact is at first humiliating, then politically constructive but sterile, and finally terrifying" (ibid., p.vi). It would be interesting to explore at some other occasion if this was set as Clarke's model of pursuing the first contact.

The main idea is rather simple, but astonishing: the representatives of the supreme civilization (the Overlords<sup>11</sup>, as named later on by people) arrive to dominate the Earth, but as it proved, with a highly ethical purpose. After the first shock and some signs that the aliens were not keen on doing any harm, the dialogue between the two sides started. It was pursued by the Secretary General of the United Nations as the Earth's representative, and Karellen as the representative of the Overlords. At the beginning of the second part the Overlords made them also visible, that produced another shock for people, although the Overlords were part of their life already for the previous half of the century. They became rather acquainted and present around. That

9 The Easton Press, Norwalk, Connecticut, produced three decades ago a series of science fiction classics "The Masterpieces of Science Fiction" bringing together 50 works from 40 authors, what can be understood as the classical heritage of the genre.

10 With both lists we just want to point out both groups and terms, without having any ambition to fix and close them.

11 The style of Clarke is a profound one, using metaphors, parables, hints and similar methods as well as approaches, stemming from history, culture, anthropology and myths.

helped to uncover the star of their origin and a young member of the Earth's elite managed to smuggle himself on a supply cargo ship with that direction, being 40 light years away. In the third part the change in the youngest generation started to show with their immense mental powers, shocking everybody. Obviously they were being prepared for something else than the then life on Earth. As the young man comes back from the star journey, the Earth is already in the state of the downfall. Overlords left the Earth, but the returner from the star trek didn't want to join them. He remained on Earth and was reporting how the destruction of his home planet was continuing.

As for the aim of this research paper one has to point out there are three ad hoc envoys in the novel: the Secretary General and Karellaen in the first part and the young star traveler in the rest of the text. Each one of them presents a different type of an envoy, depending on their position, role and situation. Therefore, diplomatic aspects and messages of their representation vary, but stem from clear diplomatic reservoir. When reading the text, its general and also more specific diplomatic aspects and elements are rather obvious. We analyze and discuss them in the next section of this paper.

Last but not least, judging by Clarke's own definition of a masterpiece, *Childhood's End* is one: "The acid test for a work of fiction, he [Clarke] has asserted, is in the rereading, preferably after a lapse of some years. If it's good, the second reading is as enjoyable as the first. If it's great, the second reading is more enjoyable. And if it's a masterpiece, it will improve on every rereading" (ibid., pp.viii-ix). Zebrowski claims the novel "has rung true for me [him] on every rereading" (ibid., p.viii).<sup>12</sup> However, we try to prove that the diplomatic analysis of the novel's greatness goes along primarily different criteria, not only a fan's rereading, no matter how favourable it might be.

Still, it should be added how Clarke sees his own occupation: "...the science fiction writer does a great service to the community. He encourages in his readers *flexibility* of mind, *readiness* to accept and even *welcome* change – in one word, *adaptability*" (Clarke, 2002.b, p.x)<sup>13</sup>. This most probably stems from the fact that "science fiction is something that *could* happen – but usually you wouldn't want it to.

12 It's rather easy to put the *Childhood's End* (or any other text) to such test. The author of this paper read it for the first time in the summer of the 1978. Its reading forty years later proved overall to be a thrilling exercise.

13 Italics by M.J.

Fantasy is something that *couldn't* happen – though often you only *wish* that it could” (ibid., p.ix). Clarke possesses power of style and an intriguing attractiveness of argument that is appealing to readers.

## **AD HOC ENVOYS IN THE CHILDHOOD'S END**

### **GENERAL OBSERVATIONS**

In this paper we research diplomatic aspects and elements in the Clarke's groundbreaking novel *Childhood's End* that set the stage for a highly outcrafted first contact narrative in the science fiction genre. Soon after starting the reading, it becomes obvious – not only to an eye with diplomatic glasses – that the issue of ad hoc envoys is put in front. Hence ad hoc diplomacy is the form he uses as a starting point for his utilization of diplomacy, in particular as a profession and as a method. With his skillful approach, deep understanding of human nature and highly developed ethics, Clarke is elaborating his text as a master of pen and style.

As already annotated earlier, there are three ad hoc envoys as the de facto main protagonists of the essence of the story. They present three types of an ad hoc envoy: two of them, both in a position of a formal delegate, dominate the scene in the first part. They are the Secretary General of the United Nations and the Alien (Karellen by name). The third one that appears in the remaining two parts, with the emphasis on the final part of the story, is a young member of the Earth's elite who secretly and on his own initiative departs to the world of the Overlords. While the first two present basically what a formal diplomatic envoy performs, the third one appears as highly unconventional, but due to the circumstances formally accepted in this role. It should be added that the circumstances in which he is active as an envoy, are highly atypical and unconventional ones.

In the following pages we try to dig deeper in the way Clarke uses diplomatic apparatus, what he is trying to achieve with it and how does this fit in the chamber of diplomatic studies. His three envoys carry the dynamic of the story, but are at the same time also a means of illustrating its diplomatic effect. To be able to uncover it, we ask ourselves which authority all the three of them represent, on whose behalf they act, what is their status, rank and authority. We pay attention to the nature and substance as well as circumstances in which they

exercise dialogue, set and use the scenery, and the relations they step in the attitude they take. Additionally, there are a number of remarks, comments, hints and similar expressions of feelings and reflections of a given situation that point out the essence of diplomacy. This profession is a social phenomenon that has been exercised in unlimited number of occasions and each of them brings something new and useful to its collection. That very fact gives it a special charm and offers at the same time a variety of opportunities to appear and to be dwelled upon in fictional works.

### **THE SECRETARY GENERAL OF THE UNITED NATIONS**

As the Earth's top diplomatic authority (and consequently via facti at least to a certain extent also top political authority<sup>14</sup>) is the Secretary General of the United Nations as the most appropriate person to be ad hoc diplomatic envoy. Here we do not have in mind situations in world politics when he<sup>15</sup> intervenes with his statements or tries to be (or is tasked by the Security Council) a mediator in a world hot spot. To be an envoy in pure diplomatic sense it would mean that the Secretary General would represent the Earth as a sending authority to an extraterrestrial authority as the receiving one. Such a situation hasn't occurred during the period of the recorded human history.

It is exactly this Clarke introduced with his pioneering novel. It is, though, not the first one that elaborates on the first contact, but it is the one that presents it with a clear diplomatic frame, substance and scenery. It must have happened in only one possible way: "The human race was no longer alone" (Clarke, 1995.a, p.9). That fact provided the circumstance for Stormgren, the Secretary General to envoy on behalf of the Earth.

Soon after Overlords arrived and started monitoring human race to follow their dominant view upon world affairs, based on utmost ethical principles, a regular dialogue between the Secretary General and Karellen, the representative of the Overlords started. It should be mentioned here that diplomatic dialogue takes places always in such form that the visiting envoy meets with and discuss topics with his receiving counterpart in the premises of the receiving authority, never

14 For more on various aspects of the role of the United Nation's Secretary General compare Chesterman, 2007. Annan (2007) points out also the political dimensions of the Secretary's work.

15 In the so far history of the United Nations there hasn't been a female Secretary General. Also this fact is a telling one of the history of zoon politicon. We use "he" in neutral form, unless otherwise specified.

the other way round. So the fact that the Secretary General was not only invited by Karellen to come to his premises in the starship above New York for discussions, but was also following that invitation, reflects the relation between the two sides clearly. As a matter of fact that hierarchy of authorities was realistic. Directly speaking, this was presented to the Earth's envoy as a fact, but wrapped up in the diplomatic language, which he understood all too well.

The ritual of coming to Karellen was always the same: "There was the usual circle of sight-seers, cameras at the ready, as Stormgren's car drove on to the landing field. [...] Karellen never kept him waiting for long. [...] ... as the tiny ship came to rest fifty meters away, floating delicately a few centimeters above the ground ..." (ibid., p.16). Few minutes later the Secretary General found himself inside "the silver ship glittering against the zenith" (ibid., p.22) fifty kilometers above the ground, in a specially arranged room for meetings that was, apart from one chair and desk, empty, and with a huge screen that remained dark throughout the whole time. On the other side, most probably, it was Karellen and the discussion went on by usual procedure.

While receiving the leader of Freedom League, a world's movement of opponents of the Overlords, prior to one of such meetings with the cosmic envoy, the Secretary<sup>16</sup> himself described his job as the Earth's ad hoc diplomatic representative and the relation to Karellen: "In three days I will be meeting the Supervisor again. I will explain your objections to him, since it is my duty to represent the views of the world" (ibid., p.13).

The way Clarke presented the very meeting is a master example of diplomatic intercourse between the two envoys. Karellen was the authority and his guest knew this well, hence followed the rule. But within this frame a variety of nuances were on the way that show the span of their intercourse, relation and mastering of diplomatic procedures and manners from both of them. Therefore that part of the novel could easily serve as an ad hoc manual for diplomatic practice.

Presenting the case of the Freedom League that primarily was expressing immense disbelief in good mission of the Overlords and

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16 We refer to the Secretary General of the United Nations in this text with his full official title as just used here and with his shorter form as Secretary General or only as Secretary. But Karellen usually calls him by his name Rikki. This shows how between negotiating envoys also personal relations establish, that could help to reach better and more satisfying results for both sides. Envoys, although being on different sides, are bound to work together.

demanding that Karellen shall show himself to the people, if really having nothing to hide,<sup>17</sup> the Secretary asked his host:

“What are we going to do about him” (ibid., p.17)? The question shows that Karellen and him were discussing issues of mutual interest and also making decision together in some cases (“we” – sic). Later on, Karellen just pretended not to hear his guest’s comment: “Karellen evaded the point in the annoying way he sometimes had” (ibid.). There was nothing that the Secretary could do about. It was a typical part of the discussion/negotiation diplomatic frame that one simply has to accept, or at least tolerate. But still, nobody is almighty in such process: “Karellen’s sight was technically perfect, yet somehow lacked conviction” (ibid.). Also the Secretary is proficient in the profession, how could he not be: “The question was so rhetorical that Stormgren did not bother to answer it” (ibid., p.18).

But still, he added what is another illustration of understanding diplomatic skillfulness of Clarke: “I wonder if you really appreciate,” he continued earnestly, “how difficult this state of affairs make my job” (ibid.). From what followed we can see that also Karellen was only an envoy: “It doesn’t exactly help mine,” replied Karellen with some spirit. “I wish people would stop thinking of me as a dictator, and remember I’m only a civil servant trying to administer a colonial policy in which shaping I had no hand” (ibid.). This quotation shows that both envoys have an authority to report to and be responsible for, which makes them equal in spite of immense difference in knowledge, power and wisdom. Also Karellen found himself in the position to agree with his guest here and there: “Of all the problems that faced us when we came to Earth, this [human curiosity] was the most difficult,” admitted Karellen” (ibid.). And added later on: “However, I will try to get a statement from my-superiors-which may satisfy you and perhaps placate the Freedom League” (ibid., p.19). This is a clear recognition of his envoy status on behalf of the unknown authorities. And as we can see this was the informal part of their regular meetings: “Now, please, can we return to the agenda and start recording again”(ibid.)?<sup>18</sup>

One could notice three types of replies Karellen was giving to the Secretary: agreeing with him, keeping silent, meaning without a reply,

17 Using an innocent remark of Van Ryberg, Clarke makes a skillful hint about the outlook of Karellen (ibid., p.21), which is uncovered at the beginning of Part Two (ibid., p.65).

18 Most probably Stormgren didn’t bother if his host recorded also the informal part of the meeting. If he really did, since sometimes he did not (“We won’t record this, by the way.” – ibid., p.50).

and leaving the initiative to the guest. Although it was clear enough (and accepted by the guest as well) that he was the driver of the dialogue, its mode and final point. The two of them were also in written communication as we learn later on, when the Secretary General was kidnapped and his Assistant Secretary General Peter Van Ryberg, being active Secretary General, contacted Karellen for advice: "It [the communication machine] was, he knew, very seldom used, since nearly all business between Karellen and Stormgren was dealt with at their weekly meetings" (ibid., p.34). The envoy's reply was swift, but nothing more: "NO INFORMATION. LEAVE MATTERS ENTIRELY TO YOUR DISCRETION. K." (ibid.). Even though this is not a diplomatic cable between the mission and its sending authority, by style, essence and syntax it could have perfectly been one. As a communication expert with military experience Clarke must have read much of such reporting.

Envoys have to be curious and have full trust in the other side, if possible. We learn from the novel that this was the case both with the Secretary and Karellen. Though, also the Secretary wanted to know how his counterpart – and his race – looks like. His kidnapping (ibid., p.44) and the choice of the Overlords to show themselves to the people only in fifty years (ibid., p.50) made him decide to try on his own to demystify Karellen's secret. Additionally, he was driven by the fact of his retirement: "... four months from now another man would be Secretary-General" (ibid., p.24). With a help of his friend physicist a special device was constructed, hidden in his suitcase and he managed to uncover the mystery. Diplomacy and untruth (i.e. lie) are two intriguing issues with a wide range of relations – Stormgren used one of its aspects and denied both to his friend and to the journalist who made an interview with him thirty years after the retirement (ibid., p.59) that he did not achieve in finding out anything. As a matter of fact, he did (Clarke, 2002.a, p.224).

To wrap up, the world's top diplomatic and also political authority, the United Nations Secretary General, received the envoy of the Overlords, Karellen, on behalf of the Earth. But at the same time he was also functioning as the envoy by himself. He drew this authority from one point of view from his position and from another one figuring as the executive of the United Nations Organizations (being his authority). Though the relation between the two of them was not on equal footing (The Overlords made their dominance "by the presence of illimitable

power” – Clarke, 1995.b, p.38), diplomatic aspects and substance of that circumstance are more than clear and offer much fruit to dwell upon.

## **KARELLEN OF THE OVERLORDS**

From our previous discussion on the Secretary General we have learned also much about Karellen, the envoy of the Overlords. Therefore, we try to add some particular aspects of him in this part of our elaboration.

Judging from the novel's style, approach and narrative, we cannot learn much about Karellen directly from him, his appearance and behaviour, since he remains to be pretty much distant and behind the scene as a real diplomat. For this reason, we primarily use the Stormgren's observations on Karellen and deduct from them. Deduction is one of the approaches that are often used in diplomacy, since it is not easy – as well as fully reliable – to depend on the reactions from the environment, in which diplomats perform. At the end of the day, diplomats must make decisions by themselves, judging from observation, analysis and their own understanding of issues.

Karellen is the most typical ad hoc diplomatic envoy of all of three of them. He has his own job from which he was recruited – and from the text it is obvious that it is not for the first time as far as the Earth is concerned (*ibid.*, p.60) – and which is he longing to be occupied with again as soon as possible. This is typical for ad hoc diplomatic envoys – they have their own occupation, be it diplomatic or something else (preferably the latter). It's the job from which he was engaged for the ad hoc mission; to put it by his words: "In the first place, the sooner I finish my work here, the sooner I can get back to where I belong, a good many light-years from here" (*ibid.*, p.20). Also the Secretary had this impression: "Well, he often refers to his position here as something temporary, hindering him from getting on with his real work, which I think is some form of mathematics" (*ibid.*). This would not mean that he does not like his diplomatic mission, but anyway, it is not his life time engagement, though appreciated. However, his mission on Earth exceeds that of merely being the envoy: "I'm just – Supervisor" (*ibid.*)<sup>19</sup>. Although in his case, supervisor's job fits in the description of the envoy, understood by the Overlords. Diplomacy as an activity,

<sup>19</sup> As we learn from the novel, Karellen was able to listen to the conversations of the Secretary General from his starship fifty kilometers above the ground (comp. Clarke, 1995.a, p.17 and p.21).

among others, is a highly flexible phenomenon, always depending on a given historical and social situation.<sup>20</sup> This is the criteria for its concrete definition.

Additionally, the envoy of the Overlords, speaking and acting on their behalf, was as a matter of fact more than the mere diplomatic envoy, what we already learned. “And on the sixth day, Karellen, Supervisor for Earth, made himself known to the world in a broadcast that blanked every radio frequency” (ibid., pp. 13-14). So, the Supervisor. But this did not change his diplomatic mission as an ad hoc envoy, discussing his business with Rikki, as he calls the Secretary.

Next, we can notice a high level of not only accepting the real situation and relation between the two envoys, but primarily an outstanding level of their mutual understanding. From one point of view this stems, of course, from their shared awareness and recognition of the situation as such (envoys have to be realistic), but on another one, also from their reciprocated understanding and trust. One could judge that for an envoy, pursuing his duty, this is the most important aspect. Maybe also a rare one, but certainly a highly important one.

The Secretary noticed – or at least was hoping for – a supportive, emphatic approach in the way Karellen pursued their meetings. The Earth’s envoy was reporting to the one of the Overlords and was receiving instructions or hints from him. But those meetings, as it is the rule between envoys of different sides when they are at their job, remained closed and no information from them was publicly available: “What took place between Karellen and Stormgren was never publicly revealed, and sometimes Stormgren himself wondered why the Supervisor found these interviews necessary” (ibid., p.22). There were two explanations for this: “Perhaps he [Karellen] felt the need of direct contact with one human being at least; perhaps he realized that Stormgren needed this form of personal support. If this was the explanation, the Secretary-General appreciated it” (ibid.). In each serious diplomatic discussion, not to speak about negotiation process, empathy is highly important and contributes to the end result. Karellen obviously knew this business well.

One could find at least three illustrations of Karellen’s trust in the Earth’s envoy. Rikki, when discussing with his physicist friend,

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<sup>20</sup> Compare Benko, 1998 and Jazbec, 2013.

declared abruptly: "I'll take that risk. Besides, we do understand each other rather well" (*ibid.*, p.46). Next time, Karellen took the same level of expressive attitude towards Stormgren: "I can't go into details, even with you, so you must accept my analysis on trust" (*ibid.*, p. 50). No reason not to believe that the Secretary would not accept it. Before finally deciding to check with the device, we see again the Secretary's recognition of the mutual relation: "Karellen always treated him with unmistakable affection, despite his occasional devastating frankness [...]" (*ibid.*, p.55). For the sake of persuasiveness one could add another example more, in Rikki's old age: "Karellen had trusted him, and Stormgren had not betrayed his faith" (*ibid.*, p. 59).<sup>21</sup>

And the very final confirmation of what personal relation and empathy means in diplomatic business and how it could span over settling pure official affairs: "Yes, Karellen had trusted him, had not wished him to go down into the long evening of his life haunted by a mystery he could never solve" (*ibid.*, p.59). Neither of their respected authorities were harmed by Karellen's gesture towards his envoy friend, while the latter got the appreciation that is most obvious and most rare in diplomatic state of affairs: not from his authorities, but from his counterpart. Additionally, envoys, when dealing with hot issues, should also, apart having sympathy for each other's destiny, since they have to bring evidence of some progress to their authorities, encourage each other in proceeding that way: "Stormgren [...] had recognized a note of understanding, perhaps - who could tell? - even of encouragement" (*ibid.*, p.51). All in all, Karellen "behaved like a diplomat of the old school: no one would ever hesitate to confide in him, and no one had ever regretted it subsequently" (*ibid.*, p.130).

Karellen was not an envoy as such but also head of the huge team of the Overlords, working behind him, something that we learn from the narrative: "Just before I moved here some Deputy Under-Overlord, or Over-Underlord, got in touch with me [...]" (*ibid.*, p.83), Boyce is explaining to one of his guests at the party. Additionally, the reader also learns this hierarchy from the fact that Rashaverak was reporting to Karellen the Supervisor in details about the party (*ibid.*, p.98). Contrary to this, the huge apparatus the Secretary General had behind himself was occupied by world affairs and not with the issue of the Overlords, and was working quite independently from instructions from the top (*ibid.*, p.37). In his last speech to the people exactly one

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21 A diplomat could claim that persuasiveness is the main issue that counts in these affairs (comp. Jazbec, 2013).

hundred years after the first one Karellaen among others confirmed that he had superior authority on the behalf of which he came to the Earth: “And so we came—we were *sent*” (ibid., p.179).

Before heading to the portrait of the third envoy of this novel, one could conclude that the first part – Earth and the Overlords – sets the diplomatic stage of the whole plot with a sovereign pen and mastery.

### **JAN THE ADVENTURER**

We call the third envoy by a rather freely chosen nick name (the Adventurer), hoping that this could encompass the wide range of his characteristics, activities and choice. His evolution as an ad hoc diplomatic envoy is as unusual as it is remarkable.

He – Jan Rodricks – appeared at a party that his brother-in-law Rupert Boyce organized for his standard elite circle (ibid., p.86). Clarke includes a highly reliable description of a reception, as if it would be a diplomatic one, in the second part of the novel, with Rashaverak, one of the Overlords, as the guest of honour (ibid., p.78).<sup>22</sup> What a party that was: “Without bothering to turn his head, George could see a famous film producer, a minor poet, a mathematician, two actors, an atomic power engineer, a game warden, the editor of a weekly news magazine, a statistician from the World Bank, a violin virtuoso, a professor of archeology, and an astrophysicist” (ibid., p.82). Diplomats (and other representatives of the sending authority) are always part of such events, with an aim of establishing contacts to be able to follow their own agenda.

Jan, a young promising PhD student of engineering physics and astronomy, was well aware of the fact that no “Utopia can ever give satisfaction to everyone” (ibid., p.87). Hence it hit him directly when the Overlords, along with abolishing war and hunger and disease, “had also abolished adventure” (ibid., p.89). By pure chance he managed to get the information about the star of the Overlord’s sun (the constellation of Carina – ibid., p.119, three hundred million million kilometers away – ibid., p.128) towards the end of the party (ibid., p.97). In the next step he learned about the cargo supply ships delivery system (ibid., p.111) and he crafted out the plan how to reach

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<sup>22</sup> Here Clarke uses a reference also to parties at the White House and Buckingham Palace, hinting that diplomacy is a part of his narrative (ibid., p.81).

the world of the Overlords (ibid., p.117)<sup>23</sup>. Not exactly being aware of that, he became an envoy, but he was counting on their attitude: “*Of course, what happens then is up to them*” (ibid., p.122)<sup>24</sup>. A diplomatic envoy, since he was on the way to the extraterrestrial world and its authority as well. That authority received him de facto as the Earth’s representative, what he basically was, although nobody authorized him. But practice makes formalities as well.

When the Adventurer arrived to the Overlords’ planet, he was a de facto envoy, but since he was primarily an Alien he had to be checked and researched by their scientists so that it was at all possible to establish communication, including the language. Vindarten, his host, was fast in learning English and Jan “perfectly willing to co-operate” (ibid., p.189). His next lesson was due to the physical difference between the two species: “In a hundred ways, Jan began to realize that the psychology of a race with wings must be fundamentally different from that of earthbound creatures” (ibid., p.190). Each envoy has to absorb lessons about the difference between the two sides, regardless of what kind and span they might be.

He was shown the city (one of several thousands of them which all served their own purpose) like a sightseeing tour (including visiting the exhibition for Earth in the Museum and having a long discussion with the Curator for Earth – ibid., p.192) since this was the easiest way to basically comprehend the alien world as well as its structure and functioning. When looking at the far distant and enormous moving mountains he learned the lesson of Marco Polo: “Then he forced himself to remember that all his preconceived ideas were worthless here: he must not let his mind reject any message his senses brought into the hidden chamber of the brain. He must not try to understand—only to observe. Understanding would come later, or not at all” (ibid., p.195). That’s diplomacy: to observe and report.

But Jan practically did not meet anybody apart from Vindarten, who was his permanent companion, explaining what he could and what Jan could comprehend as well, leaving a vast number of topics out of this frame. There were many things beyond his comprehension: “The

23 There is no need to say that his endeavour was discovered by the Overlords (ibid., pp.130-131). We can compare this Jan’s operation with the one of the Secretary when trying to uncover Karellen’s outlook.

24 The following sentence from Jan’s farewell letter to his sister Maia shows the span and the essence of Clarke’s science fiction notion: “*I shall be on my way to the home of the Overlords. I shall be the first man ever to leave the Solar System*” (ibid., p.119).

absence of a single familiar reference point can be utterly unnerving even to the coolest and clearest minds” (ibid., p.190). Basically, this is one of the primary challenges of practically every envoy.<sup>25</sup> Jan was a kind of envoy, but primarily as an observer. And it could easily be the case that “his mind had nearly reached the end of its resources” (ibid., p.197) after that enormous flooding of new, strange and absolutely out of any point of reference impulses. While on the way back, he was four months older, but would return to the Earth eighty years later by its standards as well the Overlords, since the “relativity time-dilation effect worked both way” (ibid., p.196). He was not any more the blind passenger but he was sitting together with pilots, longing to get back: “He had seen so much, travelled so far, and now was weary for its own familiar world” (ibid., p.186). And was – in spite of new generations that grow up in between – firm about one thing: “But of one thing he was certain—men would want to hear his story, and to know what he had glimpsed of the civilization of the Overlords” (ibid., p.187). He couldn’t have been more mistaken.

Stepping out of the ship, the Supervisor was there: “I have been waiting for you”, said Karellen” (ibid., p.198). Almost as if he was speaking on behalf of the Earth’s authorities. But there were none of the authorities, since in the meantime when Jan was gone the final transformation of human race to collective galactic Overmind was under the way. He came back just on time to witness it. Basically and with some chill he understood its necessity: “Jan had glimpsed the universe in all its awful immensity, and knew now that it was no place for man” (ibid., p.201). He was informed by Rashaverak that the end of the Earth is nearing and that upon their departure the Overlords “shall leave instruments, of course, so that we can learn what happens” (ibid., p.207). He was ready as well: “I shall stay,” said Jan abruptly. “I have seen enough of the universe. There’s only one thing that I’m curious about now—and that’s the fate of my planet” (ibid.). As a matter of fact that decision did not surprise his visitor, on the contrary: “We were hoping,” began Rashaverak slowly, “that you would wish to stay. There is something that you can do for us...” (ibid., p.208).

The Last Man (ibid., p.204) was sitting in the huge control cabin that the Overlords left behind in their final Earth’s base, reporting what he

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25 When the author of this paper started his diplomatic career, the Singapore Ambassador Tan Keng Jin, the former Chief of Protocol, gave him a hint: “We [diplomats] adapt solution to the problem” (Jazbec, 2005/6, p.92). A decade and half later I advanced this advice to “We adapt approach to the issue.”

was seeing when the destruction took pace. It went briefly through his mind: "What could he add, wondered Jan, to the information they were already hurling into space?" (ibid., p.209), a question that is familiar to each envoy reporting from the spot. He could never be sure who read his reporting and to what extend it is useful for. Instructions are the necessity, but they tend to lack clarity: "Tell us what you see," Rashaverak had said" (ibid., p.210). But for this very unclarity diplomats have much of maneuver space for their concrete actions.

The Adventurer's experience and his evolution of an envoy are informative and useful to understand such diplomatic position. He headed on a star journey by his human curiosity, driven also by a dose of rebellion against the happy, golden, but sterile welfare of unprecedented dimensions brought by the Overlords. Being himself alone in the world of the Overlords he was accepted as a de facto envoy – also being the first and the only one from the Earth coming there, the only Homo Sapiens there. Never will there be another one of his species there. He was shown the place, got all the possible information, observed and remembered – to report when coming back home. On the return, he found the Earth in the process of implosion, the last generation disappearing and the transformation going on. However, there was somebody interested in his reporting from the spot. But not as he did primarily expect: the Overlords were keen on him reporting from the unique spot. Not exactly a diplomatic one, but in a certain way yes. Diplomacy is bound to circumstances and with this also its approach and methods, like discussion, observation and negotiation.<sup>26</sup>

### **SOME COMPARATIVE REMARKS**

Clarke's science fiction immense outreach in his first big novel is multidimensional. *Childhood's End* set the stage to present, elaborate and contemplate primarily on the issue of the envoy and ad hoc diplomacy, judging from the point of view of our paper. He was the first one in the genre to do this with skill, substance and devotion, this in particular since his novel rests on the first contact topic. And in order for diplomacy to be able to find its theatre, the first contact should preferably be developed by peaceful means. Next, his scenario is based on the limitless power of intellect and technology as well as imagination and curiosity. With these he provides a unique combination of circumstances for the ad hoc diplomacy to come to its full expression.

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<sup>26</sup> Compare Jazbec, 2013.b.

The three envoys he is presenting differ in their mission, status and background. Karellen the Overlord is the most typical. But not only this: “[T]he alien Karellen, [is] one of the greatest and most convincing alien characters in all science fiction” (Zebrowski, 1995, p.vii). The Secretary General of the United Nations is not that much untypical as he is rather unconventional – for the first time he has a representative of the extraterrestrial authority to receive and to discuss with. Additionally, this unconventional dimension of his mission is also due to the fact that he, although being *de facto* the host of the Alien’s representative, is not receiving the envoy of the Overlords in his premises, but the other way around. This is fully unconventional and shows the relations not that much between the two envoys but primarily between their respected authorities. And Jan the Adventurer is the most atypical envoy in this novel, primarily driven by his own impulse, curiosity and rebellion against sterile veil that was laying down on the Earth’s population, stemming from the goods of the Overlords’ intervention. But through his journey that turned out *via facti* to get also dimensions of the *de facto* diplomatic *ad hoc* mission, he turned out to be a careful observer and deep in reporting. However, both these are in his case far from typical understanding of *ad hoc* diplomacy, in particular the latter.

With all these activities and through deeds of all the three envoys Clarke *via facti* (if not already by intention)<sup>27</sup> introduced not only the first contact topic in a highly successful and developed manner, but also the diplomacy of the first contact. Developing it in a peaceful setting and with admirable attitude towards technology, Clarke shows an example of how a civilized advanced race is conducting diplomatic business. This is the most obvious innovation of this groundbreaking science fiction novel. In a certain way he continued to use and develop this topic in his *Space Odyssey* and in the *Rama* cycles.

For the contemporary diplomatic practice and its place in the world affairs it is highly noteworthy that the Overlords chose the United Nations and its top diplomat as the most appropriate tool to deal with the Earth’s issues: “They had taken the United Nations Organization as they found it, had given instructions for installing the necessary radio equipment, and had issued their orders through the mouth of the Secretary-General” (Clarke, 1995.a, p.22). As Clarke skillfully remarks, “this was not in accordance with the Charter” (*ibid.*). But

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27 The author of this paper would not bet that Clarke couldn’t have had in mind something like this.

it hardly played any role: "Karellen did not seem to worry" (ibid.). The envoy of the Overlords obviously had broad authorities, which were accepted by his Earth's counterpart. It is not that often that the diplomatic approach as it is reflected in a novel, the science fiction one in particular, aligns so much with the current importance and the need for the United Nations in global politics and diplomacy. The Supervisor could have easily chosen for his counterpart a leader of any world's most powerful states to pursue his business. But Clarke treats the issue of representation with a highly skillful and sensible approach, being fully aware of its multiple nuances and hidden messages. This clearly spans over time.

Through these multifunctional messaging Clarke also offered his concept of ethics that is in his cases based on three parameters: hate of violence, rule of law and admirable role of technology in a service of Homo Sapiens: "Clarke's stories are largely about technical progress and its effect on humanity, the purest kind of science fiction" (Zebrowski, 1995, p.vi). But the respected author does not stop here: he projects this view upon life and its sense in space. It is space where Clarke finds the purpose of his science fiction *differentia specifica* and its home theatre. Still, a man's curiosity and imagination rest in the very heart of this notion. If it is not for the man, then Clarke's science fiction does not work. And since it is like this, there's much place for diplomacy, sometimes clearly for the indispensable one. And because of this, his texts are characterized by esthetic, ethic, and psychology, rich in style ("poetic clarity and a richness" – ibid., p.xi), with admiration of technology and its user friendly possibilities. All these is sometimes partially hidden and eloquent, but also amusing. And not without a point. For the latter, this quotation from the discussion between Karellen and the Secretary, after he was rescued from the kidnappers, would do: "How has he managed, by the way? Are things in as big a mess as I expect?" "You'll be disappointed to find out how little your absence has mattered" (Clarke, 2002.a, p.216).

## CONCLUSION

The diplomatic analysis of Clarke's first and definitely not last novel, the masterpiece *Childhood's End* that we have chosen for our research topic, offers much to contemplate upon. Its diplomatic dimension and characteristics prove to be broad, telling and indepth.

Our general conclusion would be that the author uses diplomacy as a frame, driver and a tool in his narrative. Consequently, he is not occupied with much dwelling on inside diplomatic work and practice, but points his attention mainly on diplomatic form and messaging. This means that the broad area of diplomacy as an activity, including as a method, is present as well elaborated and henceforth also confirmed in this masterpiece. With this we arrive to two significant innovations of the research text and the contribution to diplomatic studies.

Firstly, this novel offers a highly challenging inside view in the world of ad hoc diplomacy and with this on diplomats – ad hoc envoys. From this point of view Clarke's main innovation is de facto the case study of three types of envoys: as the mostly typical, the Secretary General of the United Nations, as the most typical Karellen of the Overlords (being as well the Earth's Supervisor) and as the fully atypical Jan the Adventurer.

Only when the arrival of the Alien representative occurred, the possibility materialized that enabled the Secretary General to perform the role of an ad hoc diplomatic envoy of the receiving authority towards the envoy of the extraterrestrial sending authority. The fact that Karellen was meeting and via facti receiving the Secretary in his premises (the solar star ship above the Earth) and not the other way around presents an exceptional precedence in diplomatic practice. And it also illustrates the relation between the two envoys. It could have hardly been the other way around. But the envoy of the Overlords could have chosen a representative of any of the world's most powerful states as his interlocutor, but he did not. The Adventurer is an even more innovative example of the envoy. He was the first Homo Sapiens who ever left the solar system and arrived to the planet of the Overlords, all of which he did on his own initiative, using the supply chain of the Overlords. He de facto represented the Earth, was received and shown much of the place that offered him numerous opportunities to observe and report. On his return to the Earth he found nobody of

his race to report to about his mission, even more, he was received by Karellen. When the Overlords left the Earth, Jan remained to be on the spot and was reporting about the Earth's downfall to them as his new authority. A twofold switch was on the way: the nature of the Adventurer as the envoy (from personal initiative to the formal one) and that of his authority (from the Earth's one to that of the Overlords). Overall, different circumstances provided the frame for their common role as the envoy, which each of them played differently, efficiently as well as usefully.

Secondly, Clarke makes the most logical step forward and broadens his narrative to introduce and dwell on diplomacy of the first contact. Throughout the novel the reader can follow the development of diplomatic relations between the top Earth authority and that of the Overlords, with an aim of settling mutual affairs. Including the hierarchy between the two envoys and their races, we can follow what diplomats do: meet, discuss, persuade, negotiate, encourage each other, see each other also as allies of their own authorities, develop friendly and trustful relation.

Last but not least, diplomatic aspects of the *Childhood's End* serve also as a means of achieving a narrative effect. But all in all, diplomacy is a substantial part of the whole story. It could not have been otherwise. Diplomatic studies and the exercise of the ad hoc diplomacy primarily, gained much with the researched novel.

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## **INTERNATIONAL TREATIES**

Vienna Convention on Diplomatic Relations

[https://legal.un.org/ilc/texts/instruments/english/conventions/9\\_1\\_1961.pdf](https://legal.un.org/ilc/texts/instruments/english/conventions/9_1_1961.pdf)  
(Accessed 01 April 2021)

Vienna Convention on Consular Relations

[https://legal.un.org/ilc/texts/instruments/english/conventions/9\\_2\\_1963.pdf](https://legal.un.org/ilc/texts/instruments/english/conventions/9_2_1963.pdf)  
(Accessed 01 April 2021)



**Contemporary Geopolitics and Geoeconomics 2.0**

Antonia Colibasanu

*Lejla Ramić-Mesihović*

**Three Roads to Modernity: Serbian Nationalism  
and National Identity**

Edislav Manetović

*Milan Jazbec*



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Tritonic, Bucharest, 2021, 341 pages, ISBN 978-606-749-518-8

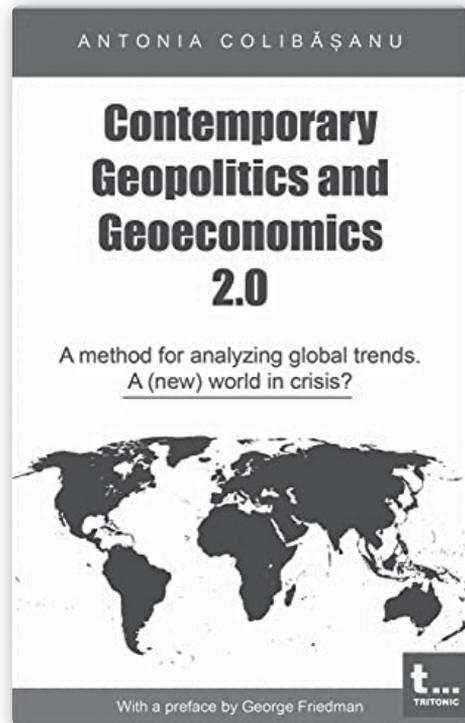
**W**hen one merges contemporary geopolitics and geoeconomics in a single title with an intention to affirm a defragmented consideration of the two while intending to highlight a method for geopolitical analysis, the element of reader's curiosity appears. In the preface, George Friedman<sup>1</sup> provides a solid overview of contexts that have been shaping Romania's manoeuvring space seeking support of great powers, primarily the United States, and its significance within Intermarinum<sup>2</sup>. The book has six chapters with theoretical components, each ending with a list of key concepts derived from it, and case studies to substantiate them.

The first chapter focuses on national imperative and interests as attributes of geopolitical analysis. It describes some of the main repercussions of the

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1 George Friedman is an internationally recognized geopolitical forecaster and strategist on international affairs and the Founder and Chairman of Geopolitical Futures born in Hungary.

2 Intermarinum - geopolitical name for a geographical belt covering countries between three seas: Baltic, Black and Adriatic seas.



Post-Cold war period and dynamic redefinitions of power zones. This development has constantly been followed by vibrant of national imperatives. Challenges related to accesses to natural resources, energy in particular, (re)definitions of both multilateral and bilateral relations in reaction to developments in free

trade, reaffirmed more traditional interpretation of national interests. Further advances in digitalisation and its boost to economic aspect of globalisation, compose a context within which the author sees geoeconomics and the new global set up becoming the foundations of contemporary geopolitics. Through consultation of different theories of geopolitics, the author derives three main principles: subject of geopolitics is the society organised within a governance system; the subject is given attributes of “objective reality” and “evolutionary attitudes”, in order to nurture its features and defend itself in order to exist and survive; and – a geopolitical subject acts rationally with leadership understanding its opportunities and limitations. France is qualified as the only country which can project power in any part of Europe, given its unique geopolitical feature of belonging to both the North European Plain and the Mediterranean. The weakness is the internal disconnect between the two, shift of the public discourse towards issues of identities, security and unemployment, fuelled by recent phenomena such as migrations and terrorism. Traditionally close ties between the United Kingdom (UK) and Poland are becoming increasingly important for the UK within post-Brexit redefinitions. The author points out that Eastern European countries potentially play an important role for the UK. Regarding German envisions of the future, attention is paid to a

document leaked to Der Spiegel in 2004, called “Strategic Perspective 2040”, that envisages two scenarios in case of more or less challenged continuation of European Union’s (EU) existence and strong cross-Atlantic connections, while the third one that includes rise of nationalistic tensions within Western Europe, that is currently ongoing. Germany continues to be dependent on access to global market, as one of the largest exporters. Polish positioning vis-à-vis Russia, focuses on two paths that have the capacity to limit perceived Russian threats: the first one would be closely working with the US and its backing to Intermarinum and the second one is keeping Kiev closer. Description of the need of the Central Europe for a redefined orientation as analysed in 2014, within a context of challenged cooperation with NATO and the EU weakened by internal divisions, concludes with a note of importance a strong belt of Western values, versus Russian belt of frozen conflicts. Moldova and Ukraine are described as countries “searching for their soul”, being stretched between Euro-Atlantic ambitions and vulnerability to Russia. The chapter focusing on strategic and tactical landscape describes importance of factors relevant for a country’s defence and differences in social dynamism and features of a country’s infrastructure. Geopolitical perspective differentiates between migrating and non-migrating communities, ethnic and those that are multi-ethnic, and national and non-national communities, in order

to understand actions and reactions. Good living standard is identified as the key motivator of the East European countries to embrace the idea of EU expansion. Structured options for geopolitical analysis are based on two kinds of global systems: partial systems and component systems. The author offers the case of German foreign policy on the Balkans here, the Berlin Process and the fact that the Balkans has become one of the major migrant routes. Historical complexities between Poland and Ukraine got another layer when Ukrainian citizens started increasingly to migrate to Poland due to its growing economy, which caused reactions on both sides. Still, both countries are suggested firm up their military ties. The case of a “credible” EU Strategy for the Western Balkans is Serbia-centred with absence of focus on Montenegro, which has been a champion in the process. The case that looks behind the scenes of the Organisation of the Petroleum Exporting Countries (OPEC) Agreement, OPEC notes that it has lost big portion of its control over the oil market, with the US, Russia and China now being the top oil producers. However, OPEC, reportedly, still has the power to distort the market with news that potentially could change the current matrix. The case of fluctuating realities versus seasonal European statistics is stressed as relevant, particularly during periods such as those of austerity measures. Here, addressing structural weaknesses is found relevant. Case of Moldova’s

position marked by balancing, that swings between wishes of citizens and limited options that the country has.

Chapter on structure and vectors of influence emphasise importance of use of history, geography and sociology in geopolitical analysis. Identification of relevant information is instructed through two methods: the metaphor, that operates through analogies, and creation of quasi-models whose success depends on establishment of relevant and specific parameters. Importance of social cohesion is stressed. Case of far-right political option in Germany challenging the mainstream ones has been identified as a sign of dissatisfaction boosted by revived nationalism. Example of Poland is relevant as it is trying to build up own leadership and reduce reliance on Germany. Hungary depends on Russian gas, but remains dependent on EU for trade and structural funding and NATO for defence. Difficult rebirth of Russian agriculture affected by the Western embargo over Crimea made this sector even more vulnerable. Squeezed between Russia and Iran, Azerbaijan has close ties with Turkey. Armenia is supported by Kremlin. The author noted in 2017 that weakening of Azerbaijan can lead towards external powers’ attempts to dominate the country, which in four years turned out to be – true. The fourth chapter elaborates on dependencies and causation in complex systems pointing out that global environment is a complex

ecosystem with spatial and temporal features. It draws attention to importance of the Porter's model that focuses on both subject's internal environment and external relations and communication, which can be well applied in the case of Donald Trump's US Administration trying to interfere in dynamics of global economy. The author criticises NATO's effectiveness and provides an overview of a context in which failure of Transatlantic Trade and Investment Partnership (TTIP) became a topic of domestic political campaigns. The same went for domestic implications of tensions between Russia and Belarus in 2016. Social innovations and the digital age are positioned in an artificial environment and represents an attempt of a response to an identified problem, which evolves in the world that is both globalised and decentralised. The author offers some examples to substantiate this claim: e.g. internet is linked to work of the US military, while NASA opened the issue of climate change. Flexibility has become an imperative. Internet has become inevitable in telecommunications, information systems and media. This has escalated into new telecommunications focusing on quality of transmission networks and cyber space. Simultaneously with elaboration of the world's reliance on these developments, the author stresses their importance within a context that is economically

still structured by Breton Woods rules, despite novelties in economic realities, such as appearance of crypto currencies.

The sixth chapter on pandemics was written six months after COVID 19 pandemics broke out, in November 2020. Public discourse burdened with syntagms and words such as "herd immunity" policy, restrictions, lockdown, health care system functionalities. The author stressed trends of further separation between classes and revival of nationalism.

The author strikes a good balance between elaboration of national interests, strategic and tactical landscape, lines of influences and dependencies and providing concrete examples for each through case studies published over the past several years, whose selection can be qualified as Eurocentric, but is relevant particularly from the Romanian angle. Weak points are case studies on EU's involvement in the Western Balkans and somewhat outdated case study on challenges in the EU. Strong point of the book in innovative approach to analysis expressed in formulas and good description of positioning of East European countries. Although this book could be vulnerable to criticism that it only partially proves right when insisting on transition and subordination of geoeconomics to geopolitics, it represents a good overview of most recent developments.

Milan Jazbec

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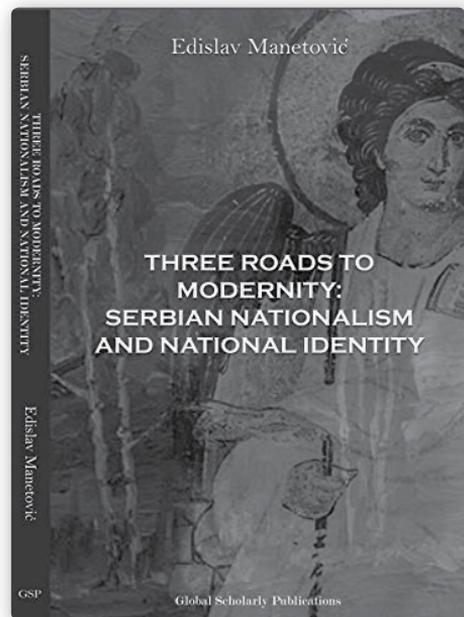
**Edislav Manetović**  
**THREE ROADS TO MODERNITY:**  
**SERBIAN NATIONALISM AND NATIONAL IDENTITY**

Global Scholarly Publications, New York, 2019, 263 pages  
ISBN-13: 978-1-59267-163-2, ISBN-10: 1-59267-163-2

The respected author took the search in his latest book into the realm of classical phenomena of political sciences: modernity, nationalism and national identity that form the main apparatus of any research in the essence of contemporary societies and nation states. Placed in a clear, defined and backed up historical frame this book tries to explore the origins and dimensions of these processes within the Serb political philosophy during the previous almost three centuries. For this purpose he is exploring in details the work and ideas of the three founding fathers of the Serbian nationalism.

The book consists of six similar structured chapters, each of them having its own Introduction and Conclusion. However, the monograph by itself could be, at least for the purpose of this review, structured in three parts as far as the content is concerned.

Firstly, the Introduction, containing contemplation of the power



discourse (Orientalism, Balkanism and the civic/ethnic dichotomy) as well as laying down the conceptual framework of the arguments. Here the text stems from the known fact that the national idea both contributed to the emergence of new states and to the dissolution of the existing ones, depending on different social historical, political and other determinants (the latest such example offers the end of the

Cold War three decades ago). As highly indicative the author points out “the tragedy of nationalisms in the world periphery: they aspire to popular and national sovereignty, but achieving both is largely dependent on external forces” (p.19).

Basically, “nationalisms of the world capitalist periphery emerged and are evolving under similar conditions: undeveloped socio-economic structures and positioned at the lower end of the international structure of power” (p.32). Hence, the proces of achieving sovereignty remains to be uncertain till its very end, while the outcome depends on the stream of events beyond the influence of internal driving forces in a given case. The dissolution of three multinational states in the time of the collapse of the bipolar world order and the way newly formed states were establishing themselves and building their positions in the international community at the same time offers a variety of examples for this uncertainty and dependence on external circumstances.

Secondly, three case studies of three main theoreticians of the Serbian nationalism, the founding fathers of political thought in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries: Dositej Obradović (1739-1811), Vuk Stefanović Karadžić (1787-1864) and Ilija Garašanin (1812-1874). It's them from whom the Serbian nationalism as idea and notion origins. They also paved the way for the evolution of the Serbian national political programs,

linking them to concrete political activities, like the First (1804) and the Second Serbian Uprising (1815) against the Ottomans. The first two were contemplating these issues, while the third one also took active part in the Serbian politics, where he remained for three decades. This part of the study is the most important, not only the most extensive one. We pay attention to their fundamental contributions later on.

Thirdly, chapters five and six dwell on the role, status and importance of nationalism in the current international environment, having nation at its focus. Bearing in mind that globalization as a process, frame and driver is the main characteristic of our times, makes this research endeavour not a bit less complex. This part of the text focuses on discussing national identity with its relation from one point of view to (international) political economy (exogenous and endogenous constraints) and from another one to groupness (here the case of former Yugoslavia comes into discussion). It is to point out that the author discusses in this part of his work the nation's organizational culture, in particular its political culture.

Three roads to Serbian modernity, as the title suggests, are materialized within “the founding triangle” (p.107) of Serbian nationalism that consists of individualistic (Obradović), collectivistic (Karadžić) and statist national ideas (Garašanin). This formula is the core

innovative substance of the reviewed monograph. It is here where the author and his vivid analysis come to its best: very systematically presented, deeply elaborated and policy commented, backed up with numerous and different references, including, in the third part, a variety of opinion polls that provide essential food for thought to debate the variable nature of the Serbian national identity in its contemporary outlook.

Dositej Obradović, as the first one, advocates individualistic nationalism, praising the fatherland. This should be governed by the enlightened monarchy, ruled by law and merit based. Paying a special attention to the issue of language, his national thought could be best categorized as cultural nationalism. Hence and on a general basis, he viewed nationalism as an ideal, but one should remark here that such types usually do not approximate reality. Nevertheless, Obradović, whose thought on Serbian nation state was directly influenced by the First Serbian Uprising, paved the way for the process itself.

Vuk Karadžić, as one of Obradović's students and his direct follower, apart the language, put the need for stability and harmony between the ruled ones and the rulers to stand out. While Obradović initiated the process of forming the literary language, Karadžić standardized it and preserved through this its rich oral tradition. Later on, he also

rather reluctantly included religion as another national symbol. For the second in the Serbian triangle, the outstanding national symbols would make his nation similar to the advanced European nations, basically through education. Throughout his life he was heavily engaged in fulfilling those goals.

Ilija Garašanin took a step forward both with his concrete and long political engagement as well as with providing the first Serbian national programme (*Načertanije* in 1844, four years before the Spring of Nations). In its focus there was a belief that it is the state that plays a central role, both in the existence of a nation and of a man. And it was state's security that primarily guided his political thought and deeds. Hence, it was logical that he was favouring the establishment of an independent state that should be large, since only large state could be safe as well. He learned much from the experiences of both Uprisings that led to the autonomous Principality of Serbia. This gave him an opportunity to also practice what he was promoting as a political thought.

On a comparative basis we already pointed out some differences between the three of them, but one could also refer to certain similarity in their views. This is not that much obvious at all the three of them, but more comparing the second one with the first one and the third one with the second one. This leads us to the evolving nature of the

triangle's primary contribution to the Serb political thought as well as to practice. However, as the author puts it, the three of them "heavily lean in favour of national sovereignty and do not bode well for popular sovereignty" (p.148). The reason for the evolutionary nature would be twofold: from one point of view they were learning, absorbing and stemming from the previous work and from another one the Serbian political reality during their period changed significantly. In particular Garašanin was able to feel this and to incorporate it in his contemplation and in practical activities.

The overall conclusion of the development of nationalism and national identity through the prism of this monograph could be that it is framed with the dichotomy national-international. On a general level this finding is not new, but it again firmly confirms this rule. Additionally, the case study of Serbia, based on a centuries long political thought, its development and evolution of traditional values, intertwined with the civic principles, is a telling lesson learned from, as the author puts it, world capitalist periphery. The pressure or at least the influence from the international community and its main actors is even stronger,

more decisive and more visible.

One could claim that the major cases of countries that emerged or reestablished their statehood along the end of the Cold War would prove this observation, although each of them with its own specifics within this general finding. Here this case with its exact point of view comes as a useful and refreshing account. Particularly having in mind the post Yugoslav states, where "the advent of neoliberal capitalism has deepened dependency on foreign capital, imposed limited sovereignty, and limited democracy" (p.243). The case of Serbia also shows "its hybridity characterized by both civic and traditional values" as well as "fluidity; polls indicate that insecurity of the 1990s correlated with a rise in traditional values" (ibid.).

It is up to policy makers to decide to what extent they will possibly include findings from this monograph in their thought over of the early 21st century politics. This reviewer can only highly recommend the book to scholars, policy community and the rest of the interested public. They will surely benefit from studying it.

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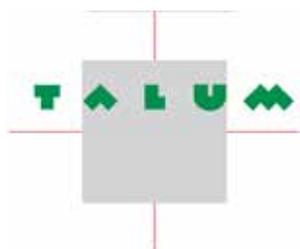
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