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EDITORIAL

It is our pleasure to hand to the readers the next, third issue of our academic quarterly in 2015 which is not only exceptionally broad, but also – as always – very interesting. What is more, all texts in the journal are published in English, which should contribute to its even greater internationalisation. It should be of interest not only to researchers, specialists and experts, but also to students, graduate students, teachers and journalists. We also recommend it to politicians and decision makers since it contains a number of original scholarly papers devoted to current economic, social, political and international problems with which Poland, the European Union and the entire world struggle today. It shows how fast the international order and its determinants and prospects change. It also shows the complexity of the modern world and the problems which its leaders cannot cope with, and which are often the result of their previous omissions or wrong decisions. Such as, for instance, the current immigration crisis, with which the European Union cannot cope today, and which is the result of wrong policies of the United States and the EU towards the countries of the Near and Middle East and North Africa. It also shows Poland against this background, its domestic and foreign policy, both in theoretical and socio-political and economic aspects. Thus, we hope that, just like all previously published volumes of our 'Myśl Ekonomiczna i Polityczna' ['Economic and Political Thought'], also this one will be of interest to the readers and will be welcomed with contentment, given its rich and interesting substantive content. On its pages – just like so far – we are publishing interesting, valuable articles and academic studies of major theoretical and practical importance, often being the result of their authors' laborious research.

The presented issue of our quarterly, according to the previous practice and rules adopted by the editorial office, consists of two parts: the first one, which is devoted to broadly understood economic issues, and the other

pertaining to political issues and the international situation in Europe and in the world.

This time in the first part we are publishing six articles and studies. It opens with an article entitled 'Innovative capacity and innovation systems and the economic development levels of European countries' by Monika Kondratiuk-Nierodzińska in which the author shows that the diversity of innovation capacity, resulting from the activity of only two sectors: business and higher education, shows the connection with the variation in GDP *per capita* in European countries. The study which the author carried out allowed her to formulate an interesting conclusion, namely, that within 10 years, that is between the two analyzed periods: 2002–2003 and 2012–2013, there were no significant changes on the map of Europe in terms of countries which are the leaders of innovativeness, characterized by a high level of innovation capacity in the corporate and higher education sectors, that is those which are important from the point of view of economic development, among which countries of Western Europe and North America are in the lead. Meanwhile, countries of Central and Eastern Europe, including Poland, were generally characterized by low levels of indicators describing both the results of processes of creating new knowledge and their ability to absorb new knowledge and technology from outside, as well as GDP *per capita*.

The next article in this part entitled 'Stimulants, hindrances and gauges of regional development – theoretical analysis' by Nikola Janusek-Krysińska corresponds to the first study. Here the author analyses an interesting problem of stimulants, hindrances and gauges of regional development and tries to answer numerous questions connected with it, for instance, what are the main stimulants/hindrances affecting regional development?, what is competitiveness and what determines it?, how are gauges of regional development constructed?

Another study in this part is an interesting text by Jerzy Wieczorek entitled 'International trade *à la carte*'. The author tries here to answer the questions pertaining to the new economic order emerging before our very eyes and its determinants. In the conclusion of his deliberations he states that the emerging new economic order resulting from the departure from the multilateral principles in favour of selective solutions is a consequence of the implementation of philosophy based on the domination of particular elements over the common ones. Therefore, such solutions are selected which could be called *à la carte*, because their choice from the universal menu suits own interests of those who still have the most to say in determining global rules.

The next, fourth article in this part is a text by Katarzyna Kołodziejczyk entitled 'The European Union's strategy of adaptation to the changes taking place in the contemporary international trade' which in some sense corresponds to the above-discussed article by Jerzy Wieczorek. This article also shows the changes taking place in contemporary international trade and their impact on of the European Union's policy.

Further in this part of the quarterly we are presenting an interesting article by Joanna Dobkowska entitled 'Vietnam as "a middle power" on the example of its cooperation with Indo-Chinese countries' which shows the evolution of Vietnam's policy towards other Indochinese countries in the broader context of changes in the direction of Vietnam's foreign policy. The author stresses here that the hegemonic aspirations of Hanoi and imposing its domination on Laos and Cambodia during the Cold War encountered resistance, also armed, of these countries. However, after the withdrawal of Vietnamese troops from Cambodia and the support for the aspirations of these countries to join ASEAN, Vietnam has changed from unwanted hegemony to the accepted leader of Indo-Chinese states.

The last text in this part is an interesting article by Magdalena Środoń entitled 'The attitude of the People's Republic of China towards the Arctic'. In this article the author analyses various aspects of Chinese interest in the Arctic region, among which economic, geographic and political aspects play the main role. China has engaged its capital and diplomacy there for many years hoping that there might be approximately 13% of unused oil and nearly 30% of natural gas deposits.

The other part, concerning political science, which consists of as many as seven scholarly texts, opens with a study entitled by 'On Revolution 2015 – Arab Revolutions revisited' by Artur W. Wróblewski devoted to the causes and effects of the so-called Arab revolutions which destabilized the situation in the Middle East and North Africa. Their consequences – as the author emphasizes – are felt today throughout the world.

The next article by Marta Stempień entitled 'Global encounter. Rivalry between Islamic State and al-Qaeda over the supremacy of the global jihadist movement' corresponds to the above text. As the title indicates, the goal of this article is an attempt to compare the Islamic State and al-Qaida, and to demonstrate the similarities and differences between the two organizations. The main research hypothesis is the assumption that the Islamic State differs from al-Qaida above all by its goal, which is to create an Islamic state based on Sharia principles. By contrast, al-Qaeda's objective is to destabilize the West and support Muslim liberation movements. Concluding her considerations,

the author states that despite many similarities in the ideological issues these differences have led to competition between the two organisations for hegemony over the global jihadist movement.

Further in this part there is an interesting text written by Krzysztof Garczewski entitled 'Islam in the German socio-political discourse' in which the author reflects on the contemporary role and place of Islam in socio-political discourse of the Federal Republic of Germany where currently approximately 4 million Muslims live, which represents 5% of the total population of the country. The article also presents the actions of the German government in the fight against Islamic fundamentalism, including against groups of extreme Salafists and shows the attitude of German society towards Islam and its followers.

The next interesting article entitled 'Security services after the terrorist attacks in the US and Europe. Patriot Act versus the Retention Directive, or the legitimisation of abuses in the sphere of privacy in democratic states: a comparative study' written by Adam Rogala-Lewicki corresponds to the above texts. The author writes here that, among others, the United States and many European Union countries, anticipating the increasingly sophisticated forms of threats, developed and implemented new solutions allowing state security agencies not only to keep the *raison d'être*, but also to maintain and expand their assets. Consequently, the fight against terrorism has become an excuse for unceremonious violation of the standards connected with privacy protection.

In turn, Józef M. Fiszer in a comprehensive study entitled 'The crisis of the European Union or the crisis of European integration? Causes and effects' attempts to prove the thesis that today we are facing a crisis of the EU, which entails a crisis of European integration. According to the author, even if the European Union broke up, nobody and nothing would be able to stop the process of European integration, at most it might be slowed down. At the same time, the author emphasizes here that 2014, and particularly dramatic events in Ukraine, the Middle East and North Africa show that the 'end of the history' in which people believed after the fall of communism in Europe was an illusion. Triumphalism and the hope for eternal peace have ended, and the belief in the gradual but inevitable democratisation of the following countries and societies has been strongly undermined. Peace and security of Europe and the world are today – according to the author – seriously threatened.

The last but one text here is an interesting article by Michał Kuź entitled ‘Remarks on the genesis and development of “shadow elites” in a comparative context’. The author analyses here the anthropological category of ‘shadow elites’ which famous American researcher Janine R. Wedel put into words in a book published in 2009 to describe informal elites working at the interface of power, business, media and science. In this article the author focuses on ‘shadow elites’ operating in the European Union and Poland. In the case of the latter, the author uses Janine R. Wedel’s theory, among others, to describe the networks of business and social connections of former Prime Minister Kazimierz Marcinkiewicz and some participants of the 2014 Polish wiretapping scandal.

And the last text in this part of our quarterly, written by Paweł Kowal, is dedicated to the role of Poland in the formulation and implementation of the European Union’s eastern policy.

The presented issue of the quarterly closes with three reviews of the latest, very interesting and valuable scholarly books which concern the interests of countries belonging to the so-called G20 and the emergence of global governance, relations Russia – NATO and international security after the end of the Cold War and sovereignty as an essential attribute of every state. We assure you that it is worthwhile to become familiar with these publications.

We wish all our readers interesting reading and we encourage everyone to cooperate with our editorial board and Lazarski University, one of the best universities in Poland. We congratulate all secondary school graduates and invite them to study at our university.

Józef M. Fiszer, Full Professor, PhD

A R T I C L E S A N D S T U D I E S

Monika Kondratiuk-Nierodzińska

INNOVATIVE CAPACITY
AND INNOVATION SYSTEMS
AND THE ECONOMIC DEVELOPMENT LEVELS
OF EUROPEAN COUNTRIES

INTRODUCTION

The claim that differences in the level of technological development between countries are the main source of diversification of the level of their economic development is already rooted both in economic studies as well as in economic policy. A positive relationships between these areas is evidenced by the results of a significant amount of research which has been published in recent decades¹. This research focused mainly on comparing the impact of various factors, including variously defined and classified innovation and technological capacities of countries on differences in the level of economic development. Therefore, the subjective approach has been dominant, while little space has been devoted to the importance of innovation activity of major groups of actors of innovation systems from the point of view of the development of economies of individual countries. The literature on the subject allows us only indirectly to infer that the most important role in this regard should be attributed to the corporate sector because some of the identified innovation capacities of countries solely or largely depend on the business characteristics of companies.

The aim of this study is to examine the importance of innovation capacities of European economies in the cross section of three major elements of the innovation system corresponding to the sectors of companies, research and the government, from the point of view of their economic development. Thus,

¹ Part 1 of this article contains a number of references to those studies.

the conducted analyses will aim to verify the hypothesis that differences in the level of innovation activity in specific sectors are related to the variation in the level of GDP *per capita* in the examined European countries.

The structure the article is as follows: the first part is an introduction to the subject of innovation capacity and, in addition to the general definition of the term, contains an overview of different approaches to the specification of specific capacities. The aim of the second part is to define the basic elements of innovation systems, in the cross section of which innovation capacities of European countries were examined and compared. The third part describes the methodological issues related to the analysis of the statistical data gathered for needs of the research in this study. The fourth part contains a description of the results of the conducted analyzes. In the last part the conclusions from the conducted analysis were formulated.

1. INNOVATION CAPACITIES AS THE MAIN FACTORS OF ECONOMIC DEVELOPMENT – LITERATURE OVERVIEW

In the literature we can find some general wordings of the concept of innovation or technological capacities of economies, although the term is also quite widely used in the context of business operations. Kim defined technological capacities of the country as the ‘ability to effectively use technical knowledge within the processes of assimilation, use and change of the existing technologies’². In turn, the national capacity for innovation, the term used by Furman, Porter and Stern, can be defined as ‘the ability of the country – both as a political and economic entity – to manufacture and commercialise a stream of technologies which are new for the world in the long period of time’³. These concepts have a similar meaning, hence their interchangeable use can be considered acceptable. The concept of innovation capacity is based on the idea of ‘absorptive capacity’ of companies of Cohen and Levinthal⁴ and includes not only organised research and development activities but also

² Kim, L. 1997. *Imitation to innovation: The dynamics of Korea’s technological learning*. Harvard: Harvard Business School Press, p. 4 cited in: Fagerberg, J., Srholec, M. 2008. National innovation systems, capabilities and economic development. *Research Policy*, vol. 37, p. 1419.

³ Furman, J.L., Porter, M.E., Stern, S. 2002. The determinants of national innovative capacity. *Research Policy*, vol. 31, p. 900.

⁴ Cohen, W.M., Levinthal, D.A. 1990. Absorptive capacity: A new perspective on learning and innovation. *Administrative Science Quarterly*, vol. 35, p. 128.

other skills necessary for the commercialisation of technologies. In this sense, it (the concept) can be related to the systemic look at innovation, where a broad range of factors affecting the process of creating new solutions is taken into account.

The literature points to the existence of quite different views on the elements making up a total of innovation or technological capacities of economies. The aforementioned concept of 'absorptive capacities' seems to have high importance from the point of view of the factors determining the results of innovative activities and the level of economic development of countries. According to Abramovitz⁵ absorptive capacities refer to 'the degree of technological congruence', that is 'the availability of resources, production factors, technological skills, the scale of markets and consumer demand' and also to social capabilities defined as 'the level of education and technical competence in a given country, the existence of commercial, industrial and financial institutions which affect the ability of funding and functioning of modern business activity on a large scale, as well as political and social conditions which affect the level of risk, the tendency to take up business activity and its individual results'⁶. The topic of absorptive capacity was also undertaken by Verspagen who drew attention to the existence of 'intrinsic learning capabilities' of a country which he defined as dependent on variables such as the level of education of the labour resources, the quality of infrastructure and mechanisation of the economy, the differences between the sector structure of the production of the leader country and others following it, and other factors⁷. Keller also acknowledged that absorption capacities significantly affect the economic performance of the country, but narrowly defined them as specific skills and knowledge accumulated in the national human capital⁸.

The mentioned concept of absorptive capacity also occupies an important place in the joint studies of Verspagen and Fagerberg who distinguished three

⁵ Abramovitz, M. 1986. Catching-up, forging ahead and falling behind. *Journal of Economic History*, vol. 46 and Abramovitz, M. 1994. The origins of the postwar catch-up and convergence boom. In: Fagerberg, J., Verspagen, B., von Tunzelmann, N. eds. *The dynamics of technology, trade and growth*. Aldershot: Edward Elgar.

⁶ Abramovitz, M. The origins of the postwar catch-up..., op. cit., p. 24.

⁷ Verspagen, B. 1991. A new empirical approach to catching up or falling behind. *Structural Change and Economic Dynamics*, vol. 2 (2), p. 363.

⁸ Keller, W. 1996. Absorptive capacity: On the creation and acquisition of technology in development. *Journal of Development Economics*, vol. 49.

groups of factors affecting the level of economic growth⁹: (1) innovativeness understood as the creation of new knowledge resources of the given country, (2) diffusion defined as the potential for the exploitation of knowledge created abroad, and (3) absorptive capacities understood as additional factors influencing the use of the diffusion potential. In this approach, the most important aspect of innovation capacity is the ability to create new knowledge and exploit new knowledge coming from outside, as a necessary condition for the creation of innovative solutions.

Castellacci and Natera adopted a similar view on the issue of innovation capacity of countries by identifying two main factors affecting the level of economic development corresponding to the contribution and results of the process of creating new knowledge for innovation¹⁰: (1) innovation capacities and (2) absorption capacities. Innovation capacities were defined in turn as: (a) the contribution to innovativeness represented by the total effort and investment outlays of each country in the field of research and development and innovation activity, (b) the result of scientific activity expressing the results of the studies and the rest of innovation activities carried out by the public research and development sector (in the original public S&T system), and (c) the outcome of activity in the field of new technologies defined as a result of the activity of private sector companies. In this approach we can see, therefore, a clear division of roles in the construction of innovative capacity of the country between various sectors of the economy – here the science-research sector and that of enterprises. Absorption capacities, as in Fagerberg and Verspagen, are understood quite broadly here, as other factors affecting the level of economic development. The authors included here¹¹: (a) international trade, representing the degree of openness of the system, which in turn affects the country's ability to imitate advanced knowledge from foreign sources, (b) human capital and its characteristics, (c) the level and quality of infrastructure which affects the ability of the

⁹ Fagerberg, J., Verspagen, B. 2002. Technology-gaps, innovation-diffusion and transformation: an evolutionary interpretation. *Research Policy*, vol. 31 and Fagerberg, J., Verspagen, B. 2003. *Innovation, growth and economic development: why some countries succeed and others don't*. The article prepared for First GLOBELICS Conference: Innovation Systems and Development Strategies for the Third Millennium. Rio, 2–6 November, 2003.

¹⁰ Castellacci, F., Natera, J.M. 2013. The dynamics of national innovation systems: A panel cointegration analysis of the coevolution between innovative capability and absorptive capacity. *Research Policy*, vol. 42, pp. 581–582.

¹¹ *Ibidem*, pp. 581–582.

given country to absorb, adapt and implement foreign advanced technologies, (d) the quality of institutions and the management system, and (e) the level of equalizing of opportunities in society and disparities in living standards which determines the rate of diffusion and adoption of advanced knowledge in the given country.

The importance of innovation capacity resulting from the characteristics of the corporate sector is visible in Faber and Heslen who approached the topic from the perspective of factors affecting the results of innovation activity in the economy, that is resulting from national concepts of innovation systems¹². In their opinion two groups of variables should be taken into account¹³: (1) connected with innovation processes taking place in and between companies, and (2) connected with ‘innovation infrastructure’ surrounding businesses and enabling them to create innovations, and composed of economic, institutional conditions, and the ones related to the context in which businesses operate, e.g. an appropriate ‘climate’ conducive to doing business.

Many authors emphasise the importance of human capital as an important element determining the capacity of absorption of new knowledge and technologies by the economy. The above mentioned Abramovitz pointed out the necessity of building the so-called ‘social skills’ which depend, among others, on the level of education and technical competences in the given country¹⁴. Verspagen defined ‘intrinsic learning capabilities’ of a country as dependent, among others, on the level of education of labour resources¹⁵. Keller also pointed out that the relatively high level of human capital at the beginning of the road in the process of ‘catching up’ is an important factor in improving the ability of acquiring new technologies from abroad. In addition, in the case when a country decides to open the economy, which gives it greater access to new technologies, the adequately higher level of human capital is essential to sustain the process of technological development and the rate of economic growth¹⁶. Benhabib and Spiegel¹⁷, Papageorgiou¹⁸ and

¹² Faber, J., Heslen, A.B. 2004. Innovation capabilities of European nations. Cross-national analyses of patents and sales of product innovations. *Research Policy*, vol. 33.

¹³ *Ibidem*, pp. 195–198.

¹⁴ Abramovitz, M. The origins of the postwar catch-up..., *op. cit.*, p. 24.

¹⁵ Verspagen, B. A new empirical approach to catching up..., *op. cit.*, p. 363.

¹⁶ Keller, W. Absorptive capacity: On the creation and acquisition..., *op. cit.*, p. 202.

¹⁷ Benhabib, J., Spiegel, M. 1994. The role of human capital in economic development: evidence from aggregate cross-country data. *Journal of Monetary Economics*, vol. 34.

¹⁸ Papageorgiou, C. 2002. Technology adoption, human capital and growth theory. *Review of Development Economics*, vol. 6.

Stokke¹⁹ also focused on human capital and the ability to learn as the most important factors determining the level of economic development as they considered them to be responsible for the country's ability to imitate and absorb advanced technologies from abroad. Human capital regarded as one of the aspects of national technological capabilities can be also found in Lall who enumerated three types of them²⁰: (1) material investments (2) human capital, and (3) technological effort (the internal ability to create technology and its import). He also stated that all these capabilities are strongly interrelated. Similarly, in Archibugi and Coco (2004), who proposed a way of measuring innovation capacities of countries, human capital is among their measured aspects: (1) the creation of technology, (2) technological infrastructure, and (3) the development of human skills²¹.

The above mentioned approaches to defining innovation or technological capacities of countries are not exhaustive. Fagerberg and Srholec, continuing their research on specific national capabilities as factors in economic development, defined them very broadly. In total, they define four types of capacities/factors²²: (1) the level of the innovation system development, (2) the quality of the government system, (3) the nature of the political system, and (4) the degree of openness of the economy. In this research, the term innovative capacity was replaced by the term 'the level of development of the innovation system' and was measured by means of a relatively wide range of indicators specifying various aspects of both technological and social capacities of countries and taking into account data on patents, scientific publications, information infrastructure, ISO certificates, access to financing sources, and the level of education. But even here there are visible references to the results of activity connected with the creation of new knowledge (patents, scientific publications) and the development of human capital (the level of education). In their next article these authors treat national capacities pertaining to various aspects of innovation activity as one of the elements of broadly defined (which, as they themselves acknowledge may arouse some controversy) 'social skills' because as a result of a factor analysis they came to the conclusion that

¹⁹ Stokke, H. 2008. Productivity growth and organisational learning. *Review of Development Economics*, vol. 12 (4).

²⁰ Lall, S. 1992. Technological capabilities and industrialisation. *World Development*, vol. 20, no. 2, p. 170.

²¹ Archibugi, D., Coco, A. 2004. A new indicator of technological capabilities for developed and developing countries (ArCo). *World Development*, vol. 32, no. 4.

²² Fagerberg, J., Srholec, M. 2008. National innovation systems, capabilities and economic development. *Research Policy*, vol. 37.

there is a strong correlation between factors of a technological, social and cultural nature in process of economic development²³.

A broad view of national innovation capacity is characteristic also for the research of Furman and his associates²⁴. They stated that innovation capacities have three components²⁵: (1) the existence of strong universal innovation infrastructure which consists of the political climate in the fields of science and technology, mechanisms of support for basic research and higher education, and the accumulated stock of technical knowledge which is the basis of creation and commercialisation of new solutions, (2) a specific innovative environment present within industrial clusters, that is a microeconomic environment in which companies compete, (3) the strength of ties between the previous two elements, dependent on mechanisms and institutions such as the national higher education system or the financing of new enterprises which encourage the commercialisation of new technologies.

The review of the above mentioned studies allows us to conclude that the factors which are most often included in the description of innovation capacities of economies are: (1) the ability of companies and entities from other sectors to create new knowledge, seen from both the input and the results of this process, and (2) capital human regarded as responsible for the construction of ‘absorption capacities’ of economies, that is the skills of acquisition and adaptation of new technologies to the needs of the given country.

The analysis of the impact of variations of these capacities on differences in the level of development of economies requires the use of appropriate indicators to measure both the results and contribution in the process of creating new knowledge as well as absorption capacities. Patents are often used as an indirect measure of the results of innovation activity, but conflicting opinions on their use have been heard for years. While some authors point out that they are ‘a measure not without flaws, because not all innovations are patented and additionally patents often differ very much in terms of

²³ Fagerberg, J., Srholec, M. 2013. Knowledge, capabilities and the poverty trap: the complex interplay between technological, social and geographical factors. In: Meusburger, P., Glückler, J., Meskioui, M. eds. *Knowledge and the Economy*. Springer.

²⁴ Furman, J.L., Hayes, R. 2004. Catching up or standing still? National innovative productivity among ‘follower’ countries, 1978–1999. *Research Policy*, vol. 33 and Furman, J.L., Porter, M.E., Stern, S. 2002. The determinants of national innovative capacity. *Research Policy*, vol. 31.

²⁵ Furman, J.L., Porter, M.E., Stern, S. The determinants of national..., *op. cit.*, pp. 905–907.

their economic significance²⁶ others argue that ‘empirical research shows that they can be considered a fairly reliable measure of innovation activity’²⁷. However, patent statistics and other related data (e.g. patent citations) strongly reflect the stock and flow of knowledge rather than a direct result of innovation processes in the form of new products or processes and according to this characteristics they have been more frequently used in research²⁸. Therefore, also in the analysis underlying this text, statistics on the number of patents were used as a measure of the result of the process of creating new knowledge.

One of the commonly used measures of contribution to the innovation process in general and the process of creating new knowledge in particular are expenditures on research and development (R&D)²⁹. However, taking into account ‘two faces’ of research and development, representing two types of contributions necessary in the processes of innovation: knowledge and the ability to assimilate knowledge which already exists³⁰ they can also constitute a measure of ‘absorption capacities’ of economies.

Human capital resources determining, just like the engagement and level of expenditure on research and development, the economy’s capability to use knowledge and technology coming from outside tend to be measured variously. Most frequently innovative capacities of the country related to

²⁶ Pakes, A., Griliches, Z. 1980. Patents and R&D at the firm level: a first report. *Economics Letters*, vol. 5, p. 378.

²⁷ Acs, Z.J., Anselin, L., Varga, A. 2002. Patents and innovation counts as measures of regional production of new knowledge. *Research Policy*, vol. 31, p. 1080.

²⁸ See, for instance Jaffe, A.B., Trajtenberg, M., Henderson, R. 1993. Geographic localisation of knowledge spillovers as evidenced by patent citations. *Quarterly Journal of Economics*, vol. 108 (3); Fung, M.K., Chow, W.W. 2002. Measuring the intensity of knowledge flow with patent statistics. *Economics Letters*, vol. 74; Park, G., Park, Y. 2006. On the measurement of patent stock as knowledge indicators. *Technological Forecasting & Social Change*, vol. 73; No, H.J., An, Y., Park, Y. 2014. A structured approach to explore knowledge flows through technology-based business methods by integrating patent citation analysis and text mining. *Technological Forecasting & Social Change*. [Online] Available at: <http://dx.doi.org/10.1016/j.techfore.2014.04.007>

²⁹ Also in the described research this indicator was used for this purpose – see for example Faber, J., Hesen, A.B. Innovation capabilities of European nations..., *op. cit.*; Furman, J.L., Hayes, R. Catching up or standing still..., *op. cit.*; Castellacci, F., Natera, J.M. The dynamics of national innovation systems..., *op. cit.*; Furman, J.L., Porter, M.E., Stern, S. The determinants of national innovative capacity..., *op. cit.*

³⁰ Cohen, W.M., Levinthal, D.A. 1989. Innovation and Learning: The Two Faces of R&D. *The Economic Journal*, vol. 99.

the characteristics of human capital are described by means of indicators showing the level of education of the society of the given country³¹ or the number of scientific research employees³².

2. MAIN ELEMENTS OF INNOVATION SYSTEMS

The concept of the innovation system, although developed in parallel by at least a few researchers, derives from Lundvall who used this term for the first time in 1985³³ and referred it to the interaction between companies and institutions involved in the process of knowledge creation and Freeman³⁴. In 1992 Lundvall also introduced the concept of the National Innovation System to the literature³⁵. Nelson³⁶ and Edquist³⁷ also had a significant contribution to the development of this concept. Today, the term 'innovation system' is referred not only to a national scale – concepts such as regional innovation system³⁸, technological system³⁹ or sectoral innovation

³¹ See, for example, Lall, S. Technological capabilities and industrialisation..., *op. cit.*; Archibugi, D., Coco, A. A new indicator of technological capabilities..., *op. cit.*; Fagerberg, J., Srholec, M., Knell, M. 2007. The competitiveness of nations: why some countries prosper while others fall behind. *World Development*, vol. 35 (10); Fagerberg, J., Srholec, M. National innovation systems, capabilities..., *op. cit.*; Castellacci, F., Natera, J.M. The dynamics of national innovation systems..., *op. cit.*

³² See, for example, Fagerberg, J., Verspagen, B. 1996. Heading for divergence? Regional growth in Europe reconsidered, *Journal of Common Market Studies*, vol. 34 (3); Furman, J.L., Hayes, R. Catching up or standing still..., *op. cit.*

³³ Lundvall, B.A. 1985. *Product innovation and user–producer interaction*. Aalborg University Press; Lundvall, B.A. 1988. Innovation as an interactive process: from user–producer interaction to the national systems of innovation. In: Dosi, G., Freeman, Ch., Nelson, R., Silverberg, G., Soete, L. eds. *Technical change and economic theory*. London: Pinter.

³⁴ Freeman, C. 1987. *Technology policy and economic performance: lessons from Japan*. London: Pinter.

³⁵ Lundvall, B.A. ed. 1992. *National systems of innovation: towards a theory of innovation and interactive learning*. London: Pinter Publishing.

³⁶ Nelson, R.R. ed. 1993. *National innovation systems: a comparative analysis*. Oxford: Oxford University Press.

³⁷ Edquist, C. ed. 1997. *Systems of innovation: technologies, institutions and organisations*. London: Pinter.

³⁸ Cooke, P. 1992. Regional innovation systems: competitive regulation in the new Europe. *Geoforum*, vol. 23.

³⁹ Carlsson, B., Stankiewicz, R. 1991. On the nature, function and composition of technological systems. *Journal of Evolutionary Economics*, no. 1.

system⁴⁰ are already rooted in the economic literature, as well as in the language of official government documents.

Referring to the precursors of the concept of the innovation system, it can be defined as a system consisting of organisations which through their activities and resources affect the rate and direction of innovation processes, as well as of the interdependences and interactions between these organisations⁴¹ or as a network of institutions in the public and private sectors whose activities and interactions imitate, import, modify and submit new technologies to a process of diffusion⁴². Thus, we speak clearly here about operators of a system whose activity determines the efficiency of its operation.

There are many visions of what specifically should be part of the innovation system but so far there has been no generally accepted agreement about how to define these components. Only in the framework of the Triple Helix⁴³, which can be considered as one of the concept of innovation systems, three groups of institutions are clearly distinguished: the business, science and government sectors. In this model, in contrast to the concepts of innovation systems where a central role in innovation processes is assigned to companies, the science sector plays a key role⁴⁴.

Another proposal of specifying components of which every innovation system is built was presented by Fischer. In his opinion, innovation systems, the purpose of which is to provide the conditions for conducting a full innovation process, should consist of four main groups of actors of the system⁴⁵: (1) the manufacturing sector consisting of manufacturing companies and their research and development infrastructure, (2) the scientific sector, which in turn consists of two components: the education system, under which educational

⁴⁰ Breschi, S. Malerba, F. 1997. Sectoral innovation systems: technological regimes, Schumpeterian dynamics, and spatial boundaries. In: Edquist, C. ed. *Systems of innovation: technologies, organisations, and institutions*. London: Pinter.

⁴¹ Lundvall, B. A. 2002. *Innovation, growth, and social cohesion: the Danish model*. Edward Elgar Publishing, p. 44.

⁴² Freeman, C. 1987. *Technology policy and economic performance: lesson from Japan*. London: Frances Pinter, p. 1.

⁴³ Etzkowitz, H., Leydesdorff, L. 1995. The Triple Helix-university-industry-government relations: a laboratory for knowledge-based economic development. *EASST Review*, vol. 14.

⁴⁴ Etzkowitz, H., Leydesdorff, L. 2000. The dynamics of innovation: from national systems and 'mode 2' to a Triple Helix of university-industry-government relations. *Research Policy*, vol. 29, p. 109.

⁴⁵ Fischer, M.M. 2001. Innovation, knowledge creation and systems of innovation. *The Annals of Regional Science*, no. 35, pp. 207–209.

institutions and other training institutions operate, and the research system composed of universities and other research organisations, (3) the sector of production services, that is organisations offering assistance or specific services to companies in the process of creation and/or implementation of new products or processes⁴⁶, and (4) the institutional sector, that is formal and informal institutions which govern the relationships between the actors of the system, strengthen their potential for innovation, manage collaboration and eliminate emerging conflicts. Fischer's approach is, therefore, based on the characteristics of four main groups of entities in the innovation system. He directly took into account two of the three sectors, the relationships of which are the main element of the Triple Helix model – the corporate and science sectors. The government sector in Fischer is present both among the organisations of a scientific nature in the form of government organisations which finance and conduct research activity and offer educational services, as well as in the institutional sector, the task of which is to regulate relations between the remaining actors of the system, among others by constituting relevant regulations and laws.

Fischer's broad approach to building innovation systems, with the simultaneous placement of the main actors of the innovation processes in their centre, is similar to that adopted by the OECD. Here, too, there are four main groups of actors of the innovation system⁴⁷: (1) companies with their capacities, (2) institutions supporting innovative activity, (3) the science system, (4) remaining research institutions. The attention is drawn here, among others, to the division of the scientific sector into the education system of learning (higher education, training, lifelong learning) and research institutions. Organisations of Fischer's so-called sector of manufacturing services are included here in the group of supporting institutions.

Doloreux presents a slightly different approach referring to the elements which make up the system of innovation at the regional level. According to the author, it is possible to differentiate four main elements of this system⁴⁸: (1) companies, that is business entities taking responsibility for the generation and diffusion of knowledge and seen in different roles – as producers and users

⁴⁶ A more accurate definition of this element of the innovation system would be 'a sector of support institutions for innovative activity'.

⁴⁷ OECD. 1999. *Managing National Innovation Systems*. Paris: OECD, p. 23, cited in Box S. (OECD), *OECD work on innovation – a stocktaking of existing work*, Science and Technology Policy STI Working Paper 2009/2, p. 15.

⁴⁸ Doloreux, D. 2002. What we should know about regional systems of innovation. *Technology in Society*, no. 24, pp. 247–248.

and collaborators and competitors, (2) institutions involved in research and development work in the industry, that is universities, government research institutions, etc., (3) knowledge infrastructure necessary to support innovative activities, namely research and development institutions, such as universities, research institutes or national laboratories but also science and technology parks, technological incubators and public agencies of technology transfer and innovation consultancy, etc., (4) innovation policy, which affects the whole system of innovation by ensuring an increase in its capability to learn and diffuse technology. Doloreux, like OECD experts, regards only formal institutions as construction elements of the innovation system: in the form of a companies responsible for the generation and diffusion of knowledge, which also, in her opinion, are the focal point of each system and institution engaged in research and development, regardless of the sector they come from (the science sector, the government and private institutions). Both elements are actually groups of the main actors of the innovation system and innovative processes occurring in it. The author mentions two more elements of the innovation system, namely the physical and organisational infrastructure of knowledge and innovation policy. It can be argued whether this approach is more accurate than the previously presented ones – whether the infrastructure of knowledge, by which the author understands physical and organisational resources at the disposal of institutions supporting innovative activity, should be analyzed separately or jointly with these institutions. The same is true in the case of innovation policy – the so-called government sector is engaged in the creation and management of the process of its implementation.

According to Carlsson and Stankiewicz, who worked in turn on the concept of technological innovation systems, the basic elements of such a system are⁴⁹: (1) economic competences understood as the sum of a company's all capabilities to generate and use the emerging business opportunities, (2) clusters and networks, which are a form of a necessary interaction between the actors of the system with different competencies, (3) institutional infrastructure, that is a team of institutional solutions which indirectly or directly regulate the innovation processes and technology diffusion, and (4) development prospects (or development blocks) which generate development potential for the system. This approach is radically different from the ones analyzed above. Each of the elements of the innovation system enumerated by the authors belongs to a different category: economic competences refer to the

⁴⁹ Carlsson, B. Stankiewicz, R. On the nature, function and composition..., *op. cit.*, pp. 100–109.

specific capabilities of enterprises in the innovation process, clusters and networks – to relationships and connections between various actors created in the framework of the innovation system, institutional infrastructure – to physical and organisational resources at the disposal of institutions supporting innovative activity. The most difficult to grasp is the fourth of those elements of the innovation system – development prospects. It refers to the resultant of the simultaneous impact of all conditions on the outskirts of the innovation system and thus, among other things, to the macroeconomic and legal context, the conditions of the product market and production factors or the education and training system and the communication infrastructure conditioning the flow of information, mentioned by the aforementioned authors.

The most readable classifications of the elements of the innovation system are those proposed by Etzkowitz and Leydesdorff within the concept of the Triple Helix, Fischer and the OECD due to a single, subjective criterion adopted in this classification. Taking into account, following the concept of the ‘Triple Helix’, the three basic elements of the innovation system, namely (1) the business sector, (2) the science sector, and (3) the government sector appears to be a logical conclusion of the above conducted analysis of the structure of the innovation system, which does not exclude the fact that other elements may have a significant impact on the functioning of the system as a whole and thereby on the level of the economic development of the country. Here we should also mention the position of one of the creators of the Triple Helix model, L. Leydesdorff’s, who in response to the emerging concepts of Quadruple Helix⁵⁰ or Quintuple Helix⁵¹, notes that, in fact, he does not introduce any limit to the number of helices in the model. What is more, the variety of conditions which determine the level of economic development of countries, including those resulting from their potential to create innovative solutions, and so being of the main interest here, shows that in many economies taking into account the subsequent helices is a must

⁵⁰ Carayannis, E.G., Campbell, D.F.J. 2009. ‘Mode 3’ and ‘Quadruple Helix’: toward a 21st century fractal innovation ecosystem. *International Journal of Technology Management*, vol. 46 (3/4).

⁵¹ Carayannis, E.G., Campbell, D.F.J. 2010. Triple Helix, Quadruple Helix and Quintuple Helix and how do knowledge, innovation and the environment relate to each other? A proposed framework for a trans-disciplinary analysis of sustainable development and social ecology. *International Journal of Social Ecology and Sustainable Development*, vol. 1 (1), cited in Carayannis, E.G., Barth, T.D., Campbell, D.F.J. 2012. The Quintuple Helix innovation model: global warming as a challenge and driver for innovation. *Journal of Innovation and Entrepreneurship*, vol. 1 (2).

– here his view is close to the approach in the concept of innovation systems. On the other hand, he warns that the introduction of more factors into the analysis of the model requires their exact specification, defining the manner of their measurement and the study of their actual role in the economy. The author thus emphasises the need of careful conduct if one wishes to move away from the simple ‘Triple Helix’ model to the model of ‘N-helices’⁵².

3. THE METHOD OF RESEARCH – THE MEASUREMENT OF INNOVATION CAPACITIES OF EUROPEAN COUNTRIES IN THE STRUCTURE OF MAIN ELEMENTS OF INNOVATION SYSTEMS

The analysis method in this paper is based mainly on the construction of composite indicators within innovation capacities defined for three main elements of the innovation system singled out on basis of literature studies. In this respect, it is similar to the one used in the reports of the Innovation Union Scoreboard, except that the conducted comparative analysis applies to comparisons among countries and is carried out in the cross-section of variables characterizing them in terms of the potential to generate new technical solutions.

The selection of indicators was based on the analysis of literature, including the practices of measurement of national innovation capacity discussed at the end of Part 1 of this article. An important issue in the selection of indicators was the availability of data – unfortunately few of them can be obtained in the system of institutional sectors. Finally, data for three sectors: enterprises, higher education (which here represents the scientific-research sector) and government and three indicators were taken into account (Table 1). The number of patent applications per a million of residents shows the result of processes of creating new knowledge, while the share of R&D personnel in the total employment and expenditure on R&D are intended to show both the potential of the country to generate new knowledge and innovation and the ability to absorb knowledge and technology from outside. To assess the level of economic development of countries the indicator of GDP *per capita* was used.

⁵² Leydesdorff, L. 2012. The Triple Helix, Quadruple Helix, ..., and an N-Tuple of Helices: explanatory models for analyzing the knowledge-based economy? *Journal of Knowledge Economy*, vol. 3, pp. 32–33.

Statistical data were collected for 12 years (2002–2013), but the comparative analysis of aggregate indicators refers to two two-year periods: 2002–2003 and 2012–2013. The problem of incomplete data availability made it necessary to introduce certain corrections and substitutions. The previous practices for comparative analyzes between countries made it possible to define several ways of supplementing the missing data⁵³. The method adopted in this paper is to replace the missing values of indicators with their value in the closest period, usually the preceding one (also in the absence of such data with the value from the next period). This method is used, among others, by the authors of the *Innovation Union Scoreboard*⁵⁴. In the case of three indicators: P1, B1 and R1, the lack of data for the period after 2009 made it necessary to shift the analysis from 2002–2003 to 2000–2001 in the case of the initial period, and from 2012–2013 to 2008–2009 for the final period. The unavailability of some statistical data also made it necessary to reduce the analysis to 24 European countries⁵⁵. Table A1 (Appendix) contains detailed information on the remaining data substitutions which constitute approximately 5.3% of all the indicators (23 substitutions).

Table 1

The indicators describing innovation capacities of countries and their definitions

Sector	No. of indicator	Definition of indicators
Enterprises	P1	Patent applications from the corporate sector to the European Patent Office at the national level per one million of inhabitants
	P2	R&D personnel of the corporate sector in % of total employment (full-time equivalent)
	P3	Total expenditure on R&D of the corporate sector in % of GDP

⁵³ Freudenberg, M. 2003. *Composite indicators of country performance: a critical assessment*, OECD Science, Technology and Industry Working Papers, OECD Publishing, [Online] no. 16, p. 9. Available at: <http://dx.doi.org/10.1787/405566708255> [Accessed: 30 March 2015].

⁵⁴ Hollanders, H. El-Sadki, N. 2013. *Innovation Union Scoreboard 2013*, European Commission, Enterprise and Industry, p. 65.

⁵⁵ The list of countries included in the analysis is contained in Appendix in Table A1.

Sector	No. of indicator	Definition of indicators
Scientific research (higher education)	B1	Patent applications from the higher education sector to the European Patent Office at the national level per one million of inhabitants
	B2	R&D personnel of the higher education sector in % of total employment (full-time equivalent)
	B3	Total expenditure on R&D of the higher education sector in % of GDP
Government	R1	Patent applications from the government sector to the European Patent Office at the national level per one million of inhabitants
	R2	R&D personnel of the government sector in % of total employment (full-time equivalent)
	R3	Total expenditure on R&D of the government sector in % of GDP

Source: own study based on information from the Eurostat on-line database: <http://ec.europa.eu/eurostat/data/database> [Accessed 1–24 March 2015] (Database by themes / Science and technology: Intellectual property rights / Patent / Patent applications to the European patent office (EPO) by priority year / Patent applications to the EPO by priority year at the national level / Patent applications to the EPO by priority year by institutional sector; Research and development / Statistics on research and development / R&D personnel at national and regional level / Total R&D personnel by sectors of performance, occupation and sex; Research and development / Statistics on research and development / R&D expenditure at national and regional level / Total intramural R&D expenditure (GERD) by sectors of performance).

Thanks to the collected statistical data, it was possible to calculate values of 9 variables for 24 countries and for both analyzed periods. They were calculated as the arithmetic average of values of the indicators for the two years⁵⁶. In order to bring the values of variables to a form suitable for a comparative analysis in the form of collective indicators, including the examination of the relationship between them, it was necessary to standardise them. The standard deviation from the average is a method of the standardisation of the values of variables used in this study. The individual variables take here the value below or above 0, where 0 is the average value of standardised variables. The standardisation of the values of variables is carried out according to the formula:

⁵⁶ E.g. variable P1 for the period 2002–2003 is calculated as the arithmetic average of values of indicators describing it from the years 2002 and 2003.

$$nx_{tk} = \frac{x_{tk} - \bar{x}_t}{\sigma x_t}$$

where:

nx_{tk} – the standardised value of the variable x of the country k in the year t ,

x_{tk} – the actual value of the variable x of the country k in the year t ,

\bar{x}_t – the arithmetic average of the value of the variable x in the year t ,

σx_t – the standard deviation of the value of the variable x in the year t .

Composite indexes for each sector were calculated on the basis of the average of the three variables describing its innovation capability. Then, thus obtained values of composite indexes were compared with *GDP per capita* in the two analyzed periods.

4. THE RESEARCH RESULTS

The diversity of the results of individual countries in terms of national innovation capacity for which two sectors: enterprises and higher education are responsible shows a high correlation with differences in *GDP per capita* in these countries (Table 2). The analysis of the correlations also allows us to draw a conclusion that disproportions in the level of economic development are not connected with the diversity of results of individual countries in terms of innovation capacity represented by the activity of the government sector.

The conducted analysis also points to the consistent maintenance of the level of innovation capacity within individual sectors – the correlation coefficients between the values of composite indexes showing innovation capacities within the business, higher education and government sectors are high for both analyzed periods. Noteworthy is also a strong connection of the results obtained by individual countries within the measurement of innovation capacity in the business and higher education sectors – it attests to the fact that in countries where companies are highly active in the process of creating new knowledge and building the capacity to use knowledge and technology from outside, also the scientific research sector, represented by higher education, is characterised by similar results in this area.

From the analysis of the position of the observations in the coordinate system divided into three separate sectors we can draw similar conclusions – also here there is a strong link of the diversity of national innovation capacities represented by the activity of the business and higher education sectors with *GDP per capita* of individual countries and the lack of that link in the case of

the government sector for both analyzed periods (Figures 1–6). But here the difference in the nature of these links is clearly visible. While the relationship between the diversity of the level of economic development and innovation capacities of the higher education sector is clear linear (Figures 2 and 5), in the case of the corporate sector a nonlinear dependence can be observed. Higher values of composite indexes describing the innovation capacities built in the corporate sector above a certain level are not connected with higher scores in the sphere of income per capita (Figures 1 and 4).

Table 2

**Linear correlations of composite indexes describing innovation capacities
of countries on the sectoral basis, and GDP per capita**

	P 02-03	B 02-03	R 02-03	P 12-13	B 12-13	R 12-13
P 02-03	1,0000					
B 02-03	0,7486	1,0000				
R 02-03	0,3872	0,1311	1,0000			
P 12-13	0,9472	0,6652	0,3952	1,0000		
B 12-13	0,6825	0,8031	-0,0273	0,7014	1,0000	
R 12-13	0,2245	0,0011	0,8398	0,2285	-0,2016	1,0000
GDP 02-03	0,7099	0,6813	0,1489	0,6793	0,7401	0,0386
GDP 12-13	0,7575	0,6892	0,1804	0,7342	0,7426	0,0575

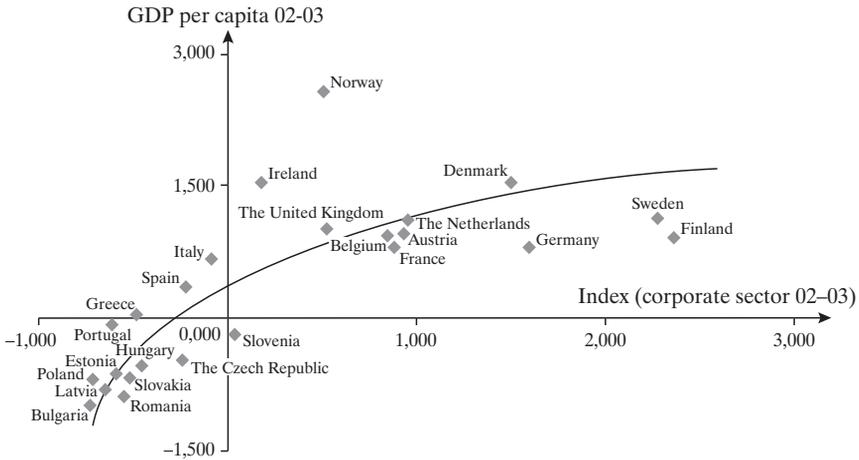
Source: own calculations based on the data from the source under Table 1.

The graphical interpretation of the analysis results also enables the ranking of individual countries depending on the obtained values of innovation capacity composite indexes and GDP *per capita*. In the first period of the analysis (2002-2003) countries of Central and Eastern Europe were generally characterised by the lowest level in terms of GDP *per capita* as well as of innovation capacity composite indexes of the corporate and higher education sectors, whereas countries of Western and Northern Europe fared the best in both respects. Countries of Southern Europe, especially Portugal and Greece, obtained similar results to the countries of Central and Eastern Europe. In the case of the analysis of composite indexes describing innovative capacity within the government sector and GDP *per capita* it is impossible to so easily distinguish groups of countries which share common characteristics, even though some developed countries reached high values of these indexes,

similar results were obtained by part of the countries of Central and Eastern Europe, including Bulgaria, characterised by the lowest level of GDP *per capita* among the analyzed economies (Figure 3).

Figure 1

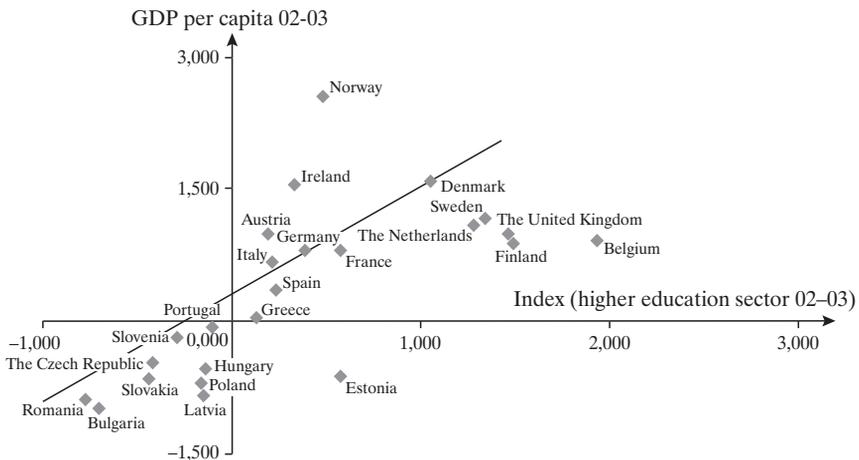
The value of the innovation capacity index of the corporate sector and GDP *per capita* for the period 2002–2003



Source: own study based on own calculations.

Figure 2

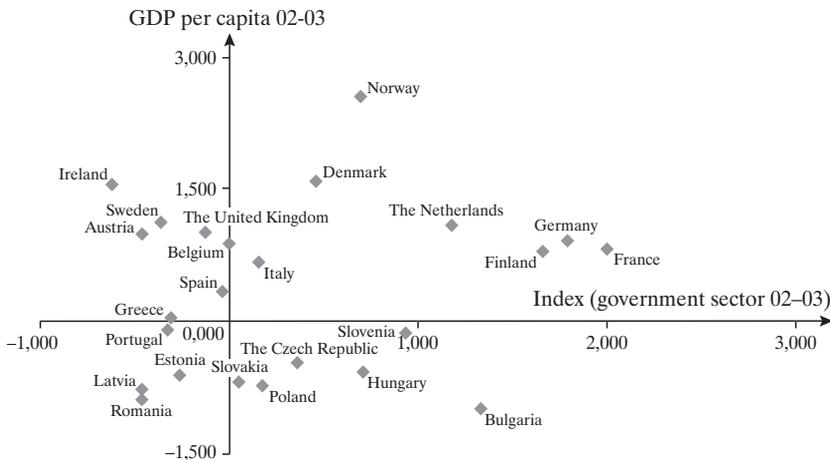
The value of the innovation capacity index of the higher education (scientific research) sector and GDP *per capita* for the period 2002–2003



Source: own study based on own calculations.

Figure 3

The value of the innovation capacity index of the government sector
and GDP *per capita* for the period 2002–2003



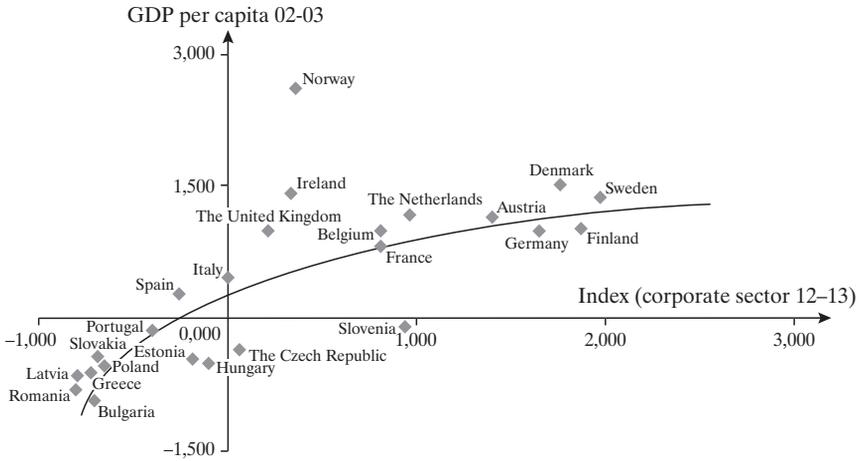
Source: own study based on own calculations.

The other period of the analysis (2012–2013) did not bring major changes either in the nature of relationships between the values of innovative capacity composite indexes or in the order of ranking of individual countries (Figures 4–6). Countries of Central and Eastern Europe, as a rule came at the end of the rankings, both in terms of the level of income per capita and innovation capacity on the sectoral basis, with the exception of the government sector. Countries of Western and Northern Europe maintained their high places, with visible small (except Denmark) shifts in the order of their ranking in the forefront.

In the case of the countries of Central and Eastern Europe, attention should be paid to two of them: Slovenia and the Czech Republic which showed relatively high improvement of their results in relation to the previous period in terms of the innovation capacity index values of the corporate sector, or as in the case of the Czech Republic – also the higher education sector (Figure 4). It should be acknowledged, however, that significant changes in the level of innovation capacity of individual economies across sectors did not appear in Europe within the 10 years.

Figure 4

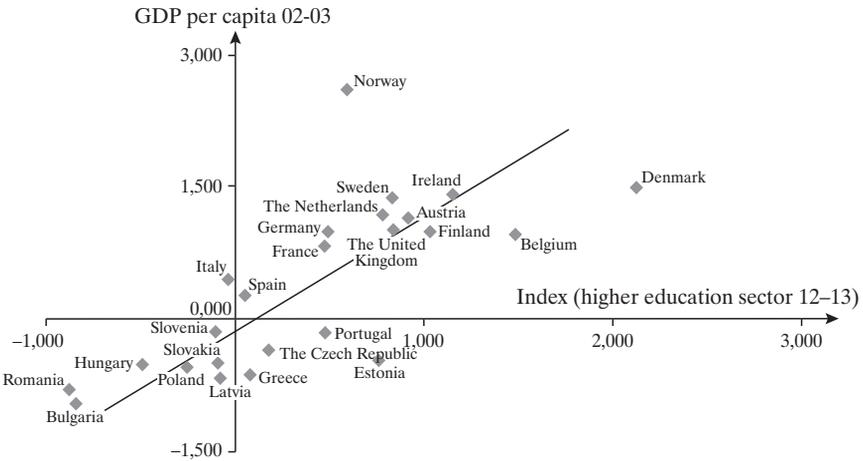
The value of the innovation capacity index of the corporate sector and GDP per capita for the period 2012–2013



Source: own study based on own calculations.

Figure 5

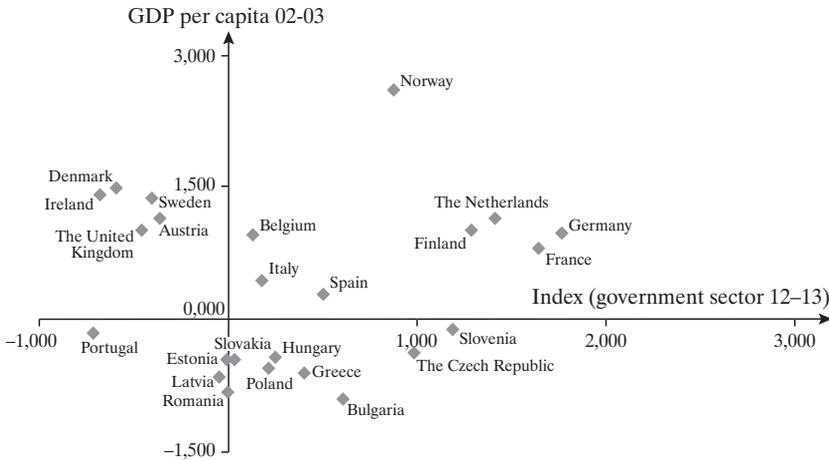
The value of the innovation capacity index of the higher education (scientific research) sector and GDP per capita for the period 2012–2013



Source: own study based on own calculations.

Figure 6.

The value of the innovation capacity index of the government sector
and GDP *per capita* for the period 2012–2013



Source: own study based on own calculations.

CONCLUSIONS

The purpose of this article was to examine the importance of innovation capacity of European countries in the cross section of three sectors: enterprises, research (here represented by the higher education sector) and government from the point of view of their economic development. Thus, it aimed to verify the hypothesis that differences in the level of these capacities are related to the variation in GDP *per capita* in the examined European countries. The conducted analysis confirmed that the diversity of innovation capacities constituting the result of the activity of two sectors: business and higher education actually shows a connection with different levels of economic development of European countries. At the same time it revealed no such relation in the case of the government sector.

Attention was also paid to the diversity of the nature of the identified links in the case of innovation capacity within the business and higher education sectors. Whereas the relationship between different levels of innovation capacity of the latter and economic development had a clearly linear character, in the case of the corporate sector a nonlinear relationship could be observed. Higher values of composite indexes describing innovation

capacity built in the corporate sector above a certain level were not connected with higher levels of income per capita – this relationship was seen in both analyzed periods.

The research based on the collected statistical material lead to the statement that within these 10 years, namely between the two analyzed periods: 2002–2003 and 2012–2013, there were no significant changes on the map of Europe in terms of the countries which are innovation leaders characterised by the high level of innovation capacity in the corporate and higher education sectors, that is those which are important from the point of view of economic development. Countries of Central and Eastern Europe, including Poland, were generally characterised by low levels of both indicators describing the results of the processes of creating new knowledge and their ability to absorb new knowledge and technology from outside as well as GDP *per capita*.

ANNEX

Table A1

The list of European countries included in the analysis and substitution of data

Country	The substituted analysis period (year / period for which the data was adopted)	Number of the substituted indicator
Austria	2002–2003 (2002)	P2, P3, B3, R2, R3
Belgium		
Bulgaria	2008–2009 (2008)	B1
The Czech Republic		
Denmark		
Estonia	2000–2001 (2000) i 2008–2009 (2007)	R1
Finland		
France		
Greece	2002–2003 (2003)	B2, B3, R2, R3
Spain		
The Netherlands		
Ireland	2002–2003 (2002)	P3

Country	The substituted analysis period (year / period for which the data was adopted)	Number of the substituted indicator
Latvia	2000–2001 (B1 2000, R1 2002–2003), 2008–2009 (R1 2008)	B1, R1
Germany		
Norway		
Poland		
Portugal		
Romania	2000–2001 (2003) i 2008–2009 (2008)	R1
Slovakia		
Slovenia		
Sweden	2002–2003 (2003)	B2, B3, R2, R3
Hungary		
The UK	2002–2003 (2005–2006)	B2
Italy		

Source: own study

Table A2

Descriptive statistics of variables

No. of indicator	Average	Median	Standard deviation	Minimum	Maximum	Total
P1	73,22	34,26	87,35	0,13	258,30	1757,33
P2	0,448	0,368	0,333	0,055	1,195	10,750
P3	0,860	0,715	0,714	0,090	2,690	20,650
B1	1,367	0,498	2,238	0,026	10,016	32,815
B2	0,284	0,258	0,141	0,060	0,660	6,810
B3	0,340	0,325	0,195	0,050	0,790	8,170
R1	1,531	0,607	2,081	0,049	7,375	36,738
R2	0,140	0,128	0,067	0,050	0,315	3,355
R3	0,201	0,173	0,089	0,080	0,355	4,815
P1	71,35	46,48	77,40	1,06	235,72	1712,41
P2	0,587	0,565	0,373	0,095	1,270	14,090
P3	1,092	1,015	0,686	0,155	2,325	26,210

No. of indicator	Average	Median	Standard deviation	Minimum	Maximum	Total
B1	2,943	1,453	3,808	0,016	14,684	70,621
B2	0,367	0,365	0,137	0,095	0,690	8,800
B3	0,455	0,450	0,232	0,055	0,965	10,915
R1	2,215	0,884	3,672	0,045	14,102	53,171
R2	0,148	0,140	0,075	0,040	0,275	3,550
R3	0,207	0,193	0,087	0,070	0,420	4,975

Source: own calculations based on the data from the source under Table 1.

REFERENCES

- Abramovitz, M. 1986. Catching-up, forging ahead and falling behind. *Journal of Economic History*, vol. 46.
- Abramovitz, M. 1994. The origins of the postwar catch-up and convergence boom. In: Fagerberg, J., Verspagen, B., von Tunzelmann, N. eds. *The dynamics of technology, trade and growth*. Aldershot: Edward Elgar.
- Acs, Z.J., Anselin, L., Varga, A. 2002. Patents and innovation counts as measures of regional production of new knowledge. *Research Policy*, vol. 31.
- Archibugi, D., Coco, A. 2004. A new indicator of technological capabilities for developed and developing countries (ArCo). *World Development*, vol. 32, no. 4.
- Benhabib, J., Spiegel, M. 1994. The role of human capital in economic development: evidence from aggregate cross-country data. *Journal of Monetary Economics*, vol. 34.
- Breschi S., Malerba, F. 1997. Sectoral innovation systems: technological regimes, Schumpeterian dynamics, and spatial boundaries. In: Edquist C. ed. *Systems of innovation: technologies, organisations, and institutions*. London: Pinter.
- Freeman, C. 1987. *Technology policy and economic performance: lessons from Japan*. London: Pinter.
- Carayannis, E.G., Campbell, D.F.J. 2009. 'Mode 3' and 'Quadruple Helix': toward a 21st century fractal innovation ecosystem. *International Journal of Technology Management*, vol. 46 (3/4).
- Carayannis, E.G., Campbell, D.F.J. 2010. Triple Helix, Quadruple Helix and Quintuple Helix and how do knowledge, innovation and the environment

- relate to each other? A proposed framework for a trans-disciplinary analysis of sustainable development and social ecology. *International Journal of Social Ecology and Sustainable Development*, vol. 1 (1), cited in Carayannis, E.G., Barth, T.D., Campbell, D.F.J. 2012. The Quintuple Helix innovation model: global warming as a challenge and driver for innovation. *Journal of Innovation and Entrepreneurship*, vol. 1 (2).
- Carlsson, B., Stankiewicz, R. 1991. On the nature, function and composition of technological systems. *Journal of Evolutionary Economics*, no.1.
- Castellacci, F., Natera, J.M. 2013. The dynamics of national innovation systems: A panel cointegration analysis of the coevolution between innovative capability and absorptive capacity. *Research Policy*, vol. 42.
- Cohen, W.M., Levinthal, D.A. 1990. Absorptive capacity: A new perspective on learning and innovation. *Administrative Science Quarterly*, vol. 35.
- Cohen, W.M., Levinthal, D.A. 1989. Innovation and Learning: The Two Faces of R&D. *The Economic Journal*, vol. 99.
- Cooke, P. 1992. Regional innovation systems: competitive regulation in the new Europe. *Geoforum*, vol. 23.
- Doloreux, D. 2002. What we should know about regional systems of innovation. *Technology in Society* no. 24.
- Edquist C. ed. 1997. *Systems of innovation: technologies, institutions and organisations*. London: Pinter.
- Etzkowitz, H., Leydesdorff, L. 2000. The dynamics of innovation: from national systems and 'Mode 2' to a Triple Helix of university-industry-government relations. *Research Policy*, vol. 29.
- Etzkowitz, H., Leydesdorff, L. 1995. The Triple Helix-university-industry-government relations: a laboratory for knowledge-based economic development. *EASST Review*, vol. 14.
- Faber, J., Heszen, A.B. 2004. Innovation capabilities of European nations. Cross-national analyses of patents and sales of product innovations. *Research Policy*, vol. 33.
- Fagerberg, J., Srholec, M., Knell, M. 2007. The competitiveness of nations: why some countries prosper while others fall behind. *World Development*, vol. 35.
- Fagerberg, J., Srholec, M. 2013. Knowledge, capabilities and the poverty trap: the complex interplay between technological, social and geographical factors In: Meusburger, P., Glückler, J., el Meskioui, M. eds. *Knowledge and the economy*. Springer.
- Fagerberg, J., Srholec, M. 2008. National innovation systems, capabilities and economic development. *Research Policy*, vol. 37, p. 1419.

- Fagerberg, J., Verspagen, B. 1996. Heading for divergence? Regional Growth in Europe reconsidered. *Journal of Common Market Studies*, vol. 34 (3).
- Fagerberg, J., Verspagen, B. 2003. Innovation, growth and economic development: why some countries succeed and others don't. The article prepared for First GLOBELICS Conference: Innovation Systems and Development Strategies for the Third Millennium. Rio, 2–6 November, 2003.
- Fagerberg, J., Verspagen, B. 2002. Technology-gaps, innovation-diffusion and transformation: an evolutionary interpretation. *Research Policy*, vol. 31.
- Fischer, M.M. 2001. Innovation, knowledge creation and systems of innovation. *The Annals of Regional Science*, no. 35.
- Freeman, C. 1987. *Technology policy and economic performance: lessons from Japan*. London: Pinter.
- Freudenberg, M. 2003. *Composite indicators of country performance: a critical assessment*, OECD Science, Technology and Industry Working Papers, OECD Publishing, no. 16.
- Fung, M.K., Chow, W. W. 2002. Measuring the intensity of knowledge flow with patent statistics. *Economics Letters*, vol. 74.
- Furman, J.L., Hayes, R. 2004. Catching up or standing still? National innovative productivity among 'follower' countries, 1978–1999. *Research Policy*, vol. 33.
- Furman, J.L., Porter, M.E., Stern, S. 2002. The determinants of national innovative capacity. *Research Policy*, vol. 31, p. 900.
- Hollanders, H. El-Sadki, N. 2013. *Innovation Union Scoreboard 2013*, European Commission, Enterprise and Industry. [Online] Available at: <http://dx.doi.org/10.1787/405566708255> [Accessed: 30 March 2015].
- Jaffe, A.B., Trajtenberg, M., Henderson, R. 1993. Geographic localisation of knowledge spillovers as evidenced by patent citations. *Quarterly Journal of Economics*, vol. 108 (3).
- Keller, W. 1996. Absorptive capacity: On the creation and acquisition of technology in development. *Journal of Development Economics*, vol. 49.
- Kim, L. 1997. *Imitation to innovation: The dynamics of Korea's technological learning*, Harvard: Harvard Business School Press, p. 4 cited in: Fagerberg, J., Srholec, M. 2008. National innovation systems, capabilities and economic development. *Research Policy*, vol. 37.
- Lall, S. 1992. Technological capabilities and industrialisation. *World Development*, vol. 20, no. 2, p. 170.
- Leydesdorff, L. 2012. The Triple Helix, Quadruple Helix, ..., and an N-Tuple of Helices: explanatory models for analyzing the knowledge-based economy? *Journal of Knowledge Economy*, vol. 3, pp. 32–33.

- Lundvall, B.A. ed. 1992. *National systems of innovation: towards a theory of innovation and interactive learning*. London: Pinter Publishing.
- Lundvall, B.A. 2002. *Innovation, growth, and social cohesion: the Danish model*. Edward Elgar Publishing.
- Lundvall, B.A. 1988. *Innovation as an interactive process: from user-producer interaction to the national systems of innovation*. In: Dosi, G., Freeman, Ch., Nelson, R., Silverberg, G., Soete, L. (eds.) *Technical change and economic theory*. London: Pinter.
- Lundvall, B.A. 1985. *Product innovation and user-producer interaction*. Aalborg University Press.
- Nelson, R.R. ed. 1993. *National innovation systems: a comparative analysis*. Oxford: Oxford University Press.
- No, H.J., An, Y., Park, Y. 2014. A structured approach to explore knowledge flows through technology-based business methods by integrating patent citation analysis and text mining. *Technological Forecasting & Social Change*. [Online] Available at: <http://dx.doi.org/10.1016/j.techfore.2014.04.007>.
- OECD. 1999. *Managing National Innovation Systems*, Paris: OECD, p. 23, cited in Box S. (OECD), *OECD work on innovation – a stocktaking of existing work*, Science and Technology Policy STI Working Paper 2009/2.
- Pakes, A., Griliches, Z. 1980. Patents and R&D at the firm level: a first report. *Economics Letters*, vol. 5.
- Papageorgiou, C. 2002. Technology adoption, human capital and growth theory. *Review of Development Economics*, vol. 6.
- Park, G., Park, Y. 2006. On the measurement of patent stock as knowledge indicators. *Technological Forecasting & Social Change*, vol. 73.
- Stokke, H. 2008. Productivity growth and organisational learning. *Review of Development Economics*, vol. 12 (4).
- Verspagen, B. 1991. A new empirical approach to catching up or falling behind. *Structural Change and Economic Dynamics*, vol. 2 (2).

INNOVATIVE CAPACITY AND INNOVATION SYSTEMS AND THE ECONOMIC DEVELOPMENT LEVELS OF EUROPEAN COUNTRIES

Summary

The paper aims to study the relationship between differences in national innovation capabilities within three sectors, which are the main building blocks of an innovation system, and country variations in *GDP per capita*. Research in this area has previously focused mostly on the impact of differently defined innovation capabilities on the level of economic development of countries, neglecting innovation system sectors approach. The analysis conducted for this paper has allowed to confirm that there is a positive relationship between country variations in innovation capabilities within two of the sectors: enterprise sector and higher education sector, and national differences in *GDP per capita*. While the relationship between differences in innovation capabilities within the latter sector is linear in character, the interdependence between country variations in enterprise sector innovation capabilities and economic development are evidently non-linear. Values of composite indexes calculated for the enterprise sector innovation capabilities above a certain level have not been accompanied by corresponding higher values of *GDP per capita* – this relationship has been evident in both analysed periods. The study based on gathered statistical information has also allowed to conclude that during 10 years between 2002–2003 and 2012–2013 there have not been observed any significant changes on the Europe's map of innovation leaders.

ZDOLNOŚCI INNOWACYJNE W PRZEKROJU GŁÓWNYCH ELEMENTÓW SYSTEMU INNOWACJI A POZIOM ROZWOJU GOSPODARCZEGO KRAJÓW EUROPEJSKICH

Streszczenie

Przedmiotem artykułu jest zbadanie zależności pomiędzy zróżnicowaniem poziomu zdolności innowacyjnych gospodarek europejskich w układzie trzech sektorów stanowiących główne elementy systemu innowacji oraz zróżnicowaniem wartości PKB *per capita*. Do tej pory badania w tym zakresie koncentrowały się na podejściu przedmiotowym i realizowane były w przekroju różnie definiowanych zdolności innowacyjnych, podczas gdy niewiele miejsca poświę-

cono znaczeniu aktywności innowacyjnej głównych grup podmiotów systemów innowacji z punktu widzenia poziomu rozwoju gospodarek poszczególnych krajów. Przeprowadzona analiza pozwoliła potwierdzić, że zróżnicowanie zdolności innowacyjnych stanowiących rezultat aktywności jedynie dwóch sektorów: przedsiębiorstw i szkolnictwa wyższego, wykazuje powiązanie ze zróżnicowaniem poziomu PKB *per capita* krajów europejskich. Podczas, gdy zależność pomiędzy zróżnicowaniem poziomu zdolności innowacyjnych tego ostatniego oraz rozwoju gospodarczego miała charakter wyraźnie liniowy, w przypadku sektora przedsiębiorstw można było zaobserwować zależność nieliniową. Wartości złożonych indeksów opisujących zdolności innowacyjne budowane w sektorze przedsiębiorstw powyżej pewnego poziomu nie były powiązane z wyższym poziomem dochodu na mieszkańca – zależność ta była widoczna w obu analizowanych okresach. Badanie w oparciu o zgromadzony materiał statystyczny pozwoliło również na stwierdzenie, że w ciągu 10 lat, a mianowicie pomiędzy dwoma analizowanymi okresami: 2002–2003 oraz 2012–2013, nie nastąpiły żadne istotne zmiany na mapie Europy pod względem krajów liderów innowacyjnych.

ИННОВАЦИОННЫЙ ПОТЕНЦИАЛ В РАЗРЕЗЕ ГЛАВНЫХ ЭЛЕМЕНТОВ СИСТЕМЫ ИННОВАЦИИ И УРОВЕНЬ ЭКОНОМИЧЕСКОГО РАЗВИТИЯ ЕВРОПЕЙСКИХ ГОСУДАРСТВ

Резюме

Предметом статьи является анализ зависимости между дифференцированием уровня инновационного потенциала экономики европейских государств в системе трёх секторов, представляющих собой основные элементы системы инновации, и дифференцированием стоимости отечественного ВП (валового продукта) *per capita*. До этого времени исследования в данной области были сконцентрированы на мериторическом подходе и реализовались в разрезе различным образом определяемого инновационного потенциала, тогда как недостаточно внимания обращалось на значение инновационной активности основных групп субъектов инновационных систем с точки зрения уровня развития экономики отдельных государств. Проведённый анализ позволяет утверждать, что дифференцирование инновационного потенциала, представляющего собой результат активности только двух секторов: предпринимательского и высшего образования, выявляет связь с дифференцированием

уровня отечественного ВП *per capita* европейских государств. В то время как зависимость между дифференцированием уровня инновационного потенциала последнего, а также экономического развития, имела явно линейный характер, в случае предпринимательского сектора можно было наблюдать нелинейную зависимость. Показатели сводных индексов, описывающих инновационный потенциал, сформированные в предпринимательском секторе выше определённого уровня, сопряжены с более высоким уровнем дохода на душу населения – данная зависимость была заметна в обоих анализируемых периодах. Исследование, основанное на накопленном статистическом материале, позволяет также утверждать, что в течение десяти лет, а именно между двумя анализируемыми периодами: 2002–2003 и 2012–2013, не произошло никаких существенных изменений на карте Европы в отношении государств – инновационных лидеров.

Nikola Janusek-Krysińska

STIMULANTS, HINDRANCES
AND GAUGES OF REGIONAL DEVELOPMENT
– THEORETICAL ANALYSIS

INTRODUCTION

Regional development is an interdisciplinary research issue engaging the attention of economist, political scientists or sociologists. The research on development is continually updated and expanded, presented in new contexts. Since the Polish accession to the European Union activities undertaken in the framework of regional policy and cohesion policy have aimed at continuous development of regions and elimination of economic, social and territorial disparities. This study attempts to synthesise the most important determinants of regional development, i.e. stimulants and hindrances, in order to show how multifaceted this problem is. In addition, a review of the regional development measures was made in order to construct the author's (refreshed and extended) research model.

Regional development is a complex and multidimensional process, leading to the improvement of the socio-economic situation and internal transformations in the region. It is assumed that evolution is associated with the passage from lower, simpler levels to higher and more complex ones, and therefore the aim of regional development is to systematically improve and develop the competitiveness, raise the standard of living and increase the economic potential of the region¹.

In the literature there are many theories connected with regional development which emphasise different aspects and development-oriented

¹ Zakrzewska-Póltorak, A. 2012. *Rozwój regionalny w globalizującej się gospodarce.* [Regional development in the globalizing economy.] Wrocław, p. 21.

determinants² and relate to developmental disparities between regions. Analyzing the region from the point of view of a selected theory, it should be treated as an inseparable cultural, economic and social entirety. The development of the given area is usually defined by means of measures of economic prosperity, which constitute the starting point for research related to intangible needs measured by social indicators³.

Since concepts of development as a whole are not the subject of this study, but the individual stimulants and hindrances, as well as measures which reflect the level of development, attention will be focused on the analysis of factors and barriers to progress, as well as proposals for regional development gauges.

The goal of this study is an attempt to synthesise various stimulants and hindrances into an original gauge of the regional development level based on four main components, i.e. economic development (including competitiveness and innovation), human capital, social capital and the quality of life⁴. The presented, original research model allows you to refresh or expand various gauges of regional development occurring in the literature. Making the operationalisation of the topic we should look at concepts such as stimulants, hindrances, gauges of regional development and the level of regional development. On the basis of the definition cited by Tomasz Tokarski a stimulant (hindrance) should be regarded as ‘such a variable whose high level describes the desired (undesired) status of the studied phenomenon’⁵. Thus, all pro-development factors will be the stimulants of development and

² See more in von Stackelberg, K., Hahne, U. 1998. *Teorie rozwoju regionalnego*. [Theories of regional development.] In: Golinowska, S. ed. *Rozwój ekonomiczny regionów. Rynek pracy. Procesy migracyjne. Polska, Czechy, Niemcy*. [Economic development of regions. Labor market. Migration processes. Poland, the Czech Republic, Germany.] Warszawa, pp. 30–105; Gawlikowska-Hueckel, K. 2002. *Procesy rozwoju regionalnego w Unii Europejskiej. Konwergencja czy polaryzacja?* [The processes of regional development in the European Union. Convergence or polarisation?] Gdańsk; Głąbicka, K., Grewiński, M. 2005. *Polityka spójności społeczno-gospodarczej Unii Europejskiej*. [Policy of socio-economic cohesion of the European Union.] Warszawa; Szewczuk, A., Kogut-Jaworska, M., Ziolo, M. eds. 2011. *Rozwój lokalny i regionalny. Teoria i praktyka*. [Local and regional development. Theory and practice.] Warszawa; Grosse, T.G. 2002. Przegląd koncepcji teoretycznych rozwoju regionalnego. [Overview of theoretical concepts of regional development.] *Studia Regionalne i Lokalne*, no. 1(8), pp. 25–48.

³ Głąbicka, K., Grewiński, M., *op. cit.*, p. 23.

⁴ Dziemianowicz, W., Łukomska, J., Górka, A., and Pawluczuk, M. 2009. *Trendy rozwojowe regionów*. [Development trends of regions.] Warszawa, pp. 13–21.

⁵ Tokarski, T. 2008. Taksonomiczne wskaźniki rozwoju ekonomicznego polskich województw. [Taxonomic indicators of economic development of Polish provinces.]

hindrances are the barriers which adversely affect the development process. A regional development measuring instrument can be defined as a model constructed of appropriate indicators designed to measure the level of development of regions (the phase of progress achieved by the region). This text answers the questions: What are the main stimulants/hindrances affecting regional development? What is competitiveness and what determines it? How are gauges of regional development constructed?

1. STIMULANTS AND HINDRANCES OF REGIONAL DEVELOPMENT

In the literature we can encounter various ways of classifying and dividing factors and barriers to growth. Stanisław Korenik lists five main categories of classification of development factors, i.e. economic, social, technical, ecological and political factors⁶. Focusing on pro-development factors, Danuta Stawasz stresses the importance of: the geographical location and natural values, the demographic situation in the region, infrastructure, economic activity (the factor related both to the national and regional level), investments and fixed assets, labour resources, strengthening of the labour market and the elimination of unemployment, science and innovation, institutions creating 'the market environment', current environmental and living factors⁷.

Jerzy J. Parysek notes that the determination of the development factors is dependent on the way of understanding the regional or local economy. Assuming that the regional/local economy means all intraregional activities of various institutions, aimed at creating new jobs using the resources and factors inherent in the region at that time, using such a simplified approach the development factors should include the resources of the region – its population, environment resources, and capital⁸.

In: Kwiatkowski, E. ed. *Zróżnicowanie rozwoju polskich regionów*. [Diversity of development of Polish regions.] Łódź, p. 271.

⁶ Korenik, S. 2003. *Dysproporcje w rozwoju regionów Polski. Wybrane aspekty*. [Disparities in the development of Polish regions. selected aspects.] Wrocław, p. 65.

⁷ Stawasz, D. includes the following factors to the last category: efficient logistics system, developed tourism and leisure facilities, openness of society, and development of education. See: Stawasz, D. 2000. *Współczesne uwarunkowania rozwoju polskich regionów*. [Contemporary conditions of the development of Polish regions.] Łódź, pp. 125–201.

⁸ Parysek, J.J. 2001. *Podstawy gospodarki lokalnej*. [Fundamentals of the local economy.] Poznań, p. 18.

In order to multiply the factors conducive to development, attention should be paid to values. A special role is played by traditional values present in the region, but also by the process of renewal of lost ones and taking actions which create new values favourable for development⁹. These properly nurtured and used values lead to the creation of ‘new kinds of activity, new companies and institutions, new jobs, new products, attractive locations and real estate, high quality residential buildings, high quality social and infrastructure facilities, new knowledge, new ideas and information, new technologies and innovations, higher qualifications and new skills, new methods of management, entrepreneurship and leadership, new patterns of behaviour and ways of communicating in the region’¹⁰.

According to Wojciech Kosiedowski, classic (basic) development factors (production) are still currently important, i.e. the land, labour and capital which come into wider categories of natural, human and capital resources, but it is important to extend these sets of factors of development. Kosiedowski proposes to distinguish factors of economic, social, technical and technological as well as of ecological nature. A multitude of development factors (within each of these categories there are numerous ‘detailed’ factors) makes their classification and testing a complex issue. All the factors are in fact complementary, some of them can be quantified, measurability of others is difficult or even impossible. Therefore, the considerations of the factors of development are not easy¹¹.

In the study of regional development just as much attention is devoted to development factors, as to barriers which may limit development or even make it impossible. In the literature you can find various ways of classifying barriers to development. W. Kosiedowski made the same specification of barriers to development as he did with development factors, highlighting limitations of economic, social, technical and technological as well as of ecological nature¹².

⁹ Kulczyk-Dynowska, A. 2013. *Rozwój regionalny na obszarach chronionych*. [Regional development in protected areas.] Wrocław, p. 39.

¹⁰ Klasik, A., Kuźnik, F. 2001. Konkurencyjny rozwój regionów w Europie. [Competitive development of regions in Europe.] In: Szymła, Z. ed. *Konkurencyjność miast i regionów*. [The competitiveness of cities and regions.] Kraków, p. 22.

¹¹ Kosiedowski, W. 2001. Teoretyczne problemy rozwoju regionalnego. [Theoretical problems of regional development.] In: Adamiak, J., Kosiedowski, W., Potoczek, A., Słowińska, B. eds. *Zarządzanie rozwojem regionalnym i lokalnym. Problemy teorii i praktyki*. [Management of regional and local development. Problems of theory and practice.] Toruń, pp. 31–34.

¹² Kosiedowski, W. 2005. Wprowadzenie do teorii i praktyki rozwoju regionalnego i lokalnego. [Introduction to the theory and practice of regional and local development.] In:

Trying to classify the barriers the following may be taken into account: the source of their origin (internal and external barriers), the ability to overcome the obstacle (relative and absolute barriers), the versatility of occurrence (systemic, regional/local barriers), the way of influencing the process of development (the barriers that slow down, hinder, prevent development)¹³.

Table 1

External and internal barriers to development

Barriers to development	
External	Internal
The economic recession, Unstable politics (including financial one) towards local governments, High competitiveness of other entities, Unstable policy towards agriculture, Adverse immediate surroundings of the region, Improper management of the country, Underdevelopment of infrastructure, The collapse of moral values, Capital intensity of production, The small attractiveness of the country for investors, The processes of globalisation.	Unemployment and the labour market, Poor condition of technical infrastructure, Human potential, Problems of local economies, Structure of the regional economy, Geographical location, Local and regional finances, Spatial planning, Management of the region, Education, Low level of investment, Area, State of the environment, Consequences of political transformation, Lack of local patriotism and willingness to cooperate.

Source: Prepared on the basis of Sekuła, A. 2004. Postrzegana sytuacja gmin na podstawie analizy SWOT przedstawionej w strategiach rozwoju lokalnego [The perceived situation of municipalities on the basis of a SWOT analysis presented in the local development strategies]. In: Garbacik, B. ed. *Edukacja menadżerska a świadomość przemian cywilizacyjnych* [Managerial education and awareness of civilisational changes]. Gdańsk, p. 101, 103; cited in: Sekuła, A. 2005. Bariery rozwoju lokalnego [Barriers to local development]. *Samorząd terytorialny w zintegrowanej Europie* [Local government in integrated Europe], no. 401, p. 596.

Kosiedowski, W. ed. *Samorząd terytorialny w procesie rozwoju regionalnego i lokalnego*. [Local government in the process of regional and local development.] Toruń, p. 28.

¹³ Sekuła, A. 2005. Bariery rozwoju lokalnego. [Barriers to local development.] *Samorząd terytorialny w zintegrowanej Europie*. [Local government in integrated Europe], no 401, p. 594.

In the studies the criterion of the place of origin of the given obstacle is often used, identifying exogenous and endogenous barriers. Barriers to development are interlinked and, for instance, national problems translate into the situation in the region. The following are the examples of threats.

In turn, Ryszard Domański included the following to the main constraints to development: too small amount of land available for different sectors of the economy, i.e. agriculture, industry, recreation, etc.; negative externalities which concern mainly highly developed, ‘crowded’ regions, which restricts the access to common resources; obsolete or inappropriate spatial development of cities or entire regions creating development thresholds; lack of balance between the elements of spatial development, which decreases efficiency and reduces opportunities to develop the regional economy and adversely affects the quality of life of the population; immobility of material resources and limited mobility of human resources¹⁴.

2. REGIONAL DEVELOPMENT GAUGES

Reliable information plays an important role in the measurement of regional development. In Poland, analyses of development are carried out mainly on the basis of data from the CSO and various financial institutions, tax offices or local governments. The collected data concern mainly: the amount of GDP per capita in the region, the division of the population with regard to the main source of livelihood and employment sectors, the financial situation of the inhabitants of the region, the size of foreign capital, the level of innovation and expenditure on R&D¹⁵.

Measuring instruments of development can be divided into three main groups: related to demographics, living conditions of residents, and measures of economic potential. In the first group, we can apply the indicators concerning: population density, level of economic activity, employment level and structure, unemployment level and structure, the proportion of urban and rural population, the rate of migration. The second group includes, among others, indicators related to the level of health care and level of development of communal infrastructure. The last group connected with the economic potential of the region is mostly determined by: the level of GDP, the rate of production and employment on the basis of sections of the national economy, the value of

¹⁴ Domański, R. 2006. *Geografia ekonomiczna. Ujęcie dynamiczne*. [Economic geography. Dynamic approaches.] Warszawa, pp. 125–126.

¹⁵ Kulczyk-Dynowska, A., *op. cit.*, p. 53.

fixed assets and the degree of their wear, the number of financial, insurance and other institutions which are part of the so-called 'business environment', the development of technical (transport, utilities, energy) infrastructure¹⁶.

The quantification of regional development can be done using the measure proposed by S. Korenik, in which the author singled out eight general gauges and assigned appropriate indicators to them.

Table 2

Gauges and indicators of regional development

Sn.	Gauge	Selected indicators
1.	Total population of the region	<ul style="list-style-type: none"> • The growth dynamics • Population density • The proportion of urban and rural population • The structure of population by age and sex
2.	The size of the labour force	<ul style="list-style-type: none"> • The growth dynamics • The residents' professional activity rate • The education structure • The balance of external migration
3.	The level of employment	<ul style="list-style-type: none"> • The growth dynamics • The structure of employment by sectors of the national economy • The unemployment rate
4.	The size of production fixed assets	<ul style="list-style-type: none"> • The growth dynamics • The structure of assets by type and degree of depreciation, divided into groups of assets
5.	Gross domestic product	<ul style="list-style-type: none"> • Produced and divided, and the relationships between them • The structure of production
6.	Incomes of population	<ul style="list-style-type: none"> • The growth dynamics • The structure of incomes • The structure of private consumption – the way of income spending
7.	Investment outlays	<ul style="list-style-type: none"> • The growth dynamics • The structure of capital • The structure of investments
8.	Infrastructure	<ul style="list-style-type: none"> • The structure of components • The level of decapitalisation • The level of investment broken down into and municipal, state and private investment

Source: Prepared on the basis of Korenik, S. 2003 *Dysproporcje w rozwoju regionów Polski. Wybrane aspekty* [Disparities in the development of Polish regions. Selected aspects]. Wrocław, p. 74.

¹⁶ *Ibidem*.

The level of regional development is inextricably linked to the competitiveness of the region. According to Marian Gorynia, the notion of competitiveness can be understood in at least two ways. The first one treats competitiveness as a characteristic, attribute, or result (usually connected with economic issues) because it assumes that the essence of the market economy consists in the fact that the actors of economic life compete with each other on various levels. The other approach treats competitiveness as a process related to attaining the acquisition of a given feature or attribute or the achievement of a particular result¹⁷.

Competitiveness is most often understood through the prism of competition, that is a zero-sum game. In dictionaries, the notion of competitiveness refers to the ability of an entity (a state, enterprise, etc.) to compete effectively in a particular place and time. Competitiveness defined in this way focuses on the results, the effects of competition, which are usually measured by quantitative indicators¹⁸.

Elżbieta Pogodzińska-Mizdrak interprets the phenomenon of competitiveness as competition between individuals of various kinds, and taking into account the economic aspect, as “the contention for the most advantageous position among rivals in order to gain material benefit and economic status”¹⁹. Also Bolesław Winiarski, analyzing the factors of regional competitiveness, refers the term ‘competitiveness’ to the economic sphere, defining it as ‘the ability of entities operating in the market economy to achieve success in the economic rivalry taking place among them’²⁰.

¹⁷ Understanding competitiveness as a process, it is assumed that over time it will be interpreted in the context of the first category as a feature, attribute, or result. Cited in Gorynia, M. 2009. Teoretyczne aspekty konkurencyjności. [Theoretical aspects of competitiveness.] In: Gorynia, M. and Łązniewska, E. eds. *Kompendium wiedzy o konkurencyjności*. [Compendium of knowledge about competitiveness.] Warszawa, pp. 48–49.

¹⁸ Łązniewska, E., Chmielewski, R., Nowak, P. 2012. Definicje, modele i studia nad regionalną konkurencyjnością. [Definitions, models and studies on regional competitiveness.] In: Gorynia, M. and Łązniewska, E. eds. *Konkurencyjność regionalna. Koncepcje – strategie – przykłady*. [Regional competitiveness. Concepts – strategies – examples.] Warszawa, p. 24.

¹⁹ Pogodzińska-Mizdrak, E. 2005. Czynniki wzrostu konkurencyjności regionów w Polsce a polityka regionalna Unii Europejskiej. [Factors of growth of competitiveness of Polish regions and regional policy of the European Union.] In: Kópczuk, A. and Proniewski, M. eds. *Atrakcyjność inwestycyjna regionu*. [Investment attractiveness of the region.] Białystok, p. 85.

²⁰ Winiarski, B. 1999. Czynniki konkurencyjności regionów. [Factors of competitiveness of regions.] In: Klamut, M. ed. *Konkurencyjność regionów*. [Competitiveness of regions.] Wrocław, p. 48.

Competitiveness of the region in economic terms is the process by which the region (it can be conceived as a whole or by means of indicators of competitiveness, for example, business entities operating in its area) obtains a competitive advantage, thanks to which its development takes place. Competitiveness of the region means that it is able to create specific competitive advantages²¹.

Competitiveness can be examined on several levels. The first level – micro – refers to the competitiveness of individual companies, the second level – meso – deals with the competitiveness of particular sectors, branches, industries of the economy and regions, the third level of the analysis is macro-competitiveness which pertains to the results of the activities of the State in international trade, in particular the increase of its role in export markets²².

The level of competitiveness is determined by the potential of competitiveness, which can be described as ‘the entirety of tangible and intangible resources which are necessary for the organisation to operate on the market arena of competitiveness. This potential is expressed in factors and gauges of competitiveness which illustrate and assign specific values to the given resources’²³.

B. Winiarski recognised that the basic determinant of competitiveness is, first of all, the developed and diversified structure of the economy, whose branches and enterprises are able to participate in the division of labour at the inter-regional and international level, achieving successes in economic competition. Second, good general development, with developed technical-economic and social infrastructure which ensures the transport accessibility of the region, linking the region with the national and international transport system, availability of water, electricity and gas, developed and prosperous system of education, health, welfare, recreation. Third, the presence of scientific research centres which support innovative processes and create the

²¹ Markowski, T. 2008. Teoretyczne podstawy rozwoju lokalnego i regionalnego. [The theoretical basis of local and regional development.] In: Strzelecki, Z. ed. *Gospodarka regionalna i lokalna. [Regional and local economy.]* Warszawa, p. 23.

²² In the literature there is also the phenomenon of mega-competitiveness. As the macro level of the analysis refers to the country as a whole, the mega level should be analyzed in relation to the supranational structures. Cited in Olczyk, M. 2008. Konkurencyjność podmiotów – ujęcie teoretyczne. [Competitiveness of operators – theoretical background.] In: Daszkiewicz, N. ed. *Konkurencyjność, Poziom makro, mezo i mikro. [Competitiveness, macro, meso and micro levels.]* Warszawa pp. 13–14.

²³ Pogodzińska-Mizdrak, E., *op. cit.*, p. 85.

intellectual climate and the presence of universities. Fourth, the existence of institutions operating in the so-called ‘business environment’ and a good condition of the natural environment and land available for investments, reasonable land prices and high productivity of land. However, Winiarski stresses that ‘the competitive strength of regions seems to depend to a greater extent not on what they actually have, but on their skills and professionalism in conducting promotional activities’²⁴.

W. Kosiedowski proposes to include the following in the list of factors determining the level of competitiveness: the diversification of the economic structure, developed communication, the level of innovation and entrepreneurship, the level of education and intellectual potential of the region’s population, a strong urban agglomeration or large urban centres, scientific research centres and development facilities, the ability of development management, the skill to obtain and use domestic and foreign aid funds, self-organisation of society (i.e. developed ‘third sector’) and available investment areas²⁵. Additionally, attention should also be paid to the external situation – the macroeconomic policy pursued by the state authorities, the international situation, the processes of globalisation and subjective factors, for instance, the range and effectiveness of promotional activities, the strong defence of regional interests, lobbying, the shaped image of the region²⁶.

The level of competitiveness is connected with the level of development of the region, as evidenced by the fact that in the examination of both competitiveness and the level of development, related indicators are used, among others, the level of GDP per capita, the number of business operators, the unemployment rate, the education level of the inhabitants of the region or the amount of expenditure on R&D. A set of sample gauges and indicators of competitiveness was developed by Danuta Strahl, highlighting the most important attributes (areas of competitiveness), describing the importance of the attribute and providing statistical measures on the basis of which the given area of competitiveness can be examined.

As in the case of factors enabling regional development, also the increase of the competitiveness of the region is a complex issue. It can be acknowledged that competitiveness is a conglomerate of specific attributes which expressed by means of appropriate indicators give evidence to the position and attractiveness of the region. It is difficult to determine the

²⁴ Winiarski, B. *op. cit.*, pp. 50–51, 54.

²⁵ Kosiedowski, W. Introduction to the theory..., *op. cit.*, p. 33.

²⁶ *Ibidem*, pp. 33–34.

level of competitiveness by making reference only to certain aspects of the analysis, therefore, measures of competitiveness take into account a number of indicators, giving a fuller picture of the study area.

Table 3

Attributes of competitiveness of regions

The attribute – area of competitiveness	What it expresses	Statistical gauges
Human capital	The ability of the region to realise market challenges	<ul style="list-style-type: none"> • The share of employees with tertiary education • The employment rate (number of the employed in relation to the number of the professionally active) • The share of employees with secondary education and seniority over 5 years
Living conditions	The conditions for self-realisation of inhabitants, the creation in the region of opportunities for recreation, safety of life and health, high quality educational opportunities, cultural development, proper communication with the environment	<ul style="list-style-type: none"> • The number of towns which have a tourist resort status, the surface of recreation areas • The number of natural attractions • The existence – or not of airports, highways • The share of roads with an improved surface in the total surface of roads • The number of telephones per 1000 inhabitants • The number of viewers and listeners in theatres, concert halls per 1000 inhabitants • The number of crimes per 1000 inhabitants • The detection rate of recorded crimes
Innovativeness	The possibility of the region to create added value with high market standards	<ul style="list-style-type: none"> • The share of employees of R&D departments • The number of employees of R&D departments per 1000 inhabitants • Outlays on R&D activity per one employee of a R&D department • Outlays on investments per one inhabitant of the region • The share of production of high technology industries in the total industrial production of the region • The number of universities and colleges in the region • The number of academic staff of universities and colleges

The attribute – area of competitiveness	What it expresses	Statistical gauges
Finances of the region	The wealth of the region indicating domestic demand, the possibility of financing investments, entrepreneurship and crediting of population	<ul style="list-style-type: none"> • Savings of population per one inhabitant • Average remuneration in the region • Income at the disposal of one inhabitant • The size of bank lending • The share of „difficult” loans in banks of the region
Information and the possibility of its use	The ability of the region to respond to: market challenges, external threats, changes in the development strategy	<ul style="list-style-type: none"> • The number of Internet users per 1000 inhabitants • The number of mobile and landline telephone users per 1000 inhabitants • The number of professional institutions dealing with information

Source: Strahl, D. 2005. Miara konkurencyjności regionu zorientowana na przyszłość [The measure of competitiveness of the region focused on the future]. In: Rapacz, A. ed. *Problemy konkurencyjności regionów i przedsiębiorstw* [Problems of competitiveness of regions and enterprises]. Wrocław, pp. 26–27.

Summarizing the above considerations on the factors of competitiveness, a region should be regarded as competitive if it: is well equipped with modern factors of production, is innovative, has a developed network of mutual trade connections, has a flexible and specialised lab or market, is characterised by predictable behaviour of actors affecting the development of the region and by the ability to respond to new challenges, has regional leaders who are able to concentrate around them local/regional economic operators and institutions²⁷.

²⁷ Stawasz, D. *op. cit.*, p. 54.

3. THE CONSTRUCTION OF A REGIONAL DEVELOPMENT GAUGE – AN SYNTHETISATION ATTEMPT

This study attempts to synthesize regional development indicators proposed by various authors²⁸. Fairly comprehensive proposals for the creation of a measuring instrument of the level of development are presented by Wojciech Dziemianowicz, Julita Lukomska, Anna Hill and Magda Pawluczuk. The authors propose to analyze the level of development of regions within four major constituent components, namely: the economy, competitiveness, innovation, human capital, social capital, quality of life²⁹.

The first component of the study of the development level is related to the regional economy. Thus, it takes into account *strictly* economic indicators, showing the strength of the economy, its competitiveness and innovativeness, which is one of the most important factors of development in the modern world.

²⁸ See more in Bronisz, U. 2013. *Metody badania konkurencyjności regionów*. [Methods of examining the competitiveness of regions.] Warszawa; Kuciński, K. 2005. Regionalne aspekty koniunktury gospodarczej. [Regional aspects of economic situation.] In: Kaja, J., Piech, K. eds. *Rozwój oraz polityka regionalna i lokalna w Polsce*. [Development and regional and local policy in Poland.] Warszawa, pp. 51–89; Klóska, R. 2010. Innowacyjność województw w Polsce. [Innovativeness of provinces in Poland.] In: Woszczek, Z., Grabiński, T., Tabor, A. eds. *Rozwój ekonomiczno-społeczny mikro i makroregionów*. [Economic and social development of micro and macro-regions.] Chrzanów, pp. 59–65; Olechnicka, A. 2007. Innowacyjność polskich regionów. Metody pomiaru, stan i tendencje. [Innovativeness of Polish regions. Methods of measurement, the status and trends.] In: Gorzelak, G., Tucholska, A. eds. *Rozwój, region, przestrzeń*. [Development, region, space.] Warszawa, pp. 265–288; Pawlik, A. 2011. Potencjał innowacyjny podstawą rozwoju regionalnego. [The innovative potential as the basis for regional development.] In: Harańczyk, A. ed. *Perspektywy rozwoju regionalnego Polski w okresie programowania po 2013 r.* [Polish regional development perspectives in the programming period after 2013.] part. I, vol. CXL, Warszawa, pp. 67–78; Strahl, D. 2005. Miara konkurencyjności regionu zorientowana na przyszłość. [A measure of competitiveness of the region focused on the future.] In: Rapacz, A. ed. *Problemy konkurencyjności regionów i przedsiębiorstw*. [Problems of competitiveness of regions and businesses.] Wrocław, pp. 26–27; Korenik, S. 2003. *Dysproporcje w rozwoju regionów Polski. Wybrane aspekty*. [Disparities in the development of Polish regions. Selected aspects.] Wrocław, p. 74.

²⁹ Dziemianowicz, W., Łukomska, J., Górka, A., Pawluczuk, M., *op. cit.*, pp. 14–21.

Table 4

Development indicators related to the economy, competitiveness and innovations

Indicators	Values in the region
GDP growth rate (ratio: 2008 to 2013)	
GDP <i>per capita</i>	
The size of the revenue / expenditure per capita	
Gross operating surplus	
Labour productivity – gross value added per one employee	
The sectoral structure of gross value added	Section*
	A B, C, D, E F G, H, I, J K, L M, N, O, P, Q, R, S, T
The share of the registered unemployed in the population of working age	
Investments and fixed assets including: – total capital expenditures – capital expenditures in enterprises – the gross value of fixed assets in enterprises – foreign funds in capital investment in enterprises	
The share of the province in national export	
The number of economic entities per 10 thousand inhabitants in working age	
Internal outlays on R&D activity in relation to GDP	
The number of people employed in R&D per 1000 professionally active people	
The number of reported inventions and granted patents per 100 thousand inhabitants	

* Section: A – agriculture, forestry, hunting and fishing; B, C, D, E – industry; F – building industry; G, H, I, J – trade, repair of motor vehicles, transportation and storage, accommodation and catering, information and communication; K, L – financial and insurance activities, real estate market services; M, N, O, P, Q, R, S, T – other services.

Source: Prepared on the basis of: Dziemianowicz, W., Łukomska, J., Górka, A., Pawluczuk, M., 2009. *Trendy rozwojowe regionów [Development trends of regions]*. Warszawa, pp. 15–17; Pawlik, A. 2011. Potencjał innowacyjny podstawą rozwoju regionalnego [The innovative potential as the basis for regional development]. In: Harańczyk, A. ed. *Perspektywy rozwoju regionalnego Polski w okresie programowania po 2013 r. [Polish regional*

development perspectives in the programming period after 2013]. part I, vol. CXL, Warszawa, p. 75; Strahl, D. 2005. Miara konkurencyjności regionu zorientowana na przyszłość [A measure of competitiveness of the region focused on the future]. In: Rapacz, A. ed. *Problemy konkurencyjności regionów i przedsiębiorstw* [Problems of competitiveness of regions and businesses]. Wrocław, pp. 26–27; Korenik, S. 2003. *Dysproporcje w rozwoju regionów Polski. Wybrane aspekty* [Disparities in the development of Polish regions. Selected aspects]. Wrocław, p.74; Klóska, R. 2010. Innowacyjność województw w Polsce [Innovativeness of provinces in Poland]. In: Woszczek, Z., Grabiński, T., Tabor, A. eds. *Rozwój ekonomiczno-społeczny mikro i makroregionów* [Economic and social development of micro and macro-regions]. Chrzanów, p. 60; Kuciński, K. 2005. Regionalne aspekty koniunktury gospodarczej [Regional aspects of the economic situation]. In: Kaja, J., Piech, K. eds. *Rozwój oraz polityka regionalna i lokalna w Polsce* [Development and regional and local policy in Poland]. Warszawa, pp. 56–57; Olechnicka, A. 2007. Innowacyjność polskich regionów. Metody pomiaru, stan i tendencje [Innovativeness of Polish regions. Methods of measurement, the status and trends]. In: Gorzelak, G., Tucholska, A. eds. *Rozwój, region, przestrzeń* [Development, region, space]. Warszawa, pp. 269, 277.

In the era of the knowledge-based economy, the second major component of the development of the region is human capital, which must be understood as the whole pro-development potential of individual units. The indicators of the human capital development level can include basic demographic information and data relating to education.

Table 5

Human capital indicators

The group of indicators	Indicators	Values in the region
Demographic indicators	Rate of natural increase per 1000 inhabitants	
	Fertility rate	
	Internal migration balance	
	International migration balance	
	Population age structure: – Pre-working, – Working – Post-working	
	The proportion of urban and rural population	

The group of indicators	Indicators	Values in the region
Education indicators	Net schooling rate by different levels and types of schools: – Primary and junior high education: • Primary education • Junior high education – Post-primary and secondary education: • Vocational schools • Post-secondary schools • SZiOZ • SPL	
	The number of students per 10 thousand inhabitants	
	The number of graduates per 1000 inhabitants aged 20–29	
	The share of the population with higher education in general population aged 25–59	

Source: Prepared on the basis of: Dziemianowicz, W., Łukomska, J., Górka, A., Pawluczuk, M., 2009. *Trendy rozwojowe regionów [Development trends of regions]*. Warszawa, p. 17; Korenik, S. 2003. *Dysproporcje w rozwoju regionów Polski. Wybrane aspekty [Disparities in the development of Polish regions. Selected aspects]*. Wrocław, p.74; Bronisz, U. 2013. *Metody badania konkurencyjności regionów [Methods of examining the competitiveness of regions]*. Warszawa, pp. 127–129.

Social capital is equally important in regional development. The concept of ‘social capital’ can be defined in many ways – applying it to different elements of social life serving the improvement of the well-being of an individual or of the whole group (functional approach), collective action, networking and co-operation (the paradigm of collective action, cooperation and networks), social stratification (structural approach)³⁰. Social capital is inherently difficult to measure since it refers to the social confidence and solidarity and organisational efficiency. The indicators of social capital which

³⁰ Bartkowski, J. 2007. Kapitał społeczny i jego oddziaływanie na rozwój w ujęciu socjologicznym. [Social capital and its impact on development in sociological terms.] In: Herbst, M. ed. *Kapitał ludzki i kapitał społeczny a rozwój regionalny. [Human capital and social capital and regional development.]* Warszawa, pp. 69–71.

can be measured include: turnout in the elections, the level of crime and crime detection, membership in organisations and the number of non-governmental organisations or the number of blood donors³¹.

Table 6

Social capital indicators

Indicators	Values in the region
Voter turnout in the elections: – Presidential – Parliamentary – The European Parliament – Local government	
The number of crimes: – total – per 10 thousand inhabitants – The rate of detectability of perpetrators	
The sum of memberships in organisations in millions of people per 10 thousand people	
Active organisations and associations per 10 thousand inhabitants	
The number of blood donors in total: – per 1000 inhabitants	

Source: Prepared on the basis of: Dziemianowicz, W., Łukomska, J., Górka, A., Pawluczuk M., 2009. *Trendy rozwojowe regionów* [Development trends of regions]. Warszawa, pp. 17–19; Strahl, D. 2005. Miara konkurencyjności regionu zorientowana na przyszłość [A measure of competitiveness of the region focused on the future]. In: Rapacz, A. ed. *Problemy konkurencyjności regionów i przedsiębiorstw* [Problems of competitiveness of regions and businesses]. Wrocław, pp. 26–27.

The last component of the level of development is the quality of life, which is examined as objective (through statistical indicators of income or housing) and/or as subjective (satisfaction with income, living conditions)³². Therefore, there is no doubt that the first area of research – the objective one, is easier to depict due to the available statistical data. Exemplary indicators of the quality of life are shown in the following table.

³¹ Dziemianowicz W., Łukomska, J., Górka, A., Pawluczuk, M., *op. cit.*, pp. 17–18.

³² Rogala, P. 2009. *Zaprojektowanie i przetestowanie systemu mierzenia jakości życia w gminach*. [Design and testing of system for measuring the quality of life in communities.] Raport z Realizacji Pracy Etap 2, Jelenia Góra–Poznań, p. 6.

Table 7

Quality of life

Indicators	Values in the region
LHDI ^{a)} (values from 0 to 100) – HI – EI – WI ^{b)}	
Income indicators: – Average monthly gross remuneration – The average monthly available income <ul style="list-style-type: none"> • including disposable income – Average monthly expenditure	
Conditions of work: – identified occupational diseases per 10 thousand inhabitants – injured in accidents at work per 1000 employees – the proportion of accidents in the region in the total number of accidents (Poland – 100%)	
Living conditions: – Average usable floor space for 1 person (m ²) – The number of completed dwellings per 10 thousand inhabitants – The number of subscribers per 1000 inhabitants to: <ul style="list-style-type: none"> • Television • Radio • Cable television – The equipment of households with standard durable goods: <ul style="list-style-type: none"> • Refrigerator • Washing machine • Dishwasher • Microwave oven • Passenger car • Television set • Mobile phone • Personal computer (including the Internet) 	

Indicators	Values in the region
<p>Education:</p> <ul style="list-style-type: none"> – The number of students per 1 computer with Internet access in: <ul style="list-style-type: none"> • primary schools, • junior high schools, • senior high schools, – The number of university students per 1 academic teacher – Number of children in kindergartens per 100 seats – The number of students per 1 class in: <ul style="list-style-type: none"> • primary schools, • junior high schools, • senior high vocational and art schools • vocational schools • senior high schools, • post-secondary schools, – Examination pass rate: <ul style="list-style-type: none"> • junior high: <p>The humanities – Polish language The humanities – history and civics Mathematics and natural science – mathematics Mathematics and natural science – natural sciences <ul style="list-style-type: none"> • High School Diploma examinations </p>	
<p>Health care:</p> <ul style="list-style-type: none"> – Population per one hospital bed, – The number of doctors of medicine per 10 thousand inhabitants, – Infant mortality per 1 thousand of live births, – The number of cases of tuberculosis in total: <ul style="list-style-type: none"> • 10 thousand inhabitants 	
<p>Transport and communication:</p> <ul style="list-style-type: none"> – operated railway lines per 100 km² – paved public roads – motor vehicles registered during the year – fatal road accidents per 100 inhabitants – population per one post office – landline (total line) per 1000 inhabitants 	
<p>Culture, tourism and recreation:</p> <ul style="list-style-type: none"> – Visitors to museums and exhibitions, – Seats in permanent cinemas, – Number of cultural centres, clubs and community centres, – Hotel beds per 1000 inhabitants – Occupancy levels in hotels 	

Indicators	Values in the region
– The condition and protection of the natural environment: Sewage treatment plants Outlays on fixed assets in environmental protection (1 inhabitant) Dust and gas air pollution retained or neutralised in pollutant reduction devices Population using sewage treatment plants Wastewater (municipal and industrial) cleaned in relation to the total wastewater requiring treatment Water consumption per 1 inhabitant (in m ³) Energy saving per 1 inhabitant The share of devastated and degraded land in relation to the total The share of legally protected areas in the total area The share of waste collected selectively in relation to the total Waste generated on 1 km ²	

a) LHDI –Local Human Development Index.

b) The components of LHDI are HI –Health Index, EI –Education Index) and WI –Wealth Index.

Source: Prepared on the basis of: *Krajowy Raport o Rozwoju Społecznym Polska 2012. Rozwój regionalny i lokalny* [The National Human Development Report Poland 2012. Regional and local development]. Biuro Projektowe UNDP w Polsce, Warszawa 2012, pp. 55–57; Dziemianowicz, W., Łukomska, J., Górka, A., Pawluczuk, M., 2009. *Trendy rozwojowe regionów* [Development trends of regions]. Warszawa, pp. 20–21; Strahl, D. 2005. Miara konkurencyjności regionu zorientowana na przyszłość [A measure of competitiveness of the region focused on the future]. In: Rapacz A. ed. *Problemy konkurencyjności regionów i przedsiębiorstw* [Problems of competitiveness of regions and businesses]. Wrocław, pp. 26–27.

SUMMARY

The analysis conducted in this study shows the multitude of definitions and approaches to stimulants, hindrances and gauges of the level of development. Regardless of the accepted definitions, factors contribute to the potential favourable to the development of the given region, and barriers constitute obstacles restraining this development. The advantage of positive aspects determines the strength of the region and affects its competitiveness which is conducive to further development. In order to examine the level of regional development, meters consisting of a set of specific indicators relating to selected areas of the analysis are created, it is concluded which of the

investigated aspects are the stimulants / hindrances of the development, and conducting an inter-regional comparative analysis it can be determined which of the regions, and on which plane is the most competitive.

According to the assumption that regional development consists of four main components, i.e. the economy, human capital, social capital and quality of life in the region, in each of these aspects indicators which best reflect its state were isolated. In the part related to the regional economy focus should be placed on indicators which: are related to GDP, are connected with the revenue and expenditure per capita, show the sectoral structure of gross value added, unemployment, the state of investments (including foreign ones) and fixed assets, entrepreneurship and innovativeness. The second aspect – human capital – is expressed by the indicators related to demographics and education in the region. Social capital can be illustrated by indicators related to voter turnout, the number of crimes in the region and their detectability, development of the third sector and the number of blood donors. The last component – the quality of life – is expressed by the indicators: LHDI and income (not included in the first component), working, housing and educational conditions (not included in human capital), related to health care, transport and communications, culture, tourism and recreation and protection of the natural environment. It should be noted that a measuring instrument designed in this way is not comprehensive (based on quantitative indicators) or final. Since the issue of regional development is complex, it can be examined in many ways – as a whole or with respect to certain aspects, based on quantitative or qualitative indicators, showing the current status or growth dynamics on selected planes of the analysis. The study of the regional development level and the gauge used for measuring it largely depend on the assumptions made by the researcher and the availability of data and, therefore, its structure can be an individual matter, but it should always take into account all components of development.

REFERENCES

- Bartkowski, J. 2007. Kapitał społeczny i jego oddziaływanie na rozwój w ujęciu socjologicznym [Social capital and its impact on development in sociological terms]. In: Herbst, M. ed. *Kapitał ludzki i kapitał społeczny a rozwój regionalny* [Human capital and social capital and regional development]. Warszawa pp. 54–97.
- Bronisz, U. 2013. *Metody badania konkurencyjności regionów* [Methods of examining the competitiveness of regions]. Warszawa.
- Domański, R. 2006. *Geografia ekonomiczna. Ujęcie dynamiczne* [Economic geography. Dynamic approaches]. Warszawa, pp. 125–126.
- Dziemianowicz, W., Łukomska, J., Górka, A., Pawluczuk, M., 2009. *Trendy rozwojowe regionów* [Development trends of regions]. Warszawa, pp. 15–17.
- Głąbicka, K., Grewiński, M. 2005. *Polityka spójności społeczno-gospodarczej Unii Europejskiej* [Policy of socio-economic cohesion of the European Union].
- Gorynia, M. 2009. Teoretyczne aspekty konkurencyjności [Theoretical aspects of competitiveness]. In: Gorynia, M. and Łażniewska, E. eds. *Kompendium wiedzy o konkurencyjności*. [Compendium of knowledge about competitiveness]. Warszawa, pp. 48–66.
- Klasik, A. and Kuźnik F. 2001. Konkurencyjny rozwój regionów w Europie [Competitive development of regions in Europe]. In: Szymła, Z. ed. *Konkurencyjność miast i regionów* [The competitiveness of cities and regions]. Kraków, pp. 21–33.
- Klóska, R. 2010. Innowacyjność województw w Polsce [Innovativeness of provinces in Poland]. In: Woszczyk, Z., Grabiński, T., Tabor, A. eds. *Rozwój ekonomiczno-społeczny mikro i makroregionów* [Economic and social development of micro and macro-regions]. Chrzanów, pp. 59–66.
- Korenik, S. 2003. *Dysproporcje w rozwoju regionów Polski. Wybrane aspekty* [Disparities in the development of Polish regions. Selected aspects]. Wrocław.
- Kosiedowski, W. 2001. Teoretyczne problemy rozwoju regionalnego [Theoretical problems of regional development]. In: Adamiak, J., Kosiedowski, W., Potoczek, A., Słowińska, B. eds. *Zarządzanie rozwojem regionalnym i lokalnym. Problemy teorii i praktyki* [Management of regional and local development. Problems of theory and practice]. Toruń, pp. 17–43.
- Kosiedowski, W. 2005. Wprowadzenie do teorii i praktyki rozwoju regionalnego i lokalnego [Introduction to the theory and practice of regional and local development]. In: Kosiedowski W. ed. *Samorząd terytorialny w pro-*

- cesie rozwoju regionalnego i lokalnego* [Local government in the process of regional and local development]. Toruń: TNOiK Dom Organizatora, pp. 11–57.
- Krajowy Raport o Rozwoju Społecznym Polska 2012. *Rozwój regionalny i lokalny* [The National Human Development Report Poland 2012. Regional and local development]. Biuro Projektowe UNDP w Polsce, Warszawa 2012. [Accessed: 12 March 2015].
- Kuciński, K. 2005. Regionalne aspekty koniunktury gospodarczej. [Regional aspects of economic situation]. In: Kaja, J., Piech, K. eds. *Rozwój oraz polityka regionalna i lokalna w Polsce* [Development and regional and local policy in Poland]. Warszawa, pp. 51–89.
- Kulczyk-Dynowska, A. 2013. *Rozwój regionalny na obszarach chronionych* [Regional development in protected areas]. Wrocław.
- Łązniewska, E., Chmielewski, R., Nowak, P. 2012. Definicje, modele i studia nad regionalną konkurencyjnością [Definitions, models and studies on regional competitiveness]. In: Gorynia, M. and Łązniewska, E. eds. *Konkurencyjność regionalna. Koncepcje – strategie – przykłady*. [Regional competitiveness. Concepts – strategies – examples]. Warszawa, pp. 24–62.
- Markowski, T. 2008. Teoretyczne podstawy rozwoju lokalnego i regionalnego. [The theoretical basis of local and regional development]. In: Strzelecki, Z. ed. *Gospodarka regionalna i lokalna* [Regional and local economy]. Warszawa, pp. 13–28.
- Olczyk, M. 2008. Konkurencyjność podmiotów – ujęcie teoretyczne [Competitiveness of operators – theoretical background]. In: Daszkiewicz, N. ed. *Konkurencyjność, Poziom makro, mezo i mikro* [Competitiveness, macro, meso and micro levels]. Warszawa, pp. 13–20.
- Olechnicka, A. 2007. Innowacyjność polskich regionów. Metody pomiaru, stan i tendencje [Innovativeness of Polish regions. Methods of measurement, the status and trends]. In: Gorzelak, G., Tucholska, A. eds. *Rozwój, region, przestrzeń* [Development, region, space]. Warszawa, pp. 265–288.
- Parysek, J. J. 2001. *Podstawy gospodarki lokalnej*. [The base of the local economy]. Poznań: Wydawnictwo Naukowe UAM.
- Pawlik, A. 2011. Potencjał innowacyjny podstawą rozwoju regionalnego [The innovative potential as the basis for regional development]. In: Harańczyk, A. ed. *Perspektywy rozwoju regionalnego Polski w okresie programowania po 2013 r.* [Polish regional development perspectives in the programming period after 2013]. part I, vol. CXL, Warszawa, pp. 67–78.
- Pogodzińska-Mizdrak, E. 2005. Czynniki wzrostu konkurencyjności regionów w Polsce a polityka regionalna Unii Europejskiej [Factors of growth of

- competitiveness of Polish regions and regional policy of the European Union]. In: Kopczuk, A. and Proniewski, M. eds. *Atrakcyjność inwestycyjna regionu*. [Investment attractiveness of the region]. Białystok, pp. 85–93.
- Rogała, P. 2009. *Zaprojektowanie i przetestowanie systemu mierzenia jakości życia w gminach* [Design and testing of system for measuring the quality of life in communities]. Raport z Realizacji Pracy Etap 2, Jelenia Góra–Poznań.
- Sekuła, A. 2005. Bariery rozwoju lokalnego [Barriers to local development]. *Samorząd terytorialny w zintegrowanej Europie* [Local government in integrated Europe]. no. 401, pp. 587–600.
- Stawasz, D. 2000. *Współczesne uwarunkowania rozwoju polskich regionów* [Contemporary conditions for the development of Polish regions]. Łódź: Wydawnictwo Uniwersytetu Łódzkiego.
- Strahl, D. 2005. Miara konkurencyjności regionu zorientowana na przyszłość [The measure of competitiveness of the region focused on the future]. In: Rapacz, A. ed. *Problemy konkurencyjności regionów i przedsiębiorstw* [Problems of competitiveness of regions and enterprises]. Wrocław, pp. 23–33.
- Tokarski, T. 2008. Taksonomiczne wskaźniki rozwoju ekonomicznego polskich województw [Taxonomic indicators of the economic development of Polish provinces]. In: Kwiatkowski, E. ed. *Zróżnicowanie rozwoju polskich regionów* [The diversity of development of Polish regions]. Łódź: Wydawnictwo Uniwersytetu Łódzkiego, pp. 269–293.
- Winiarski, B. 1999. Czynniki konkurencyjności regionów [Factors of competitiveness of regions]. In: Klamut, M. ed. *Konkurencyjność regionów* [Competitiveness of regions]. Wrocław: Wydawnictwo Akademii Ekonomicznej im. Oskara Langego, pp. 48–56.
- Zakrzewska-Półtorak, A. 2012. *Rozwój regionalny w globalizującej się gospodarce* [Regional development in the globalizing economy]. Wrocław.

STIMULANTS, HINDRANCES AND GAUGES OF REGIONAL DEVELOPMENT – THEORETICAL ANALYSIS

Summary

The article focuses on the problems of stimulant, hindrances and regional development measures. A broad theoretical analysis presented in this paper, as stimulants defines pro-development factors through which socio-economic development is possible. On the other hand hindrances are factors that inhibit the development of regions or make it impossible. In a study on the development and competitiveness of regions, regional development measures also play an important role. They are a conglomeration of various indicators (economic, social, environmental) that allow indicate the strengths and weaknesses of the regions, identify opportunities and threats studied areas and allow for conducting comparative analyzes. This article contains research model which is constructed based on the analysis of individual stimulant and hindrances of development and regional development measures which are widespread in the literature, constituting their refresh and extension.

STYMULANTY, DESTYMULANTY I MIERNIKI ROZWOJU REGIONALNEGO – ANALIZA TEORETYCZNA

Streszczenie

Artykuł porusza problematykę stymulant, destymulant i mierników rozwoju regionalnego. Szeroka analiza teoretyczna przedstawiona w opracowaniu, jako stymulanty określa czynniki prorozwojowe, dzięki którym możliwy jest rozwój społeczno-gospodarczy, natomiast destymulanty to czynniki, które hamują lub uniemożliwiają rozwój regionów. W badaniach nad rozwojem i konkurencyjnością regionów istotną rolę odgrywają także mierniki rozwoju regionalnego stanowiące konglomerat różnych wskaźników (gospodarczych, społecznych, środowiskowych), które pozwalają wskazać mocne i słabe strony regionów, zidentyfikować szanse i zagrożenia badanych obszarów, a także umożliwiają prowadzenie analiz porównawczych. Niniejszy artykuł zawiera model badawczy, skonstruowany w oparciu o analizę poszczególnych stymulant i destymulant rozwoju oraz rozpowszechnionych w literaturze mierników rozwoju regionalnego, stanowiąc ich odświeżenie i rozszerzenie.

СТИМУЛЯТОРЫ, ДЕСТИМУЛЯТОРЫ И ИЗМЕРИТЕЛИ РЕГИОНАЛЬНОГО РАЗВИТИЯ – ТЕОРЕТИЧЕСКИЙ АНАЛИЗ

Резюме

Статья затрагивает проблематику стимуляторов, дестимуляторов и показателей регионального развития. Обширный теоретический анализ, представленный в исследовании, связан с определением стимуляторов как эволюционирующих факторов, создающих возможности для общественно-экономического развития, дестимуляторы же – факторы, которые тормозят региональное развитие. В исследованиях развития и конкурентоспособности регионов существенную роль играют также измерители регионального развития, представляющие собой конгломерат различных показателей (экономических, общественных, экологических), дающих возможность проведения сравнительных анализов. Настоящая статья демонстрирует модель исследования, сконструированную на основе анализа отдельных стимуляторов и дестимуляторов развития, а также на основе широко представленных в литературе измерителей регионального развития, представляя собой их обновление и расширение.

INTERNATIONAL TRADE À LA CARTE

1. NEW RULES OR HISTORIC RECURRENCE?

The number of free trade agreements (FTA) constantly growing in international trade in recent years, in their ‘tangled’ shape vividly compared to a spaghetti bowl, means that the participants of this exchange prefer solutions which are more efficient for the implementation and protection of their interests to the ones hitherto functioning in the framework of the WTO¹. The deepening erosion of the multilateralisation of international trade rules inevitably weakens the foundations on which the post-war economic order was created. An almost clinical example of this phenomenon is the deep impasse in the negotiations of the WTO’s so-called Millennium Doha Round provoking questions about the further fate of this international organisation.

At the same time one cannot deny the thesis that the participants of this trade, in this respect the founders of the GATT/WTO, for a long time have very eagerly established agreements which – apart from the benefits arising from participation in this organisation – give them still others, this time having the status of uniqueness. This mainly involves all sorts of privileges in the field of trade, enjoyed by members of the integration groups. Let us remind that it concerns trade preferences which are exceptions from the multilateral MFN, a specific foundation of functioning of the WTO. In other words, the current situation in international trade appears to be a kind of *déjà vu*. In this sort of Orwellian reality of international relations based on

¹ Cf. Wiczorek, J. 2014. Transatlantyckie partnerstwo w dziedzinie handlu i inwestycji. [The transatlantic partnership in the field of trade and investment.] *Mysł Ekonomiczna i Polityczna*, Uczelnia Łazarskiego, no. 1; Trade and protectionism. No more grand bargains. The World Trade Organisation’s whole approach to negotiating free trade needs radical change. *The Economist* 8 April 2014.

the principles of formal equality between the parties, in practice for a long time ‘the more equal’ have been prospering a lot better than those who must be content with the principles of egalitarianism. What is today, however, a new quality in the way of realisation of particular interests by the so-called big players in the global economy is primarily the type of applied measures and attempts to create out of them new global rules in international trade. We are talking here about the growing importance of a new generation of non-tariff measures (NTM), and among them, for example, technical (TBT) and sanitary and phytosanitary (SPS) measures². These highly effective means of protecting the market against unwanted imports cannot be at the same time well recognised because of their peculiar nature and mode of action, which, for instance, translates into significant difficulties in their classification in the known inventories of NTM. They also significantly hinder finding effective solutions to their neutralisation or total elimination. It is these very measures that arouse great controversy in relation to the free trade agreement currently being negotiated between the EU and the US (TTIP), especially among European consumers (for example, the case of genetically modified organisms – GMOs). Often regarded as a conspiracy of large international corporations, they are undoubtedly a clear indicator of their leading role in international trade. TBT and SPS petrify the structure of the world exchange which is disadvantageous for less developed countries.

At this point we can ask the question whether the new rules of international trade, aiming at the protection of the environment, e.g. in the context of the fight against excessive CO₂ emissions or guaranteeing high standards of employment, e.g. in terms of the introduction of the right to the minimum wage and its high level, are only a noteworthy attempt to improve the quality of life and economic efficiency on the national and international scale, or whether they are a not very well veiled way to eliminate from international market those who, for various reasons, primarily economic ones, are not able to meet these new standards. Let us indicate, by way of example, that the so-called decarbonisation of the EU will inevitably place many areas of the Polish economy in a difficult position, particularly our power industry, although it will have a positive impact on the environment. Germany’s decision on covering truck drivers with the minimum wage system, on the one hand, will worsen the competitiveness of Polish transport companies, but may also raise their economic status. Empirical studies prove that in the light

² Cf. Wiczorek, J. 2013. Protekcjonizm pozataryfowy – nowa odsłona. [Non-tariff protectionism – a new scene.] *Mysł Ekonomiczna i Polityczna*, Uczelnia Łazarskiego, no. 1.

of a new generation of NTM, only the most developed countries and their companies do best in international trade³.

Scientific and technological progress not only forces these countries to seek ever more sophisticated ways to protect their interests against undesirable foreign competition. At the same time, they use the latest technologies to penetrate foreign markets, without major obstacles, and these turn out to be vulnerable in the context of the existing measures of their protection. It is worthwhile in this respect to refer to the interesting observations and conclusions of the report of McKinsey Global Institute of 2014⁴. The report quoted an example of the transfer of commands by computer from country A to country B, as a result of which in the latter country 3D printers produce products sold on its market. And these are not simple products. At stake here are the latest technologies, which in the case of, for example, Rolls-Royce relate to the aeronautic hardware⁵. In this way, one can perfectly get around all import procedures, including its arsenal of market protection measures in the form of NTM. This brings significant profits primarily as a result of the time saved on importation regulations and associated costs. The report indicates a very high dynamics of world trade in information technology. When taken together with the related new technologies, the flow of capital, goods and services, including information ones, it has a chance to rise from the level of 26 trillion USD in 2012 to 85 trillion USD in 2025. In order to assess the possibilities in this respect it is sufficient to refer to data on on-line trading, which in the USA in 2013 reached a volume of 384 billion USD⁶.

Searching for solutions beyond the sphere of traditional rules of international trade is also connected, as it seems, with the increasingly widespread use of new mechanisms of the modern global economy. It concerns the so-called on-demand economy. A very characteristic example of a company highly successful on the global scale, which perfectly illustrates a very specific mode of action on the international market is Uber. Using Google web applications and associating the customer directly with the person who has their own car and free time it effectively eliminates competition in the form of licensed taxi companies. Uber company, which was founded in San Francisco in 2009, already operates in 53 countries, its turnover

³ Cf. Wiczorek, J. *Ibidem*, pp. 52–58.

⁴ See Digital trade: data protectionism. *Financial Times* 5 August 2014.

⁵ 3 D printing. Entering the jet age. Aircraft engines may soon be built one layer at a time. *The Economist* 7 March 2015.

⁶ Digital trade..., *op. cit.*

in 2014 exceeded 1 billion USD, and its market value is estimated at 40 billion USD⁷. The USA is a kind of an incubator for such companies providing services in the constantly increasing range. It is the result of technological progress which reduces or eliminates the distance between the supplier and the recipient. People can provide a variety of services without moving ‘from home’, or practically they can do it from any place where they are currently staying. This breaks the Marxist distinction between those who have the means of production and those who work for them. In brief, it can be argued that currently there are more of those who have the capital but do not have time and those who – vice versa – have time, but they lack money. As a result, fewer and fewer people in the US have permanent employment. There is a growing number of those who work on commission (the so-called freelances) now reaching the level of 53 million people.

These new rules, according to which the US economy works to an increasing extent as well as the EU economy, although not on such a big scale, lead to fundamental changes in the rules of international trade. Aiming to reduce the risks that are an inherent feature of the ‘on demand’ economy, and which result from the growing number of actors operating on the world market, having at the same time the increasing competitive capacity, inspires, therefore, to seek solutions which better safeguard both their own interests and of partners having a similar approach in this respect. As a result, as already indicated, old rules which hamper movement are more boldly abandoned, and new ones are created. Developed countries, therefore, consistently pursue their interests and do not have, as can be believed, illusions about the effectiveness of the existing liberalisation solutions of a multilateral nature. Hence the peculiar flood of free trade agreements which reinforce the trend of ‘exclusive’ and selective treatment in international trade. Thus, it is not any pronounced novelty in this exchange, but the concept of the ‘on demand’ or ‘à la carte’ economy is more relevant to today’s economic conditions on the global scale.

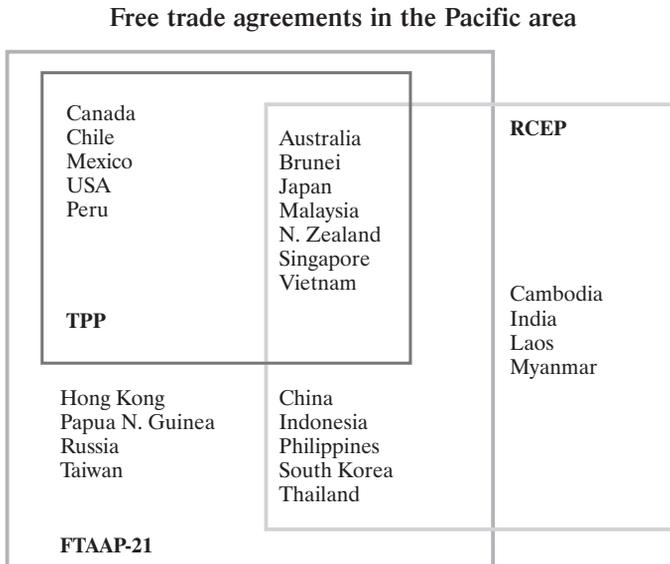
⁷ See The rise of the on-demand economy poses difficult questions for workers, companies and politicians. *The Economist* 3 January 2015.

2. THE NEW SHAPE OF THE GLOBAL EXCHANGE

2.1. The Pacific region: TPP, RCEP and FTAAP-21

Taking into account the volume, dynamics and directional-commodity structure of the international trade flows, the Mediterranean was, using a pictorial comparison, the past of this trade, the Atlantic region is the present, and the Pacific region is the future⁸. The main players in world trade have recognised that this state of affairs must be strengthened and that it must be given a direction consistent with their interests. To this end, negotiations are taking place to create free trade zones in their framework.

Table 1



Source: The Pacific Age. *The Economist* 15 November 2014.

The most advanced in the preparations is the Trans-Pacific Partnership (TPP), which consists, apart from the USA, of Canada, Chile, Mexico, Peru, Australia, Brunei, Japan, Malaysia, New Zealand, Singapore and Vietnam. It is an undisputed economic ‘giant’, as it creates approximately 40% of global GDP⁹. According to experts, the TPP is to be the most ambitious

⁸ The Pacific age. *The Economist* 15 October 2014.

⁹ *Ibidem*.

undertaking among the other TFAs in the Pacific area¹⁰. Besides eliminating almost all of the tariff measures, the agreement is to regulate issues related to intellectual property, services, government procurement and should, as strongly emphasised by M. Froman, US Trade Representative, ensure, first of all, 'high standards of employment, equal conditions of competition for public and private enterprises and unhampered Internet access for the sake of unhindered development of information technology entrepreneurship'¹¹. This kind of a position of a high representative of the American administration is in no way dictated only by the care to ensure appropriate conditions for dynamic growth of economic exchange, especially in the areas most advanced in terms of technique and technology¹². The arguments used by him also indicate a political dimension, whose primary purpose is to counteract the growing role and place of China in world trade. This kind of attitude of the USA to China is confirmed in many other aspects of international relations. India also remains outside the TPP, which believes that its economy has not yet reached such a level of technical-technological maturity and organisational efficiency which would enable it to face competition from more developed members of the above agreement and therefore is still trying to protect its own economy by means of traditional protectionist measures, especially tariffs. It remains a great unknown how Vietnam and Malaysia will find themselves within the TPP, as they build the competitiveness of their exports primarily on the use of cheap labour. However, the example of Mexico shows that its membership in NAFTA creates conditions for the inflow of foreign capital, mostly American, to this country and its result are very modern, export-oriented industries. Anyway, so far the US has signed six FTAs with TPP members, so they probably have positive experience from the functioning of these agreements. A question also arises about Japan's attitude to the TPP, especially in the context of its very strong protection of the interests of its farmers, mostly rice producers. However, given the marginal role of the agricultural sector in the creation of Japanese GDP, this undoubtedly political aspect of agricultural protectionism, might be significantly relativised in the light of the emerging within the TPP chances to boost the entire economy of the country, struggling with a deep recession for years.

¹⁰ The Pacific, *op. cit.*, p. 8.

¹¹ *Ibidem.*

¹² In the opinion from P. Petri from Petersen Institute, the TPP can increase the income of parties by 295 billion USD per year, of which 78 billion would accrue to the USA. Trade Policy. Taking aim at imports. Protectionists in Congress could scupper crucial free-trade deal. *The Economist* 22 February 2014.

In total, first of all, the benefits of the TPP establishment should be no doubt seen in the context of a relatively small degree of homogeneity of this agreement, however its dynamic aspects should be first and foremost borne in mind. Secondly, there are indications that the TPP is an attempt not only to petrify the dominant role of the USA, but also to seriously strengthen it in the Pacific area and beyond. Thirdly, in the opinion of many both American and Asian experts, the TPP is an instrument for the creation of 'accomplished' facts in the form of a set of such rules which can effectively block leeway in this area for other countries in the region¹³.

The Regional Comprehensive Economic Partnership (RCEP) differs significantly from the TPP in a number of aspects. Undoubtedly, it primarily concerns the fact that the former agreement not only has more members, but among them there is China, while the United States are not there. This has serious implications for the prospects of trade liberalisation within the RCEP. Acting under the auspices of ASEAN, in which the abolition of protectionist restrictions refers mainly to tariffs and runs at a slow pace, the RCEP appears to be a fairly loose agreement in terms of creating new rules of conduct. It reflects the philosophy of ASEAN which is based on a formula of consensus of all parties. Apparently, it results also from the fact that China is not formally a member of ASEAN and cooperates with it, just like Japan and South Korea, in the formula 'Plus 3'.

It seems that China treats the RCEP as a convenient platform for the realisation of its both economic and political plans. Playing the role of a regional power it tries to consistently expand its area of influence, but it does not want to expose itself to the accusation of brutal expansion. At the same time it does not give up the moves, the objective of which is the extension of the economic exclusiveness in the region of the China Sea, entering at the same time into a direct conflict with Japan and Vietnam. This China's quest for a certain balance between economic and political interests manifests itself also in the fact that, in the opinion of the high representative of the government of this country, the TPP and the RCEP

¹³ M. Froman, quoted earlier, puts it bluntly: '... the TPP can play a central role in the creation of rules in the region' (*Ibidem*, p. 9). M. Green from Centre for Strategic and International Studies stresses that a failure of the TPP '... could undermine the conviction about the USA as a power in the Pacific region and would mean its abdication from the leadership' (*Ibidem*); also, experts from Singapore's Asian Trade Centre share this opinion, stating that the lack of success of TPP would mean outright disaster and would question the role of the alliance of the USA and Japan in the control in the region (*Ibidem*, p. 10).

could constitute ‘two wheels of the same bicycle’¹⁴. It was received with a positive response from Obama’s administration, which noted with some relief that the government in Beijing does not treat the TPP as ‘anti-Chinese conspiracy’. At the same time the Americans are well aware of the fact that China’s attitude to the rules of the TPP, particularly with regard to state-owned enterprises, as well as to the Internet, effectively blocks the China’s way to the TPP. H. Kissinger notes that where China has not participated as an equal partner in establishing rules of conduct from the beginning, it will be difficult for it to accept the participation in such a project. Reference is also made to behavioural determinants of China’s attitude towards those who in its eyes were in one way or another responsible in the past for its painful humiliation. This pertains mainly to the USA and Japan¹⁵. In total, there are still chances of finding a formula for more close cooperation between the USA and China in the liberalisation of international trade, though existing studies on the subject indicate that in the economic terms basing it on the TPP formula rather than on the RCEP would create better prospects¹⁶.

Finally, the first conclusion that comes to mind when looking at the Free-Trade Area of the Asia-Pacific (FTAAP – 21) is undoubtedly the largest number of members in relation to the previously considered agreements in this region and a significant diversification of their political and economic interests. Acting under the aegis of Asia-Pacific Economic Cooperation (APEC), an organisation that promotes cooperation based on very loose mechanism of integration in the Asia-Pacific region, it brings together countries which sometimes manifest an extremely antagonistic attitude to multiple values. It concerns mainly the USA and Russia. Making a full symmetry between the USA and Russia, which, each in its own way, of course, treat *à la carte* the current world legal order, would be unreasonable¹⁷, because special attention

¹⁴ See the statement of Wang Shouwen, Deputy Minister of Commerce of China (*Ibidem*, p. 9).

¹⁵ Cf. H. Kissinger’s remarks on the attitude of China in his book *World Order* and the statement of Kausikan, Minister of Foreign Affairs of Singapore (*Ibidem*, p. 10).

¹⁶ We are talking here of much greater economic benefits in the context of the TPP than of the RCEP in the amount of approximately 1 trillion USD (*Ibidem*, p. 9).

¹⁷ An interesting commentary on the role of Russia in the modern global economy indicates a very instrumental treatment of the case of the Eurasian Economic Union (EEU) by Moscow. According to experts of the Centre for Eastern Studies: ‘Russia also tends to use the creation of the Eurasian Economic Union to strengthen its narrative about the need to revise the international order and promote a multipolar world while rejecting US dominance. The Eurasian Economic Union is being represented as a bridge between China and the EU, one that is necessary for the

should be devoted to each case. In addition, one would have to also consider the ethical and moral side of the manifestations of such policy and their consequences for the international community, but it is a question worthy of separate treatment.

2.2. The Atlantic region: TTIP

In the opinion of many experts, the TTIP is supposed to be almost model proof of the creation of an economic and political alliance of two economic powers in the area of the Atlantic. Taking into account their share in global trade in goods and services (calculated at approximately 1/3) the TTIP and TPP are supposed to constitute one of the pillars of the construction on which the new edifice of the world economic order is to be created. Noteworthy is quite a militaristic tone of certain opinions, according to which, in light of the new geopolitical situation in Europe, the TTIP appears as an 'economic NATO'¹⁸. According to such a view, TFAs become a weapon in the fight against these players in world economy, who for various reasons stand in the way of achieving political and economic objectives of the so-called hegemonic powers in the world economy. This policy trend is also part of the policy of economic sanctions, which play a role which is often far more effective than measures of a strictly military nature. As a result of policy of favouring stronger ones in international trade, the share of weaker partners decreases, who are in any case permanently marginalised in this exchange. This view of the contemporary world order is far from being proclaimed by some alterglobalists. For example, its author is a representative of Western establishment M. Leonard, a director of the European Council on Foreign Relations, and the place where he has published his thoughts is *the Financial*

establishment of a single economic area spanning Europe and Asia. Such a bridge would be helpful in Russia's efforts to undermine co-operation between the EU and the USA. [Online] Available at: <http://www.osw.waw.pl/pl/publikacje/komentarze-osw/2015-01-20/eurazjatycka-unia-gospodarcza-wiecej-polityki-mniej-gospodarki>; The fact that the idea of EU cooperation with Russia on the TFA plane is present among European politicians can be proved by the statement of German Chancellor Angela Merkel about the worth considering idea of creating a free trade area from 'Lisbon to Vladivostok'. It cannot be ruled out that France would welcome the idea, because it would be a yet another incarnation of the idea promoted in the past by de Gaulle on cooperation in the area lying between the aforementioned cities.

¹⁸ A trade deal with America would be good for everybody, yet it is still may not happen. *The Economist* 13 December 2014.

Times, a very opinion-forming medium in the circles of the global business¹⁹. Also *The Economist*, an equally opinion-forming medium, publishes a similar kind of opinions. American historian E. Luttwak also fits into this trend of views. In his view, modern geoeconomics should be understood in terms of ‘trade grammar and logic of war’²⁰. In this ‘grammar’ TFAs play an important role, while the ‘war’ proceeds in a ‘soft power’ version, without the use of proverbial gunboats.

A clear reluctance of many communities, particularly NGOs, to solutions aimed at creating the new economic order of the world is focused largely on the TTIP. Despite many assurances from the EU Commission that the negotiated regulations will not impair the safety standards of European consumers, if only because – for example – the case of GMOs is outside the sphere of these negotiations, this problem still returns like a boomerang on various forums²¹. Searching for the real reasons for the existence of deep distrust for the TTIP, it seems too simplistic to think that, for example, Germany doubts the reliability of the American party in the context of the scandal connected with the illegal eavesdropping of German politicians by the US NSA²². Apparently, also the argument about the lack of adequate transparency of the negotiations does not seem to be totally convincing, though at the beginning of 2015 the EU Commission published a number of documents relating to the issues negotiated in the framework of the TTIP²³.

¹⁹ Leonard, M. 2015. An uneasy peace that will tear the global economy as asunder. *Financial Times* 24 March 2015.

²⁰ *Ibidem*.

²¹ Cf. Lamy, P. 2015. Transatlantic trade negotiators should own up to their ambition. *Financial Times* 28 October 2014; Kleiber, M. 2015. GMO, czyli Globalna Manipulacja Opinii. [GMOs, or Global Manipulation of Opinion.] *Dziennik Gazeta Prawna* 16 April 2015.

²² De Gucht, K. 2014. Time is running out for US-Europe trade deal. *Financial Times* 26 September 2014; In Germany’s shadow. Germany is coming to terms with a messy world. *The Economist* 28 March 2015.

²³ However, not all the documents have been revealed because of the binding principle of confidentiality of negotiations, especially with regard to the so-called sensitive issues. Information on energy issues also has not been presented, because it has not been settled whether a special place in the TTIP will be devoted this issue. By the way, Poland was the initiator of the inclusion of an energy chapter in the TTIP, primarily due to the energy security of Poland and the EU in the context of Russia’s attitude in this regard. See Ujawnione negocjacje umowy handlowej. [Disclosed trade agreement negotiations.] *Gazeta Wyborcza* 8 January 2015; Clapham, T. 2015. Tajna umowa przeciw demokracji. [The secret agreement against democracy.] *Dziennik Gazeta Prawna* [Online] 6–8 March 2015. Available at: <http://biznes.interia.pl/wiadomosci/>

The real reason seems, therefore, the fear that the interests of the European side of the TTIP will not be adequately protected in the light of its weak competitive position when compared to the US side. The EU Commission's numerous actions against a dominant position of large US computer giants in the European market, especially Google, deftly using the methods of the so-called tax optimisation, are perhaps convincing evidence to support the contention about the fact that Europeans are looking for ways to effectively protect their interests²⁴. This fits logically in the earlier cited view that the TTIP is a 'conspiracy' of large international corporations, mostly American, having an undisputed competitive advantage, especially in the fields of high-tech, over European rivals. The EU Commission's operations of this kind are not an effective panacea for the problems of European companies. They can even be qualified as quasi-protectionist actions, which, paradoxically, can only deepen the problems of these companies. The history of protectionism brings a number of clear evidence of the lack of effectiveness of protective measures in creating a strong position in the domestic and international market.

Another area of controversy around the TTIP is the issue of the possible inclusion of the mechanism of settling disputes between the investor and the State (Investor-State Dispute Settlement – ISDS) to the provisions of this agreement. A negative attitude to this solution is manifested primarily by Germany, namely the centre-left-wing political forces, which have been succoured, paradoxically, by the French far-right circles. In contrast, 14 EU countries addressed a letter to the EU Commission in which they express their support for this project on the grounds that it has already been approved in the negotiating mandate. The Polish government has also declared its support in this area²⁵. In the EU Commission itself an inconsistent position on the ISDS can be observed. Its Chairman, J.C. Juncker, and his influential head of the Cabinet, incidentally German, M. Selmayr, indicate the lack of support, as opposed to C. Malmström, Commissioner for Trade in the EU Commission. It is speculated that because of the liberal view of C. Malmström, who comes from Sweden, J.C. Juncker

news/mg-polska-nie-boi-sie-wolnego-handlu,2060989,4199#iwa_item=4&iwa_img=0&iwa_hash=36860&iwa_block=business_news?utm_source=paste&utm_medium=paste&utm_campaign=other

²⁴ Cf. Can America and Europe ever get over their differences on data protection? *The Economist* 4 April 2015; Bielecki, T., Majdan, K. 2015. Google na brukselskim celowniku. [Google at Brussels's gunpoint.] *Gazeta Wyborcza* 16 April 2015.

²⁵ See comments on this topic of Director of Trade Policy Department of the Ministry of Economy. Available at: <http://biznes.interia.pl/wiadomosci/news/mg-polska-nie-boi-sie-wolnego-handlu...>, *op. cit.*

deprived her of the exclusive competence in this area, and the matter will be the subject of an internal arbitration, in which a fundamental role is to be played by Dutchman F. Timmermans, the first Vice-President of the EU Commission²⁶.

From the above we can draw a conclusion that the ISDS case has a serious specific and political gravity. It is argued that the ISDS mechanism enabling foreign investors, mainly American corporations, to question and appeal government decisions to international arbitration institutions, and consequently to exclude the jurisdiction of national courts, undermines national sovereignty. And it applies especially to areas where European standards are higher than those of the USA: in terms of food, health and the environment. By the way, the Polish government also has negative experiences with ISDS in the case of a very high financial compensation for Eureko in the context of the privatisation of PZU. As can be seen in the light of the Polish position on ISDS in the TTIP, it does not matter for us²⁷.

However, the case of ISDS is not so simple. The existing opinion that the ISDS mechanism well protects the interests of investors and thereby stimulates the inflow of foreign direct investment is not confirmed, e.g. by the policy of the Brazilian government which is opposed to the inclusion of ISDS in its foreign trade agreements and this position does not have a negative impact on the volume of FDI²⁸. The ISDS mechanism, having already long history (it is claimed that it first appeared in 1959 in a bilateral trade agreement between Germany and Pakistan) has quickly gained popularity. So far, EU countries have signed investment agreements containing ISDS in 1400 cases, and the USA in 50. There are 9 arrangements containing ISDS between the EU and the USA. The number of disputes based on it is interesting for the assessment of this mechanism. In 2012, which was record-breaking in this regard, there were 59 cases, while in 2013 – 56²⁹. By the way, since the signing of the investment agreement between Poland and the USA in 1994, the ISDS mechanism has been used six times³⁰.

²⁶ Oliver, C., Spiegel, P. 2014. UE states tell Juncker not to dilute trade deal with US. *Financial Times* 23 October 2014.

²⁷ <http://www.bankier.pl/wiadomosc/Ugoda-PZU-z-Eureko-Polska-rozdaje-pieniadze-2023636.html>

²⁸ Cf. Investor-state dispute settlement. The arbitration game. *The Economist* 11 October 2014.

²⁹ *Ibidem*; cf. also *Investor-State Dispute Settlement (ISDS) provisions in the EU's international investment agreements*. Directorate-General for External Policies, Policy Department, volume 2-studies, EXPO/B/INTA/2014/08-09-10, September 2014.

³⁰ However, this does not raise any objection of the representative of the Ministry of Economy of the Republic of Poland; in his opinion ‘...the assessment of the effects of this mechanism is not bad, because it has not been used excessively.’ (underlined by JW).

In spite of the fact that the EU included ISDS to the TFA with Canada³¹, which is to be a model example for other FTAs, especially with regard to partners from Asia, in particular China and the USA has similar intentions with regard to Asian partners, ISDS still raises many objections. NGOs are especially active in this respect. According to them, ISDS is a weapon in the hands of multinational corporations which ruthlessly take advantage of their dominant position in the market and political potential to realise their particular interests, to the detriment of the public good. Therefore, in order to eliminate the disputed results of the existing solutions in the framework of ISDS, a model which has been developed by the WTO could be used. It could be incorporated into future FTAs or be the subject of their renegotiation. In the light of the solutions proposed by the WTO governments would retain essential control over the ISDS mechanism, including the selection of arbitrators. Companies would have to convince the authorities of their state that their previously agreed trade principles were violated and only the state could file complaints. The proceedings would be transparent and subject to appeal. This would ensure adequate protection of investors' interests, prevent arbitrary verdicts of arbitration institutions and would restore to states their competences in the conduct of policy in line with their goals³².

The TTIP collects negative reviews also in these areas which were supposed to be its strongest side. In the opinion of many experts the TTIP will not bring extraordinary results in the fields of employment, trade and GDP, in the opinion of the authors of the report which was prepared in the American Tufts University, it may even result in losses³³. This is in a way understandable. Reports existing on this topic significantly differ in the methodology of research used in them. As a result, the picture of the expected benefits and losses is very diverse³⁴. Therefore, the above results of research and conclusions formulated on their basis should be treated

It is difficult to figure out from this statement whether it concerns the frequency of resorting to ISDS, or its consequences, cf.: <http://biznes.interia.pl/wiadomosci/news/mg-polskanie-boi-sie-wolnego-handlu...>, *op. cit.*

³¹ *Negotiations on the EU-Canada Comprehensive Economic and Trade Agreement (CETA) concluded*. Directorate-General for External Policies, Policy Department, DG EXPO/B/PolDep/Note/ 2014_106, October 2014.

³² Cf. A better way to arbitrate. Protections for foreign investors are not the horror critics claim, but they could be improved. *The Economist* 11 October 2014.

³³ Cf. TTIP: *European disintegration, unemployment and instability*. GDAE Working Paper no. 14-03, 2014

³⁴ Wieczorek, J. Transatlantyckie partnerstwo... [The transatlantic partnership...], *op. cit.*

with great moderation. It is worth noting that the TTIP contains a very substantively complex liberalisation element in the form of the harmonisation of regulations in many areas. It is, therefore, difficult to predict what the results will be, but here a very important factor has to be taken into account which will influence the size and direction of trade flows. It concerns the already well known diversion effect of J. Viner which probably, as has been previously stated in the case of the EU, will lead to the concentration of the benefits from the liberalisation of trade within the TPP or TTIP countries.

There is, however, a methodological difference with respect to research by J. Viner and present ones. In the former ones results of tariff liberalisation were taken into account, but today attention is primarily drawn to issues relating to wider non-tariff liberalisation. Both these trends of research clearly show, however, that in general the countries belonging to free trade zones will gain more as a result of turnover increase than third countries³⁵. The final shape of benefits and losses of all parties will be undoubtedly determined by the balance of the results of diversion and creation effects and the multiplier mechanisms (spill-over). There is no doubt, however, that the growing importance of TFAs leads to the decomposition and fragmentation of the global exchange. Out of the universal economic world order, even personified by the WTO, its hybrid form is born. Although the thesis of equality of the parties within the framework of the “old” economic order was, as already emphasised, largely formal, the current changes in this respect are no longer so carefully concealed behind the screen of political correctness, propagating slogans of universal rights for all.

2.3. The region of the Atlantic and Pacific: TiSA

An agreement, which fits perfectly into the philosophy of the new global economic order is the currently being negotiated Trade in Services Agreement (TiSA), which aims to liberalise trade in services. It duplicates the earlier analyzed approach, which emphasises the similar (like-minded) point of view of a group of countries on matters concerning the regulation of the global exchange. Thus, a coalition of the willing is coming into being, which shares a conviction that it is possible to better realise one’s interests in the

³⁵ Cf. Game of zones. Regional trade deals aren’t as good as global ones but they are still beneficial. *The Economist* 21 March 2015.

framework of agreements functioning outside universal solutions³⁶. However, in order to be a member of this exclusive club, the desire to participate in it is not enough, what is needed first of all is a kind of a registration fee in the form of a significant share in the given category of international trade³⁷.

23 parties participate in the TiSA negotiations, which formally began in March 2013³⁸. So far, the BRICS countries have remained outside these negotiations, although China has indicated the willingness to participate in the talks. The promoters of TiSA propagate the view that the agreement grows on the basis of the WTO GATS (the TiSA parties are members of the World Trade Organisation) and takes over its most important achievements (scope, definitions, market access, national treatment and exemptions). This does not change the fact that no attempt is made to modify the GATS, but a separate structure of a regulatory nature is being created. Of course, it is possible to understand to some extent the arguments pointing to a deep institutional crisis within the framework of the WTO, which effectively immobilised the process of liberalisation of world trade (see the impasse in the WTO Doha Round negotiations), but as the creators of TiSA understand it, it is better to abandon the old, rigid corset of regulations and to 'sew' a 'suit' which is made to size and better suits their needs. In other words, there are numerous indications that TiSA has a chance to become a new regulator of world trade in services.

Although the EU is the biggest global exporter of services, its bargaining position seems to be inadequate for the above fact³⁹. It is possible that it was influenced by the perturbations connected with the elaboration and

³⁶ Cf., for example, Trade and protectionism. No more grand bargains. The World Trade Organisation's whole approach to negotiating free trade needs radical change, *op. cit.*

³⁷ The countries-negotiators of TiSA have 70% share in world trade in services. Available at: <http://ec.europa.eu/trade/policy/in-focus/tisa/>

³⁸ They are: Australia, Canada, Chile, Taiwan, Colombia, Costa Rica, the European Union, Hong Kong, Iceland, Israel, Japan, South Korea., Liechtenstein, Mexico, N. Zealand, Norway, Pakistan, Panama, Paraguay, Peru, Switzerland, Turkey and the USA, *Ibidem.*

³⁹ The services sector in the EU produces almost 80% of global GDP and dominates in the employment sector. For example, 89% of the activities of EU small and medium-sized enterprises belong to the service sector. See *Ocena skutków regulacji. Wdrożenia Dyrektywy 2006/123/WE o usługach na rynku wewnętrznym. [Regulatory Impact Assessment. Implementation of the Directive 2006/123/EC on services in the internal market.]* The Ministry of Economy, the Department of Economic Regulation, Warszawa, January 2008.

implementation of the Services Directive, known as the Bolkestein Directive⁴⁰. As a result, the EU is one of three, alongside Australia and the US, chairmen alternately presiding the negotiations in Geneva. The EU Commission is negotiating on behalf of the EU, and is obliged to report the progress to the EU Council and the EU Parliament. Generally, however, the transparency of the negotiation process is very limited. Although, as in the case of the TTIP, the Commission organises meetings with entrepreneurs and representatives of civil society, in the majority of cases the negotiations are strictly secret. Here, too, as is the case of the TTIP, mainly the EU Commission invokes the principle of confidentiality of the negotiations. This does not change the repeated allegation, on the part of NGOs in particular, about the conspiracy policy of furnishing the world without the knowledge and approval of civil society, however in the interest of large and selfish enterprises.

The case of TiSA obviously has a developmental character and it is, therefore, difficult to predict what the final shape of the agreement will be like. However, it is once again worthwhile to emphasise the thesis which seems to be very sensitive and crucial for a political assessment of this project. The EU Commission in its publications tries by all means to convince that TiSA is not a breach in the approach to the global idea of liberalisation of services in the framework of the WTO, but it is a useful way to facilitate overcoming of the deep deadlock in the activities of the World Trade Organisation⁴¹. Poland, in the name of which the EU Commission negotiates, does not report publicly any objections to this project. Although the Ministry of Economy of the Republic of Poland notes that the idea of TiSA was proposed by the USA as a reaction to the situation in the WTO Doha Round negotiations and this position fits into the concept of plurilateral solutions (i.e. in fact not multilateral in the framework of the WTO), this issue does not appear to specifically absorb the attention of our government administration⁴².

⁴⁰ F. Bolkestein, the Commissioner for internal market at that time, initially proposed the principle of the 'country of origin' in respect to the treatment of services provision in the EU, which was protested by the more developed EU countries, fearing competition from cheaper, in their opinion, service providers from the new EU members (the 'Polish plumber' syndrome). Finally, the Services Directive of 2006 adopted the principle of 'freedom to provide services'.

⁴¹ Cf., for example, http://ec.europa.eu/trade/policy/in-focus/tisa/index_pl.htm

⁴² <http://www.mg.gov.pl/Wspolpraca+miedzynarodowa/Miedzynarodowe+organizacje+gospodarcze/WTO/Porozumienie+w+sprawie+handlu+uslugami+TiSA>

3. 'FAST LEGISLATIVE PATH' IN THE USA

The idea of equipping current president Barack Obama with appropriate competences by the US Congress, primarily in the context of the end of his term in 2016, aims at the realisation of ambitious plans of quick concretion of TSAs currently negotiated by the USA. It concerns Trade Promotion Authority – (TPA), which allows the president to significantly shorten the legislative path. In the light of the TPA, the role of the Congress would be limited to the acceptance or rejection of a negotiated agreement, but without the possibility of introducing any amendments. The US Congress had already granted the president such authority in 2002 but it expired in 2007. The current situation in the Congress seems to favour this intention. In its both chambers the Republicans, who are traditionally in favour of trade liberalisation, are in the majority. They represent the middle class of American society which sees a significant lever of growth of their income in the development of unfettered trade. Of course, in their view, the terms of this trade should primarily reflect the interests of large US corporations, which have a comparative advantage on the global scale⁴³. At the same time, in the opinion of American politicians, not only employers will benefit. It is not incidental that the already mentioned US Trade Representative M. Froman at almost every step ensures that the currently negotiated TFAs, especially the TPP, sufficiently safeguard the interests of American workers and there will be no question of any export of American jobs abroad. This last argument is directed mostly to the Democrats who, for example, in the context of NAFTA criticised the policy of 'exporting American jobs in the form of FDI' to Mexico. It is worth mentioning that President Obama, Democrat representative, was fully aware of these allegations and even in 2008 he promised to renegotiate NAFTA. Now, wanting to win the democratic congressmen for TPA, the representatives of the US administration use this argument again⁴⁴. By the way, President Obama, who for obvious formal reasons cannot run for a third term, simply does not care about particular lobbying for support of his activities among the electorate backing up his democratic party. The granting of the TPA to President may be determined by many other factors,

⁴³ Cf., for example, Summers, L. 2015. Any trade deal must work for America's middle class. *Financial Times* 9 March 2015.

⁴⁴ See Obama to push for 'fast track' trade powers. *Financial Times* 19 January 2015; Donnan, S. 2015. US trade chief moves within reach of big Trans-Pacific prize. *Financial Times* 3 February 2015.

not necessarily pertaining to purely economic matters. However, the TPA may be a subject of a political game of presidential candidates, although H. Clinton, representing the Democrats, so far has not made any declaration in this respect. Probably it is still too early for such pronouncements and also the question arises if it is worthwhile today to engage her authority in the issue which is still not certain.

4. 'CHINESE BRETTON WOODS'

Observers of the dynamic growth of the role and importance of the Chinese economy in the global economy point that we can see a clear synergy of this phenomenon – on the basis of a feedback – with the political ambitions of this country⁴⁵. The fact of the establishment of the Shanghai New Development Bank under the aegis of China, which, among others, is to represent the interests of new comers in the international economy, primarily in the form of the BRICS courtiers, is perceived by some people as an alternative to the World Bank and an attempt to create a new global economic order in the form of a Chinese variety of Bretton Woods⁴⁶. China's next step in the realisation of this strategy will be the establishment of another bank, namely the Asian Infrastructure Investment Bank (AIIB). Its initial capital, which is expected to reach 50 billion USD, with the possibility of increasing it quickly to 100 billion, is intended for the implementation of investment of a global nature⁴⁷. Many countries see long-term benefits of the creation of the AIIB, the evidenced of which is, for instance, the participation of more than 50 countries, including Poland⁴⁸.

⁴⁵ As an example, China's share in global industrial production in 1990 amounted to less than 3% and now it reaches almost 25% (among others, the production of air conditioners amounts to 80% of the world production, 70% in mobile phones). See *Made in China?. Asia's dominance in manufacturing will endure. That will make development harder for others.* *The Economist* 14 March 2015; Niedziński, B. 2015. Chińczycy podbijają Amerykę. [The Chinese conquer America.] *Dziennik Gazeta Prawna* 14 January 2015.

⁴⁶ See *What China wants.* *The Economist* 23 August 2014.

⁴⁷ For example the realisation of the 'Silk Road' project of a rail link between China and Europe in order to reduce the cost and time of transportation of Chinese products destined for consumers in countries lying on the route of this connection. Cf. Wolf, M. 2015. It is folly to rebuff China's bank. *Financial Times* 25 March 2015.

⁴⁸ Mitchell, T. 2015. China's shift to 'soft power' brings backers to investment bank. *Financial Times* 7 April 2015.

The USA openly contests the creation of this bank. Many experts see in this approach of the United States the undisguised desire to stop the growing role of China in the international arena, both at the political and especially economic plane. Another proof of this is the matter of the adjustment within the IMF of quotas and the related voting powers of new comers in this organisation, especially of China, whose participation is inadequate to its economic potential. Formally an obstacle in this regard is the matter of ratification of changes in the IMF by the US Congress, which has all the symptoms of postponing it *ad calendas graecas*. It is not an accident, therefore, as has already been mentioned earlier, that China is not present at the negotiating table in TFAs negotiated by the United States. Americans want to continue to be a major player which establishes the rules of the game in world trade. It should be strongly emphasised once again that in the opinion of experts on China, this country will never accept such an approach⁴⁹.

5. NEW SHAPE OF ECONOMIC ORDER – SOLIDARITY VERSUS EGOISM

The changes in the existing economic order leave no doubt that there is no question of any revolution. Scientific and technological progress fundamentally transforms the conditions of operation of economic entities in the global economy. As a result, as a feedback, they try to actively create or adapt to new rules of action in order to secure optimal conditions for existence and for achieving their goals. These obvious reasons now have specific geopolitical context. Also those who so far have been treated as ‘peripheral’ actors are trying to get an opportunity to speak. As a result, various tensions and conflicts inevitably appear in this test of strength. A new political-economic order is being born which will be a reflection of the new balance of power on the global scale.

In the area of the establishment of new rules of the broadly understood international exchange there is no doubt today that the existing system based on multilateral principles is a thing of the past. The so-called plurilateralism, which is reflected in the kind of clubs of the ‘like-minded’ or ‘like-wanting or wishing’, in the form of TFAs, atomise and burst the order based on the principals of the GATT / WTO. The protagonists of the TTIP or TiSA which

⁴⁹ Cf. the statements of Singapore Foreign Minister Kausikan and Henry Kissinger in *The pacific age...*, *op. cit.*

are aware of it try to create an ideology based on the fact that if the WTO ceased to function it is necessary to find a way to give the organisation a 'new spirit'. It concerns such a set of rules which at the beginning will pertain to few, but over time it will become a new backbone of the WTO and will be a universal 'liturgy'. Therefore, this new procedure can be described as the 'order *à la carte*', or 'on demand' because it is highly selective and concerns these issues which suit those who are trying to continue dealing cards in the creation of rules in the modern global economy.

It is not an incident that intergovernmental agreements which push the idea of solidarity among all members more and more on the periphery of its activities become increasingly important in the European Union. Efforts to build separate structures within the euro area (e.g. the budget) petrify this phenomenon and inevitably deform the universal system of values and institutional solutions of the Union. Although, in the opinion of the protagonists of such a concept, it is almost a necessity in light of the challenges arising from the logic of the integration process within the EU and the geopolitical and economic situation in the global context, it does not alter the fact that as a result also in the EU a clear process of distinction between 'the equal' and 'the more equal' can be noticed. This means periferisation and marginalisation of those members who are unable, mainly for economic reasons, to become members of the exclusive club, constituting the 'hard core' of the Union. In a situation where the margin of freedom for outsiders is getting smaller or even ceases to exist, and the result of this can be either vegetation or the acceptance of accomplished facts, according the pragmatic/cynical principle of 'take it or leave it', we should take into account the long-term process of dismantling of the integration structure within the EU. Moreover, stronger and stronger centrifugal movements in the form of the growing strength of anti-union political parties or the threat of the UK's secession prove that the threat of the Union's destruction, paradoxically, mainly in its 'old' part, is building up. At the same time, it is accompanied by the process of shifting of the global economic activity to the Pacific region, which will strengthen the phenomena of specific decadence of European countries.

REFERENCES

- 3 D printing. Entering the jet age. Aircraft engines may soon be built one layer at a time. *The Economist* 7 March 2015.
- A better way to arbitrate. Protections for foreign investors are not the horror critics claim, but they could be improved. *The Economist* 11 October 2014.
- A trade deal with America would be good for everybody, yet it is still may not happen. *The Economist* 13 December 2014.
- Bielecki, T., Majdan, K. 2015. Google na brukselskim celowniku [Google at Brussels's gunpoint]. *Gazeta Wyborcza* 16 April 2015.
- Can America and Europe ever get over their differences on data protection? *The Economist* 4 April 2015.
- Clapham, T. 2015. Tajna umowa przeciw demokracji [The secret agreement against democracy]. *Dziennik Gazeta Prawna* 6–8 March 2015.
- De Gucht, K. 2014. Time is running out for US-Europe trade deal. *Financial Times* 26 September 2014.
- Digital trade: data protectionism. *Financial Times* 5 August 2014.
- Donnan, S. 2015. US trade chief moves within reach of big Trans-Pacific prize. *Financial Times* 3 February.
- Game of zones. Regional trade deals aren't as good as global ones but they are still beneficial. *The Economist* 21 March 2015.
- Germany's shadow. Germany is coming to terms with a messy world. *The Economist* 28 March 2015.
- <http://ec.europa.eu/trade/policy/in-focus/tisa/>
- http://ec.europa.eu/trade/policy/in-focus/tisa/index_pl.htm
- http://biznes.interia.pl/wiadomosci/news/mg-polska-nie-boi-sie-wolnego-handlu,2060989,4199#iwa_item=4&iwa_img=0&iwa_hash=36860&iwa_block=business_news?utm_source=paste&utm_medium=paste&utm_campaign=other
- <http://www.bankier.pl/wiadomosc/Ugoda-PZU-z-Eureko-Polska-rozdaje-pieniadze-2023636.html>
- <http://www.mg.gov.pl/Wspolpraca+miedzynarodowa/Miedzynarodowe+organizacje+gospodarcze/WTO/Porozumienie+w+sprawie+handlu+uslugami+TiSA>
- <http://www.osw.waw.pl/pl/publikacje/komentarze-osw/2015-01-20/eurazjatycka-unia-gospodarcza-wiecej-polityki-mniej-gospodarki>
- Investor-State Dispute Settlement (ISDS) provisions in the EU's international investment agreements*. Directorate-General for External Policies, Policy

- Department, volume 2-studies, EXPO/B/INTA/2014/08-09-10, September 2014.
- Investor-state dispute settlement. The arbitration game. *The Economist* 11 October 2014.
- Kleiber, M. 2015. GMO, czyli Globalna Manipulacja Opinii [GMOs, or Global Manipulation of Opinion]. *Dziennik Gazeta Prawna* 16 April 2015.
- Lamy, P. 2015. Transatlantic trade negotiators should own up to their ambition. *Financial Times* 28 October 2014.
- Leonard, M. 2015. An uneasy peace that will tear the global economy asunder. *Financial Times* 24 March 2015.
- Made in China?. Asia's dominance in manufacturing will endure. That will make development harder for others. *The Economist* 14 March 2015.
- Mitchell, T. 2015. China's shift to 'soft power' brings backers to investment bank. *Financial Times* 7 April 2015.
- Negotiations on the EU-Canada Comprehensive Economic and Trade Agreement (CETA) concluded*. Directorate-General for External Policies, Policy Department, DG EXPO/B/PolDep/Note/ 2014_106, October 2014.
- Niedziński, B. 2015. Chińczycy podbijają Amerykę [The Chinese conquer America]. *Dziennik Gazeta Prawna* 14 January 2015.
- Obama to push for 'fast track' trade powers. *Financial Times* 19 January 2015.
- Ocena skutków regulacji. Wdrożenia Dyrektywy 2006/123/WE o usługach na rynku wewnętrznym [Regulatory Impact Assessment. Implementation of the Directive 2006/123/EC on services in the internal market]*. The Ministry of Economy, the Department of Economic Regulation, Warszawa, January 2008.
- Oliver, C., Spiegel, P. 2014. UE states tell Juncker not to dilute trade deal with US. *Financial Times* 23 October 2014.
- Summers, L. 2015. Any trade deal must work for America's middle class. *Financial Times* 9 March 2015.
- The Pacific age. *The Economist* 15 October 2014.
- The rise of the on-demand economy poses difficult questions for workers, companies and politicians. *The Economist* 3 January 2015.
- Trade and protectionism. No more grand bargains. The World Trade Organisation's
- Trade Policy. Taking aim at imports. Protectionists in Congress could scupper crucial free-trade deal. *The Economist* 22 February 2014.
- TTIP: *European disintegration, unemployment and instability*. GDAE Working Paper no. 14-03, 2014.

- Ujawnione negocjacje umowy handlowej [Disclosed trade agreement negotiations]. *Gazeta Wyborcza* 8 January 2015.
- Whole approach to negotiating free trade needs radical change. *The Economist* 8 April 2014.
- Wieczorek, J. 2013. Protekcjonizm pozataryfowy – nowa odsłona [Non-tariff protectionism – a new scene]. *Mysł Ekonomiczna i Polityczna*, Uczelnia Łazarskiego, no. 1.
- Wieczorek, J. 2014. Transatlantyckie partnerstwo w dziedzinie handlu i inwestycji [The transatlantic partnership in the field of trade and investment]. *Mysł Ekonomiczna i Polityczna*, Uczelnia Łazarskiego, no.1.
- Wolf, M. 2015. It is folly to rebuff China's bank. *Financial Times* 25 March 2015.

INTERNATIONAL TRADE À LA CARTE

Summary

The new economic order emerging before our very eyes, resulting from the departure from the multilateral principles in favour of selective solutions is a consequence of the implementation of philosophy based on the domination of particular elements over the common ones. Therefore, such solutions are selected which could be called *à la carte*, because their choice from the universal menu suits own interests of those who still have the most to say in determining global rules. It concerns TFAs which join countries which sometimes have quite divergent approaches to socio-economic philosophy and practical solutions in the field of economic policy. What binds them firmly, however, is the belief that they should abandon the burden of commitments within the WTO and follow a new path demarcated by the TPP, TTIP or TiSA. The fact that it is really determined by the one who currently has the greatest bargaining power is of course another issue that can also be considered in terms of the balance of benefits and costs of accepting such a situation by weaker partners. As a result, we are dealing with the atomisation of the world exchange in both subjective and directional terms. This last issue in particular, in the context of the increasing role of the Pacific region in the global economy, is a good starting point for further considerations.

HANDEL MIĘDZYNARODOWY Á LA CARTE

Streszczenie

Rodzący się na naszych oczach nowy ład ekonomiczny, będący efektem odchodzenia od zasad o charakterze multilateralnym na rzecz rozwiązań wybiórczych, jest konsekwencją realizacji filozofii opartej na dominacji pierwiastków partykularnych nad powszechnymi. Wybiera się zatem rozwiązania, które można by określić *à la carte*, bo ich wybór z uniwersalnego *menu* najbardziej odpowiada własnym interesom tych, którzy mają nadal najwięcej do powiedzenia w określaniu reguł o charakterze globalnym. Chodzi tu o TFAs, które łączą kraje mające niekiedy dość rozbieżne podejście do filozofii społeczno-ekonomicznej i praktycznych rozwiązań w zakresie polityki ekonomicznej. To, co je jednak mocno spaja, to przekonanie, że powinny porzucić dotychczasowy багаż zobowiązań w ramach WTO i iść nową drogą, wytyczoną w TPP, TTIP czy TiSA. To, że określa go w istocie ten, kto aktualnie dysponuje największą siłą przetargową, jest oczywiście kolejną kwestią, którą również można by rozpatrywać w kategoriach bilansu korzyści i kosztów akceptacji takiej sytuacji przez partnerów słabszych. W rezultacie, mamy do czynienia z atomizacją wymiany światowej w kategoriach zarówno podmiotowych, jak i kierunkowych. Ta ostatnia zwłaszcza kwestia, w kontekście rosnącej roli rejonu Pacyfiku w gospodarce światowej, jest dobrym punktem wyjścia do kolejnych rozważań.

МЕЖДУНАРОДНАЯ ТОРГОВЛЯ Á LA CARTE

Резюме

Зарождающийся на наших глазах новый экономический порядок, будучи результатом отступления от принципов многостороннего характера в пользу избирательных решений, является следствием реализации философского учения, основанного на доминировании конкретных элементов над общими. Выбор в результате останавливается на решениях, которые можно было бы определить, как *à la carte* (ставить всё на карту), так как их выбор из универсального *menu* (меню) более всего отвечает собственным интересам тех, кому по-прежнему принадлежит право первого голоса в определении правил глобального характера. Речь идёт о TFAS (Фонды Американских Исследо-

ваний), объединяющих государства, для которых когда-то были характерны расхождения в подходах к общественно-экономической философии и практическим решениям в сфере экономической политики. Однако их достаточно прочно сплачивает убеждение в том, что необходимо отказаться от прежнего багажа обязательств в рамках ВТО и идти по новому пути, обозначенному в ТРП (Транстихоокеанское партнёрство), ТТИР (Трансатлантическое торговое и инвестиционное партнёрство), либо TiSA (соглашение о торговле услугами). То, что по существу его определяет тот, кто обладает самой большой рыночной властью, разумеется, является очередной проблемой, которую также можно рассматривать в категориях баланса пользы и затрат, связанных с принятием данной ситуации более слабыми партнёрами. В результате мы имеем дело с атомизацией мирового обмена в категориях как субъекта, так и вектора. В особенности этот последний вопрос, в условиях возрастающей роли Тихоокеанского региона в мировой экономике, является хорошей точкой отсчёта для очередных решений.

Katarzyna Kołodziejczyk

THE EUROPEAN UNION'S STRATEGY OF ADAPTATION TO THE CHANGES TAKING PLACE IN THE CONTEMPORARY INTERNATIONAL TRADE

INTRODUCTION

The European Union (EU) has been a proponent of the idea of free trade since the onset of the European integration process. It has undertaken activities aiming at the removal of trade barriers not only at the regional level, but also at the international level through the General Agreement on Tariffs and Trade (GATT). The accumulating processes of economic globalisation and the changes taking place in the international division of labour and also the appearance of new competitive markets (i.e. emerging markets) have influenced the changes in the perception and use of the European Union's attributes of its trade policy. The above changes determine the specification of the subject of research undertaken in the article, which is the European Union's trade strategy in the presence of modern transformations. The essence of the EU strategy is, first of all, to protect the interests of the EU as a whole and its individual business entities, and secondly to create the conditions in which the EU can fulfil the role of a global player in the global economy. The research aim of the paper is the analysis of the European Union's new approach to the realisation of the idea of free trade which is the backbone of the trade strategy adopted by the EU. The article will attempt to answer the research questions: whether the growing role of some economies of developing countries is a threat for the EU's position in the global economy; whether the European Union actions undertaken in the external dimension will have an impact on the economy of the European

Union itself, or on the contrary, whether the strengthening of the European Union's internal market should be considered a priority by the Union in the context of changes in the international economic relations. Research methods characteristic for social sciences, such as, inductive, comparative, statistical methods and source criticism were used in the article.

THE IMPLICATIONS OF ECONOMIC GLOBALISATION PROCESSES FOR INTERNATIONAL TRADE RELATIONS

From the decade of the 90s of the 20th century in the international division of labour changes have been taking place which affect the transformation of the architecture of international trade. They are connected with rapidly occurring processes of economic globalisation which cause the fact that international trade functions in a different environment and that it has become, as Richard Baldwin writes, more comprehensive. Technological innovations have led to changes in the system of production relations between states and have opened to international enterprises the possibility of deploying production divided into different tasks in various parts of the world. Shaped global production networks have become today the dominant mode of production organisation, and being outside them condemns the country to remain on the economic periphery¹. Interpenetration of trade in goods, international investments in the development of production facilities, modern technology, long-lasting business relationships, use of service infrastructure in order to coordinate scattered production, according to R. Baldwin, leads to the formation of the goods-investments-services chain constituting the 'heart' of today's multilateral trade system². These changes create many opportunities for growth and development, but at the same time increase competitive pressure.

The processes of economic globalisation and a proper development strategy enabled many countries to access the global market, increase the participation in international exchange and join the group of countries with the highest income. Exemplary examples of the winners of the processes of

¹ Aleksy, A. 2012. *Międzynarodowe struktury produkcji*. [International production structures.] In: Halizak, E. ed. *Geoekonomia*. [Geoeconomics.] Warszawa: Wydawnictwo Naukowe Scholar, p.70.

² Baldwin, R. 2001. *21st century regionalism: hilling the gap between 21st century trade and 20th century trade rules*. WTO Staff Working papers, ERSD-2011-08, p. 5.

economic globalisation are the Asian newly industrialised countries (South Korea, Taiwan, Hong Kong, Singapore), although the analysis of changes in international trade clearly shows an increasing share of a growing group of developing countries in global exports and imports³. We are talking here not only about such examples as, among others, China, India, Brazil, whose spectacular economic success meant that these countries have joined the list of the most competitive economies in the world, but also Russia, Mexico, Thailand, Malaysia, the United Arab Emirates, Saudi Arabia and Turkey – which have high places (up to place 25 out of 50) in the list of the world's major exporters and importers. Economic development of countries from the developing group intensifies the competition in terms of prices, quality of products and direct foreign investments, as these countries not only attract foreign investment, but they act as an investor abroad. The growing share of these countries in the trade exchange also positively affects their increased interest in the presence in the markets of other developing countries, creating a new trend in the international exchange on the so-called South-South line. The growing trade exchange among developing countries themselves, apart from the fact that it can become an engine of growth in many countries in this group, certainly contributes to the change of 'the balance of power' in international trade and already represents a challenge for developed economies, due to the possibility of 'reversal' of many developing countries from traditional partners from developed countries towards the exchange leaders on the South-South line, which are Asian countries. Proof confirming this regularity are statistical data which show that in 2013 the share of developing countries in total exports of developing countries amounted to 52%, of which 35% constituted the export to Asia, 6% to the countries of South and Central America and Caribbean, also 6% to the countries in the Middle East and 4% to Africa⁴.

The processes of economic globalisation have finally led to deepened diversification of the already heterogeneous group of developing countries. Some of them achieve successes on the road to development, while others remain on the margins of international exchange, in particular the countries classified as the least developed countries (LDCs). This dichotomy affected

³ The criterion for separating developed and developing countries is an indicator of national income *per capita*, which is used by the World Bank for the classification of countries for statistical, operational and analytical purposes.

⁴ The World Trade Organisation. 2014. *International Trade Statistics*. Available at: www.wto.org, p. 15.

the European Union's withdrawal from the term 'a group of developing countries' because in its opinion this notion is inapplicable today, which in turn influenced the changes in the selection of instruments by the EU, not only in trade but also in terms of its development policy.

THE EUROPEAN UNION'S POLICY IN THE PRESENCE OF CHANGES IN INTERNATIONAL TRADE RELATIONS

The increasing importance of newly appearing attractive markets (i.e. emerging markets) and the dynamically changing world economic landscape determined changes in the policy of the European Union which is one of the key participants of the international exchange of goods and services. The EU is a major global exporter of goods (the share of 15.3%) and the second world importer after the United States (the share of 14.8%). In the case of trade in services, the EU has a position of a leading global exporter and importer with the share respectively 25.2% and 19.7%. Moreover, the EU is the biggest recipient and supplier of foreign direct investments. Therefore, a priority objective in EU policy in response to the ongoing transformation is the protection of the interests of the Union as a whole and its individual business entities, and the creation of conditions in which the EU can continue to play the role of a 'global player'. The attitude which best corresponds to the occurring economic transformations, according to European Union policy is to strive for continuous deepening of trade liberalisation, understood as a gradual opening of the markets, according to the principle that 'liberalisation drives liberalisation'. It is nothing new because the removal of trade barriers has accompanied the idea of European integration since its inception, as a result of which the EU's modern economy of is one of the most oriented to the outside, where the average applied tariff rate is approximately 5.5%, and nearly a quarter of EU import is exempt from customs duties⁵.

The glorification of the EU's free-trade idea has been noticeable in the documents adopted by it as well as in actions taken in the multilateral and bilateral dimension. Despite the permanence of the EU's position in relation to the liberalisation of trade, it is possible to notice a change in the approach to the substance of trade liberalisation. Initially, in fact, the EU perceived

⁵ The World Trade Organisation. 2013. *Trade Policy Review*. Available at: www.wto.org, p. 44.

the deeper liberalisation of international trade as a factor benefiting its own economic operators and concentrated on activities supporting them. In the document of 14 February 1996 entitled *Global challenges for international trade: market access strategy for the European Union* the active support for European companies was considered a key task. The opening of the European economy was treated as a tool enabling European businesses to obtain numerous outlays at lower prices, to achieve economies of scale, to implement innovations, to access third country markets more easily. In later years the EU modified its approach weaving the protection of its own enterprises into the strategy of increasing the competitiveness of the EU economy, which was to be complemented by external plans of the creation of conditions for development in the face of opportunities and challenges arising from the processes of economic globalisation. This approach favoured the European Union in the creation of the image of an entity aiming at the creation of a global market, not only in its own interest, but also in other countries'. The EU presented the assumptions of this type in both strategies: Lisbon and Europe 2020 and, among others, in the documents: *Global Europe: competing in the world* (2006), or *Trade, growth and development. Tailoring trade and investment policy for those countries most in need* (2012). In the currently implemented Europe 2020 strategy, aimed at increasing employment and creating a more modern, efficient and sustainable EU economy, trade policy is recognised as a key element of its external dimension. The importance of free trade is now for the EU, as the largest trading bloc in the world, increasingly important especially in the face of forecasts saying that in the next 20 years it is predicted that 90% of the world's growth will be generated outside Europe, with a third falling on China alone. It is, however, already a fact that after the contemporary economic crisis, exports on the South-South line have rebounded much faster than the global export and emerging economies are now seen as economic powers leading to the exit out of the crisis.

Therefore, the European Union's striving to maintain its leading position in international trade will require from it mainly actions supporting the inclusion of European enterprises in the global production chain, ensuring the EU market easier access to services, investments, public procurement markets of third countries, assuring the supply of raw materials and energy, intellectual property protection and the promotion of environmental protection and labour standards. EU prosperity depends on trade, which is why, free trade is one of the key driving forces stimulating the development of the European economy.

THE EUROPEAN UNION'S METHODOLOGY OF IMPLEMENTATION OF THE FREE TRADE IDEA

Originally, in the opinion of the EU, the best way to promote the idea of free trade was the WTO multilateral system, for if trade becomes global, the rules should also be global. For the EU the WTO initially served as a platform for the realisation of its global commercial interests and gaining new sales markets. Therefore, the European Union was the main advocate of the adoption of the WTO 'single undertaking' formula which in parallel revolutionised the principle of special and diverse treatment applicable to developing countries. In practice, this meant a return to the basic principle of the multilateral system which is the reciprocity of benefits and concessions, from which in the days of the GATT there was an exception applied to developing countries, allowing them to evade the provisions liberalizing international trade (the principle of non-reciprocity). However, in the face of emerging new lucrative markets in developing countries, mainly in Asia, and deepening processes of economic globalisation, a return to the idea of reciprocity became crucial for the EU, since only its observance gave the EU chances of entering the markets of interest to it. The EU has repeatedly stressed that open markets will bring the desired results only if Europe rejects protectionism and if other markets remain open to Europe. The unequivocal commitment to the principle of reciprocity was highlighted in the communication of 2010 in which the European Commission clearly announced that the nature of the EU economy will remain open, but Europe 'will not be naive'. Europe's openness requires that its partners with developed economies as well as emerging economies take a similar effort in the spirit of reciprocity and mutual benefit⁶. Moreover, the EU's aim was the introduction by means of the WTO of the liberalisation of international trade according to its interests, an example of which was the proposition of new areas for opening of markets in which the EU has a comparative advantage (e.g. Singapore issues⁷) and the agreement to accept the liberalisation obligations to the extent in which they do not affect negatively the interests of the EU as a whole (e.g. the common agricultural policy, textiles). The guarantor of compliance with the established rules and, above all, of the

⁶ *Trade, Growth and World Affairs. Trade Policy as a core component of the EU's 2020 strategy*. COM (2010) 612, 9 November 2010, p. 12.

⁷ Trade facilitation, rules of competition, public procurement and foreign direct investment.

control of unilateral actions of trading partners was to be a dispute settlement system.

Key changes in the methodology of the implementation of the idea of free trade used by the EU took place with the progressive paralysis of the WTO in connection with the increasing displeasure of developing countries with the implementation of the decisions of the Uruguay Round and the lack of progress of the Doha Round negotiations. The change of EU policy consisted in moving the focus from the multilateral level to the bipolar one which became the main channel for the realisation of the EU's trade interests through free trade agreements, which the EU began to treat as a strategic tool to implement the EU's trade policy in the external dimension. By means of them, the Union implements a plan of comprehensive trade liberalisation in the face of the legislative paralysis of the WTO. Moreover, it adjusts its trade policy to dynamic changes occurring in the world economy, and primarily pursues its strategic commercial interests, which it could not materialise at the WTO forum. It is evidenced by the thematic scope of free trade agreements negotiated and concluded by the EU with third countries. They are not limited to the rules governing the requirements of the creation of free trade areas and customs unions in accordance with Art. XXIV of the GATT and V GATS, the General Agreement on Trade in Services, but they exceed the minimum requirements of the WTO and they have a comprehensive character (comprehensive programme). Thus, they include issues such as, among others, the competition rules, foreign direct investments, public procurement, labour standards, environmental protection and in justified cases taking into account the regulations pertaining to the management in the sphere of finances, taxes and judicial proceedings. In this way, the EU tries to transfer its regulations to the international level, becoming the creator of the multilateral economic order.

The European Union excluded basically only LDCs from the plan of the implementation of a comprehensive vision of trade liberalisation through free trade agreements, although if they have a need and desire to enter into such an agreement with the EU, then nothing stands in the way. Nevertheless, for the poorest countries, the EU launched in 2001 a programme called 'Everything But Arms' which gives the right to completely free access to the EU market for products originating in these countries, except arms and ammunition. The key interlocutors for the EU in the negotiations of free trade agreements were initially countries identified as 'priority partners', then 'more advanced countries and developing regions', and today the focus is on 'strategic economic partners'. In each case, the main criteria for

the selection were, among others: the potential of the economy, applied trade barriers on imports from the European Union, the status of trade negotiations by future EU partners with its competitors and their possible impact on the EU market. Taking the above into account, the European Union currently has a dominant position in terms of the number of signed and implemented free trade agreements, against all such agreements notified by the WTO. As of September 2015 these are 36 agreements with a further 12 agreements which have been notified to the WTO in accordance with the notification procedure⁸. They include countries from all continents and with different levels of economic development. Among them there are agreements concluded, inter alia, with: Mexico, South Africa, Chile, South Korea, the Mediterranean countries (Algeria, Egypt, Morocco, Tunisia, Jordan, Lebanon, Israel, the Palestinian National Authority⁹), the Eastern Partnership countries (Moldova, Georgia, Ukraine), Central American countries (Guatemala, Honduras, Costa Rica, Nicaragua, Panama, El Salvador) and South America (Colombia and Peru¹⁰), as well as with the countries forming the group of African, Caribbean and Pacific (ACP) countries. Due to the size of this group (79 countries), the EU decided to conclude the so-called EPAs (Economic Partnership Agreements) with the individual regional groups of the ACP countries¹¹. As of today (September 2015) such agreements were concluded with the Caribbean (14 CARIFORUM Member States¹² with the exception of Haiti), Eastern and Southern Africa (4 countries of ESA¹³), Pacific (2 states – Papua New Guinea and Fiji), as well as Cameroon and Ivory Coast.

⁸ Data from: www.wto.org

⁹ Negotiations are underway with Morocco, Jordan, Tunisia on the conclusion of the agreement on Deep and Comprehensive Free Trade Area.

¹⁰ In July 2014 the negotiations with Ecuador were completed and after the ratification process, this country will join Peru and Colombia.

¹¹ More about the EPAs in: Kołodziejczyk, K. 2013 *Stosunki Unii Europejskiej z grupą państw Afryki, Karaibów i Pacyfiku. Rola i znaczenie Umów o partnerstwie gospodarczym w zakresie handlu i pomocy rozwojowej*. [The relations of the European Union with a group of African, Caribbean and Pacific countries. The role and importance of the Economic Partnership Agreements in the sphere of trade and development assistance.] Warszawa: Wydawnictwo Rambler.

¹² CARIFORUM- *Caribbean Forum of African, Caribbean and Pacific States*. The countries which signed an agreement with the EU are Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago.

¹³ ESA – *Eastern and Southern Africa*. The countries that signed the agreement with the EU are: Mauritius, Madagascar, Seychelles, Zimbabwe.

Currently, negotiations of free trade agreements were concluded in 2014 with Singapore, Canada and the EPAs with countries of the EAC, SADC and West Africa, but due to the ratification process in both cases their provisions are not yet binding. The European Union is still negotiating with India, Japan, Malaysia, Thailand, Vietnam and the United States. Crucial from the point of view of the European Union will be the negotiations with strategic economic partners, to which the Union includes apart from the United States (the main trading and investment partner of the EU), India and Japan, as well as China, Russia and Brazil. Negotiations with the first three countries are already underway and both parties are willing to complete them. In the case of China, the second trading partner for the EU, as of now, talks are underway concerning the conclusion of the comprehensive investment agreement, gradually abolishing restrictions in the access to investments. Negotiations with Brazil and Russia (agreements replacing the current partnership and cooperation agreement) do not have great chance of success in the near future. In the case of Brazil they depend on the talks between the EU and MERCOSUR¹⁴, and in the case of Russia they depend on the political situation in connection with the conflict in Ukraine.

In parallel to the negotiations of free trade agreements, the EU is also now keenly interested in talks on concluding the Trade in Services Agreement. With a key position in the international trade in services, the EU aims at deepening the liberalisation of access to the service market for third countries. The central place in the negotiations is taken by the talks on the liberalisation of financial services, which is particularly advantageous for the EU because it has a leading position in world exports of financial services amounting to 160 billion USD in 2013, compared to the USA achieving 84 billion USD¹⁵.

The negotiations involve 24 countries (including the EU) which together hold about 70% of the world trade in services. Much easier access to their services markets, would give the EU economic growth and additional jobs in the service sector, a key sector of the EU economy employing around 73% of the population. Although negotiations are conducted on the basis of the main principles of the GATS, they are not carried out under the auspices of the WTO. Nevertheless, countries which are members of the WTO (including the EU) are engaged in this process and the system itself is open to the members of the WTO which, if they decide in the required majority, can make TiSA

¹⁴ The negotiations with MERCOSUR conducted from 1999 were suspended in 2004. Their restarts took place in 2010.

¹⁵ The World Trade Organisation. 2014. *International Trade Statistics*. Available at: www.wto.org, p. 119.

become part of the legal solutions of the WTO and it will be extended onto all WTO members.

And finally, the European Union has also used free trade to increase its competitiveness in the political sense. Political changes after 1989 resulted in freeing development aid from the influence of ideology, and the idea of providing development assistance began to be criticised as ineffective in the process of economic development (aid fatigue). The triumph of neo-liberal ideology in the decade of the 90s of the 20th century was used by the EU to change the architecture of international development cooperation, plying, as the main donor of development aid, the role of the creator of the new order in which trade became the basic condition of development. The examples of the newly industrialised countries of Asia, Latin America as well as China, India and Brazil suggested that in the times of economic globalisation it is impossible to negate the openness to trade and access to foreign investments and technologies. The economic growth of these countries encouraged both developed and developing countries to treat trade as an effective tool for economic growth. Supporting trade as a development strategy, the EU implemented, the program, the only one so far in the world, abolishing all barriers to access to its market for goods from LDCs, except arms and ammunition. We are talking here about the aforementioned initiative of the EBA, in force since 2001. In this way, the EU endeared itself to developing countries, which was particularly important during the opening of negotiations in the Development Round convened by the WTO in November 2001¹⁶. In addition, through the EBA initiative, the EU began to set the patterns of conducting policy directed towards the poorest countries in the world, which undoubtedly strengthened the EU's international prestige and its position in the implementation of the EU's global interests.

SUMMARY

The advantages of free trade have been well known at least since the times of Adam Smith and the European Union is one of their advocates. However, economic transformations in the contemporary world economy have changed the conditions of conducting trade and strengthened the

¹⁶ K. Kołodziejczyk, *Stosunki Unii Europejskiej z grupą państw Afryki, Karaibów i Pacyfiku...* [The relations of the European Union with a group of African, Caribbean and Pacific countries...], *op. cit.*, p. 191.

position of some economies of developing countries, which have become competition for the European Union. In response to these changes, the EU has solidified the views in which free trade was treated as a key condition for achieving growth and creating new jobs. The strategy of action adopted by the EU is carried out on two mutually complementary, internal and external levels. Without a strong internal market and competitive enterprises there will be no strong European Union on the outside. And conversely, the EU's inner strength is dependent on openness and fair rules on foreign markets, in particular those which are key trading partners for the EU. It seems that the methodology of implementation of the cherished idea of free trade used by the Union ensures its competitiveness in the changing global economy. Statistics show that the EU is a leading participant in international exchange and the world's largest supplier and recipient of foreign direct investments. Free trade agreements, as a strategic instrument in the EU's external trade policy are supposed to further strengthen the position of European companies on foreign markets and to increase investment protection and the possibility of making foreign direct investment by the EU, in particular in its main trading partners. The completion of all the ongoing trade negotiations, as the European Commission estimates, should affect, among others, the increase of the EU GDP by 2% and the activation of employment of more than 2 million people¹⁷. In addition, the EU, through free trade agreements, guarantees the realisation of its interests in the protection and enforcement of intellectual property rights and the access of European companies to public procurement markets in third countries. Similarly, in relations with developing countries, the mechanisms adopted by the European Union mean that the EU is the world's largest importer of products (including raw materials) from developing countries.

The actions to improve the Union's competitiveness in the global economy undertaken in the external dimension seem to be well planned and effectively implemented. It is certainly affected by the fact that the common commercial policy is the exclusive competence of the EU and that the EU is entitled to establish the regulations and the role of the member states is to apply them. These activities must, however, be more strongly supported by the strengthening of the internal market and policies which are essential for competitiveness, in the spheres of, among others, research and innovation, information technologies, energy or the environment. However, the Union

¹⁷ The European Commission. 2014. *The European Union Explained. Trade*. Brussels, p. 5.

may have problems with this due to the persisting economic problems of the euro area, 0.9% economic growth in the EU, the failure of the realisation of the Lisbon Strategy and the ineffective way of the Europe 2020 strategy implementation.

REFERENCES

- Aleksy, A. 2012. *Międzynarodowe struktury produkcji* [International production structures]. In: Haliżak, E. ed. *Geoekonomia* [Goeconomics] Warszawa: Wydawnictwo Naukowe Scholar.
- Baldwin, R. 2001. *21st century regionalism: hilling the gap between 21st century trade and 20th century trade rules*. WTO Staff Working papers, ERSD-2011-08.
- Global Europe: Competing in the World. A Contribution to the EU's Growth and Jobs Strategy*. 4 October 2006. Brussels. COM(2006) 567 final.
- Kołodziejczyk, K. 2013 *Stosunki Unii Europejskiej z grupą państw Afryki, Karaibów i Pacyfiku. Rola i znaczenie Umów o partnerstwie gospodarczym w zakresie handlu i pomocy rozwojowej*. [The relations of the European Union with a group of African, Caribbean and Pacific countries. The role and importance of the Economic Partnership Agreements in the sphere of trade and development assistance.] Warszawa: Wydawnictwo Rambler.
- Malström, C. 2015. *The Commission's future trade strategy*, speech of 23 March 2015. [Online] Available at: www.trade.ec.europa.eu
- The European Commission. 2014. *The European Union Explained. Trade*. Brussels.
- The World Trade Organisation. 2013. *Trade Policy Review*. Available at: www.wto.org
- The World Trade Organisation. 2014. *International Trade Statistics*. Available at: www.wto.org
- Trade, Growth and World Affairs. Trade Policy as a core component of the EU's 2020 strategy*. 9 November 2010. Brussels COM (2010) 612 final.

THE EUROPEAN UNION'S STRATEGY OF ADAPTATION TO THE CHANGES TAKING PLACE IN THE CONTEMPORARY INTERNATIONAL TRADE

Summary

The article raises the issue of transformation in contemporary international trade and its impact on the policy of the European Union. Economic globalisation, global value chains, growing new economic powers threatened the position of the European Union, which had to choose the right strategy for responding to these changes. Free trade has become the ideological determinant of EU policy, which guarantees economic growth in both developed countries and developing countries. The article consists of three parts, introduction and summary. The first part of the article presents the implications of globalisation for modern international trade relations. The second part was devoted to the analysis of the Union's policy towards the ongoing transformations. In the third presents the methodology used by the Union in the implementation of the idea of free trade

STRATEGIA UNII EUROPEJSKIEJ DOSTOSOWANIA DO ZMIAN ZACHODZĄCYCH WE WSPÓŁCZESNYM HANDLU MIĘDZYNARODOWYM

Streszczenie

Artykuł porusza problematykę przemian we współczesnym handlu międzynarodowym i ich wpływ na politykę Unii Europejskiej. Globalizacja gospodarcza, globalne łańcuchy produkcji, wyrastające nowe potęgi gospodarcze zagroziły pozycji Unii Europejskiej, która musiała wybrać odpowiednią strategię odpowiadającą na powyższe przemiany. Wolny handel stał się ideowym wyznacznikiem polityki UE, gwarantującym wzrost gospodarczy zarówno krajom rozwiniętym, jak i rozwijającym się. Artykuł składa z trzech części, wprowadzenia i podsumowania. W pierwszej części artykułu przedstawione zostały implikacje procesów globalizacji dla współczesnych międzynarodowych stosunków handlowych. Druga część została poświęcona analizie polityki Unii wobec zachodzących przeobrażeń. W trzeciej zaś przedstawiona została metodologia stosowana przez Unię w zakresie wdrażania idei wolnego handlu.

СТРАТЕГИЯ ЕВРОПЕЙСКОГО СОЮЗА ПРИМЕНИТЕЛЬНО К ИЗМЕНЕНИЯМ, ПРОИСХОДЯЩИМ В СОВРЕМЕННОЙ МЕЖДУНАРОДНОЙ ТОРГОВЛЕ

Резюме

Статья затрагивает проблематику перемен в современной международной торговле и их влияние на политику Европейского Союза. Глобализация в экономике, глобальные производственные цепочки, образующиеся новые экономические державы, стали угрозой для позиции Европейского Союза, которому пришлось выбрать новую стратегию в условиях перечисленных выше перемен. Свободная торговля стала идеологически определяющей для политики ЕС, гарантирующей экономический рост как для развитых, так и для развивающихся государств. Статья состоит из трёх частей, введения и заключения. В первой части статьи представлены последствия процессов глобализации для современных международных торговых отношений. Вторая часть посвящена анализу политики ЕС в отношении происходящих преобразований. В третьей же представлена методология, применяемая Европейским Союзом в сфере внедрения идеи свободной торговли.

Joanna Dobkowska

VIETNAM AS 'A MIDDLE POWER' ON THE EXAMPLE OF ITS COOPERATION WITH INDO-CHINESE COUNTRIES

One of the key aims underlying Vietnam's change of domestic and foreign policy in the 80s of the 20th century was coming out of international isolation and the improvement of relations with the countries situated in the immediate vicinity. A stable international situation was supposed to allow Vietnam to develop economically, and consequently provide legitimacy for the exclusive exercise of power of the ruling Communist Party of Vietnam (CPV). The accession to the Association of Southeast Asian Nations (ASEAN) not only ensured the implementation of these objectives, but also allows Vietnam to assume the role of a leader of the newly associated Member States of the so-called CLMV group¹ – in a different character than in previous decades as 'the main revolutionary force of Indochina'. This is in line with the 'genetically coded' aspirations of the authorities of this state to lead the states of the Indochinese Peninsula and assume the role of a regional power. So far this ambition has aroused opposition among Indo-Chinese countries resulting from the deeply-rooted negative historical experiences. The resistance resulted from fears of unilateral action policy to interfere in their internal affairs, often involving the use of armed force or the threat of its use. The demonstrated desire for friendly cooperation with its neighbours through international institutions, both within ASEAN and beyond, as well as the gradual understanding of the source of the hostile sentiment in Hanoi

¹ The acronym CLMV comes from the English names of countries: Cambodia, Laos, Myanmar, Vietnam. The acronym CLV is also used, which excludes Myanmar (Burma) from the above group – unless otherwise stated, this term is considered herein as synonymous with the term 'Indo-Chinese countries'.

and the associated change in behaviour are conducive to the improvement of its perception in the subregion.

This aim of the article is to show the evolution which has taken place in terms of Vietnam's politics towards Indochina countries since the introduction of *doi moi*, or 'renewal' policy by the CPV in 1986. The basic vision of playing the role of a regional leader for Indochina has not changed, however the manner of its implementation has changed. This creates a favourable opportunity for Vietnam, unless the recidivism of 'the appetite for domination' appears, to assume the role of a 'middle power' in the region of Southeast Asia, which is the realisation of the key – although non verbalised – aim of this state.

THE CONDITIONS OF VIETNAM'S ASPIRATIONS

The ambitions of Hanoi to lead the countries of the Indochina Peninsula result not only from historical circumstances. The vast disparity of potentials in different spheres also speaks in favour of Vietnam. At the forefront is the advantage of economic capacities of Vietnam; even if the average annual GDP growth in recent years has been slightly higher in the case of Myanmar and Laos, the absolute level of this indicator has been by far the highest in the case of Vietnam (for more see Table 1). Vietnam is also the largest participant in international trade: not only is the value of trade in goods and services the highest (see. Table 2), but according to WTO data also the commodity structure of Vietnamese trade is the most balanced (i.e. not dependent only on exports of fossil deposits and fuels or cheap industrial goods²).

Apart from a better economic situation, according to World Bank indicators, Vietnam is also better managed than the other Indochinese countries, and its citizens are on average better educated than other residents of the subregion³. This translates into not only higher productivity, but also into the development of more advanced sectors of the economy; according to the World Trade Organisation (WTO) in 2010 Vietnam was the only country

² World Trade Organisation. *Trade profiles, op. cit.*

³ Hansakul, S. 2013. *ASEAN Economic Community: Implications for Thailand & CLMV*. DB Research. Available at: http://www.dbresearch.com/PROD/DBR_INTERNET_EN-PROD/PROD000000000304467/Presentation%3A+ASEAN+Economic+Community+-+Implications+for+Thailand+%26+CLMV.PDF [Accessed: 28 February 2014].

in Indochina whose citizens were granted patents, also the biggest number of trademarks was registered⁴. Also, we should not forget the demographic factor – the population of Vietnam, in 2012 amounting to over 89 million people, is bigger than the total population of CLM countries (14.4 million, 6.4 million and 51.9 million respectively)⁵. These factors affect the behaviour of Hanoi towards other countries of the subregion – after the transformation of *doi moi* the Vietnamese government seems to apply the strategy of ‘the first among equals’. It uses its strengths to improve the situation in Indochina while highlighting (although not demonstratively and directly) its leading position.

Table 1

Selected macroeconomic indicators of CLMV countries

State	1995	2000	2005	2010	2011	2012
GDP [billion USD]						
Cambodia	3.44	3.65	6.29	11.24	12.83	14.04
Laos	1.76	1.73	2.74	7.18	8.25	9.42
Myanmar	<i>no data</i>	<i>no data</i>	<i>no data</i>	54.43 ^{a)}	57.42 ^{**}	60.87 ^{**}
Vietnam	20.74	33.64	57.63	115.93	135.54	155.82
Real GDP growth [percent]						
Cambodia	6.44	8.77	13.25	5.96	7.07	7.26
Laos	7.03	5.80	7.11	8.53	8.04	8.20
Myanmar	6.95	13.75	13.6 ^{a)}	5.3 ^{a)}	5.5 ^{a)}	6 ^{a)}
Vietnam	9.54	6.79	7.55	6.42	6.24	5.25

^{*} Estimated values; ^{**} Values based on own calculations.

Source: own study based on: the World Bank Group Statistics Database – Indicators: *GDP (current USD)*, *GDP growth (annual %)*. Available at: <http://data.worldbank.org/indicator>; ^{a)} Global Finances, *Myanmar Country Report*. Available at: <http://www.gfmag.com/gdp-data-country-reports/214-myanmar-gdp-country-report.html> [Accessed: 28 February 2014].

⁴ The World Trade Organisation. *Trade profiles, op. cit.*

⁵ Data on the basis of *Total population – both sexes. World Population Prospects: The 2012 Revision*. Available at: <http://esa.un.org/unpd/wpp/Excel-Data/population.htm> [Accessed: 28 February 2014].

Table 2

The value of international trade for 2011

Commodities [million USD]				
	Cambodia	Laos	Myanmar	Vietnam
Export (FOB)	6 950	2 400	9 330	96 906
Import (CIF)	9 300	2 700	8 000	106 750
Services [million USD]				
Export	2 191	489*	331*	8 769
Import	1 448	258*	754*	11 707

* Values for 2010.

Source: own study based on: the World Trade Organisation, *Trade profiles 2012*. Available at: http://www.wto.org/english/res_e/booksp_e/anrep_e/trade_profiles12_e.pdf [Accessed: 28 February 2014].

VIETNAM'S ASPIRATIONS – HISTORICAL CONDITIONS

Vietnam's hegemonic ambitions focused on Indochina have been a major problem in the relations with the countries of Southeast Asia after the Second World War. The fear of domination attempts was confirmed by historical examples, such as the occupation of the Red River delta territory by the Vietnamese and the cut-off of the then Khmer Empire from the sea (1620) and the expansion and takeover of areas considered by the local population as the cradle of their statehood or the actual seizure of power in Cambodia by Vietnamese officials in the years 1813–1841⁶. Also Thailand, arguing with Vietnam about dominance in the region since the eighteenth century, perceived Vietnam's aspirations as a threat to its own security.

THE POLICY OF UNILATERAL DOMINATION OF THE COLD WAR PERIOD

After regaining independence and unification of the state in 1975 the Vietnamese government has intensified its efforts to strengthen the political dominance in Laos and Cambodia. The existence in Laos of pro-Vietnamese

⁶ *Cambodia: domination by Thailand and by Vietnam*. U. S. Library of Congress. Available at: <http://countrystudies.us/cambodia/9.htm> [Accessed: 20 February 2014].

Pathet Lao communist movement⁷, ideologically kindred to CPV, helped to cover this country with political influence. The Treaty on Friendship and Cooperation, concluded in 1977, made Laos *de facto* a protectorate of Vietnam; in accordance with its provisions the Laotian government could not make decisions on foreign policy without the prior approval of Vietnam. Besides the clear objection of the government in Beijing, it did not raise broader international controversy⁸.

To a much greater extent than the subordination of Laos, the shape of contemporary relations of Vietnam with the ASEAN countries and the role of this country in Indochina was affected by the relations with Cambodia. The government's actions in Hanoi, aiming to subordinate the government in Phnom Penh, resulted not only from historical animosities, but also from the lack of pro-Vietnamese communist movement in Cambodia. Because of the role of the Khmer Rouge in Chinese policy towards Hanoi, the invasion of Cambodia was, on the one hand, the effect of Vietnam's elementary safety reasons, but, on the other hand, a consequence of its hegemonic aspirations. Tense relations between the states, aggravated further by the Soviet-Chinese rivalry, from 1976 took the form of border incidents, which – despite initial attempts to resolve the dispute diplomatically – led to breaking the relations at the end of 1977 and in 1978 to the beginning of a border war which transformed into a full offensive and ended in conquering Phnom Penh on 7 January 1979 and the establishment of a pro-Vietnamese government of Heng Samrin in Cambodia⁹. The activities of Vietnam provoked a strong reaction of the PRC – the inspirer of the exasperation of the confrontation between the two Indochina neighbours¹⁰ – in the form of a military intervention

⁷ Pathet Lao was a left-wing nationalist organisation formed in 1950, fighting for the liberation of Laos from the French colonial domination. Since its inception, it cooperated with the Vietnamese analogous organisation Viet Minh. It took power in the country in 1975, after the overthrow of the US-supported government in Vientiane, creating the Lao People's Democratic Republic. For more see, for example, *Laos: The Pathet Lao*. U. S. Library of Congress. Available at: <http://countrystudies.us/laos/18.htm> [Accessed: 20 February 2014].

⁸ Pike, D. 1978. Vietnam in 1977: more of the same. *Asian Survey*, vol. 18, no 1.

⁹ Karwowski, M. 2010. *Polityka zagraniczna Wietnamu*. [Foreign policy of Vietnam.] Warszawa: Fundacja Studiów Międzynarodowych, pp. 76–79.

¹⁰ For more see Rowiński, J., Szafranec P. 2006. Indochiny w strategii politycznej Chińskiej Republiki Ludowej w końcowej fazie „zimnej wojny”. [Indochina in the political strategy of the People's Republic of China in the final phase of the 'cold war'.] *Studia Międzynarodowe*, vol. 2, no 1–4, pp. 41–47.

in Vietnam (17 February – 16 March 1979)¹¹. Beijing was strongly opposed to the domination of Hanoi in Indochina, unless it served the implementation of its policy. The behaviour of the Vietnamese government – its ties with countries which China at that time regarded as opponents (initially the United States, then the Soviet Union) raised in Beijing the feeling that its safety was in danger (it was perceived as ‘the encirclement of China’) and that its influence in the region was being limited. The government’s actions in Hanoi also aroused concern and opposition from the ASEAN countries (especially Thailand) which refused to recognise the government of Heng Samrin¹². The condemnation of the Vietnamese occupation by both the PRC and the USA, its Western allies and the Asian non-communist bloc led to the isolation of Vietnam on the international arena. An absolute condition for accession to the peace talks set by ASEAN was the withdrawal of Vietnamese troops from Cambodia¹³, to which Hanoi did not consent at that time. The consequence of such an attitude was freezing of relations between Vietnam and ASEAN until the mid-80s of the 20th century.

THE CHANGE OF THE SITUATION IN INDOCHINA AND THE PEACE PROCESS IN CAMBODIA

The decision to maintain the Vietnam People’s Army (VPA) in Cambodia was dictated by the fear of re-taking of power by the Khmer Rouge, who in 1982 allied with the non-Communist forces of Prince Norodom Sihanouk, creating the Coalition Government of Democratic Kampuchea (CGDK) in exile¹⁴. That situation changed in the mid-80s, when the attacks of the VPA reduced the number of guerrilla units, so the constant presence of the Vietnamese army was no longer necessary – the military factor, although significant, was no longer

¹¹ Karwowski, M., *op. cit.*, pp. 80–82.

¹² Rungswasdisab, P. 2005. Thailand’s response to the Cambodian genocide. In: Cook S.E. ed. *Genocide in Rwanda and Cambodia: new perspectives*. Transaction Publishers; Haacke, J. 2004. Significance of Beijing’s bilateral relations: looking ‘below’ the regional level in China-ASEAN ties. In: Leong, H.K., Samuel, C.Y.K. eds. *China and southeast Asia: global and regional challenges*. Singapore: Institute of Southeast Asian Studies, p. 83.

¹³ More information on the position of ASEAN towards the Vietnamese occupation of Cambodia see, for example, Soon, L.T. 1982. ASEAN and the Cambodian problem. *Asian Survey*, vol. 22, no. 6, p. 548 ff.

¹⁴ Curtis, G. 1993. Transition to what? Cambodia, UNTAC and the peace process. *United Nations Research Institute For Social Development Discussion Papers*, no. 48, p. 2.

regarded as the most important. In 1985 the government issued the decision to withdraw the troops from Cambodia by 1990, but in fact it happened at the end of 1989. This was possible thanks to the co-existence of important internal and international reasons. For Hanoi the decisive factors were the reduction of impact of the Khmer Rouge (still supported by Beijing) perceived as a threat in the People's Republic of Kampuchea (PRK), as well as the redefinition of foreign policy objectives and the departure from the ideological key in international contacts. The economic factor was also significant – the withdrawal of Soviet economic aid from Indochina, more than a half of which had been spent on military purposes, made the maintenance of the army in the PRK too expensive for Vietnam¹⁵. As a result, the government in Hanoi began activities aimed at resolving the conflict in a diplomatic way.

Despite the initial distrust, thanks to the VPA's withdrawal from the territory of Cambodia and stopping cross-border attacks on refugee camps in Thailand¹⁶, as well as a result of the adoption by the CPV Political Bureau of appropriate legal regulations, codifying the new direction of Vietnam's foreign policy¹⁷, the peace process became possible. In 1989 the approximation of the positions of the parties led to the acceleration of peace negotiations in the form of the Paris Conference¹⁸; in accordance with its provisions, contained in the Paris Peace Accords of 27 October 1991, the peace process was taking place under the aegis of the UN within the UNTAC mission, while Vietnam distanced itself from the internal affairs of Cambodia, which was to prove the sincerity of its peaceful intentions.

¹⁵ Emmers, R. 2005. The Indochinese enlargement of ASEAN: security expectations and outcomes. *Australian Journal of International Affairs*, vol. 59, no. 1, p. 86.

¹⁶ Attacks of the VPA on the border Cambodian refugee camps in Thailand, repeated throughout the duration of the conflict, but increased in the early 80s, were considered significant security threat both by the government in Bangkok and the other ASEAN countries. See the news about the attacks, for example, in: Thai troops placed on alert after raid by Vietnamese. *The New York Times* [Online] 1981. Available at: <http://www.nytimes.com/1981/01/05/world/around-the-world-thai-troops-placed-on-alert-after-raid-by-vietnamese.html> [Accessed: 22 February 2014]. Vietnam troops attack Cambodia refugee camp. *The New York Times* [Online] 1983. Available at: <http://www.nytimes.com/1983/02/01/world/around-the-world-vietnam-troops-attack-cambodia-refugee-camp.html> [Accessed: 22 February 2014].

¹⁷ Thayer, C.A. 1999. Vietnamese foreign policy: multilateralism and the threat of peaceful evolution. In: Thayer, C.A., Amer, R. eds. *Vietnamese foreign policy in transition*. Singapore: ISEAS, p. 2–3.

¹⁸ *Indonesia, ASEAN, and the third Indochina war*. The US Library of Congress. Available at: <http://countrystudies.us/indonesia/99.htm> [Accessed: 03 March 2014].

THE CHANGE OF VIETNAM'S POLICY AFTER ACCESSION TO ASEAN

The basis of Vietnam's coming out of international isolation was to regulate relations with the other Indochinese countries, which in turn was only possible through the termination of the Vietnamese-Cambodian conflict lasting since 1978. For this reason, the government focused on the normalisation of relations with Cambodia, showing clearly less interest in contacts with Laos. The intensification of Vietnamese-Cambodian relations took place with the reconstruction and economic development of Cambodia, thanks to which business contacts were resumed¹⁹. Further development of bilateral relations took place within the framework of ASEAN, which Cambodia joined in 1999, among others, thanks to the support of Vietnam²⁰. Relations with Laos maintained their 'special character' much longer, given to them by the Treaty of 1977²¹. Pathet Lao, remaining under the strong influence of the CPV, decided to undertake *Chintakanan Mai* reforms in 1986, based on the pattern of Vietnam and continued with the support of the World Bank and the International Monetary Fund²². The positive effects of the modernisation, backed by the Vietnamese diplomatic efforts contributed to the admission of Laos to ASEAN in 1997²³. As in the case of Cambodia, the further development of bilateral relations took place on the basis of regional structures, as well as on the subregional cooperation of Indochina countries. In recent years, however, a gradual reduction in the degree of dependence of Vientiane from Hanoi has been observed. It results from both the changes occurring in Vietnam and the membership of both countries in ASEAN, as well as from the dynamic Chinese economic offensive in Laos²⁴ – China

¹⁹ Karwowski, M., *op. cit.*, pp. 108–110.

²⁰ Langran, I. 2000. Cambodia in 1999: year of hope. *Asian Survey*, vol. 40, no. 1, p. 24.

²¹ See more in Pike, D. 1978. Vietnam in 1977: more of the same. *Asian Survey*, vol. 18, no. 1, p. 74.

²² See more on the Laotian economic reforms in Lathouly, P. *Macroeconomic policies and institutions in the Lao People's Democratic Republic*. United Nations Economic and Social Commission for Asia and Pacific, Available at: http://www.unescap.org/drpad/publication/ldc1_1788/chap7.pdf [Accessed: 05 March 2014].

²³ Stuart-Fox, M. 1998. Laos in 1997: into ASEAN. *Asian Survey*, vol. 38, no. 1, p. 75 ff.

²⁴ See more on the dynamic growth of China's economic involvement in Laos, for example, in China likely to become Laos' largest foreign investor. *Asia News Network* [Online] 2012. Available at: <http://www.asianewsnet.net/home/news.php?sec=2&id=29312> [Accessed: 04 March 2014]. Chanhchom, P. 2010. *Laos-China trade reaches new high*. Lao Investor House. Available at: <http://laoinvestorhouse.com/2010/09/08/laos-china-trade-reaches-new-high/> [Accessed: 03 March 2014]. China, Laos enhance economic

is currently intensively seeking to gain dominant influence in this country (this includes not only investments in the border region, but throughout the country).

Vietnam's special involvement in actions of ASEAN in the Indochinese sub-region stems not only from the geographical proximity and the already mentioned historical aspirations to play the role of a regional leader, but also from the similarities of the economic situation and a clear distinction of CLMV countries from other countries of the Association. The engagement in cooperation linking the countries of the Indochina Peninsula contributes to economic development and rising living standards throughout the subregion, and at the same time to the resolution of the problem of development disparities between old and new Member States (the so-called ASEAN divide issue). It is also supposed to facilitate the efficient use of the ASEAN free trade area (AFTA) and other free trade areas²⁵. For the same reasons, Vietnamese investors increasingly choose to invest their capital in the countries of Indochina; the most important recipient of Vietnam's FDI are Cambodia and Laos. For Laos, Vietnam remains the most important investor: in April 2012 active Vietnamese investments amounted to over 5 billion USD²⁶. For Cambodia, Vietnam became the second investor from ASEAN, after Malaysia, investing a total sum of 812 million USD in this country in the years 1994–2011²⁷.

The problem of development disparities within the framework of ASEAN stems not only from differences in the efficiency of individual national economies, illustrated by the macroeconomic indicators. In comparison with the old Member States, transport and communication infrastructure of CLMV countries is underdeveloped and the privatisation of enterprises is limited and economic growth is achieved through faintly advanced production sectors. For the Indo-Chinese countries it often means the lack of subjective

cooperation. *Asia News Network* [Online] 2013. Available at: <http://www.asianewsnet.net/Laos-China-enhance-economic-cooperation-53443.html> [Accessed: 03 April 2014].

²⁵ Pietrasiak, M. 2010. *Środowiskowe wyznaczniki polityki zagranicznej Wietnamu w obliczu procesów integracji z gospodarką światową. [Environmental determinants of foreign policy of Vietnam in the face of the processes of integration with the world economy.]* Toruń: Wydawnictwo Adam Marszałek, p. 174.

²⁶ Yuan, L. 2012. *Vietnam to remain Laos' biggest investor*. ASEAN-China Free Trade Area, Available at: <http://www.asean-cn.org/Item/4975.aspx> [Accessed: 02 February 2014].

²⁷ Lina, Y. 2011. *Cambodia attracts 476 mln USD investments from ASEAN in 9 months*. Xinhua. Available at: http://news.xinhuanet.com/english2010/world/2011-11/10/c_131239303.htm [Accessed: 02 February 2014].

readiness and objective possibilities for further integration of the economies; the participation in the AFTA and other free trade zones with the maintaining current difference in the level of development will lead to the deterioration of the situation of the CLMV countries and deepening of divisions²⁸.

COOPERATION WITHIN THE POLYGONS OF GROWTH IN THE MEKONG RIVER BASIN

The awareness of the adverse impact of the ASEAN divide issue on the chances for further economic development prompted Vietnam to engage in cooperation at the subregional level in order to eliminate disparities. It most often takes a form of the so-called polygons of growth – transnational cooperation structures created in the border regions of the countries concerned, aiming at exploiting existing comparative advantages²⁹. Actions of Indochina countries concentrate largely in the Mekong basin, due to the important role of the river in the economies of the CLMV countries.

At the same time we should not forget that the countries located along the course of the Mekong River significantly differ from one another in terms of their potential – both as far as the access to the river resources, and economic possibilities of its use are concerned. For the states located in the lower course – Laos, Cambodia and Vietnam located in the delta – the river is the basis for agriculture and fishery which are essential in the economies of these countries. Of particular importance is the constant inflow of sediment from the upper course of the river forming alluvial soils in the lower course, which are necessary to practice traditional agriculture. Mekong is also an important communication route, key in the areas cut off from the sea, such as Laos and China's Yunnan province³⁰. Apart from these traditional functions, the hydroelectric potential of the river is currently more and more often used – the Mekong is becoming

²⁸ Terada, T. 2004. *Thorny progress in the institutionalisation of ASEAN+3: deficient China-Japan leadership and the ASEAN divide for regional governance*. Policy and Governance Working Paper Series, no. 49, p. 21; Klecha-Tylec, K. 2013. *Regionalizm w teorii i praktyce państw Azji Wschodniej*. [Regionalism in theory and practice of East Asian countries]. Warszawa: Wydawnictwo Naukowe PWN, p. 234.

²⁹ Dent, C.M. 2008. *East Asian regionalism*. Abington–New York: Routledge, p. 73.

³⁰ Keskinen, M., Mehtonen, K., Varis, O. 2008. Transboundary cooperation vs. internal ambitions: the role of China and Cambodia in the Mekong region. In: Pachova, N.I., Nakayama, M., Jansky L. eds. *International water security: domestic threats and opportunities*. Tokio: United Nations University Press, pp. 82–84.

an important source of income for the CLMV countries and the PRC³¹. It is estimated that the hydroelectric potential of the upper course, falling almost exclusively on China, is 28 930 MW, while in the lower course it amounts to a total of 30 000 MW for all participating countries³².

But the potential inequality is not a problem – the opposition is raised by the fact that unilateral behaviour dominates in Beijing's policy in the Mekong region. The authorities of the PRC are accused of using their stronger negotiating position and taking decisions without consulting the countries from the lower course and without informing them. This prevents a realistic assessment of the consequences of hydroelectric projects and may result in, among others, disrupting the ecological balance of the region, and consequently a violation of the economic and agricultural structure in the basin and delta of the Mekong, the impoverishment of local communities and the dramatic deterioration of the living conditions³³. Currently, the most important plan of China pertaining to the river is the project of a cascade on the upper reaches of the Mekong³⁴, thanks to which a greater use of the hydropower potential will be possible³⁵. The government in Beijing made the

³¹ An example of this may be a new Lao project of supplying neighboring countries with electricity from a dam in Xayaburi; according to the authorities, it is supposed to transform Laos in the 'battery of Southeast Asia', but the chances of success seem limited. See more in Hydropower on the Mekong: might not give a dam. *The Economist* [Online] 2011. Available at: http://www.economist.com/blogs/banyan/2011/05/hydropower_mekong [Accessed: 02 April 2014].

³² Mekong River Commission. 2010. *State of the Basin Report 2010*, p. 27.

³³ See more on the possible consequences of Chinese hydropower dams for the economies and environment of states located in the lower reaches of the Mekong, for instance, in Xi, L.X., Jian-Jun, W., Grundy-Warr C. 2008. Are the Chinese dams to be blamed for the low water levels in the Lower Mekong? In: Kumm, M., Keskinen, M., Varis O. eds. *Modern myths of the Mekong. A critical review of water and development concepts, principles and policies*. Water & Development Research Group. Helsinki: Helsinki University Press, p. 45 ff.

³⁴ In the rest of the text – unless indicated otherwise – the term "Mekong" refers only to the main course of the river, with the exclusion of its tributaries. Therefore, only projects of dams on the main course are discussed, bypassing facilities on tributaries. See the status of the construction of the river dams in the whole Mekong basin, that is with tributaries, in Challenge Program on Water and Food. 2011. *Mekong Basin Hydropower Map*. Available at: <http://mekong.waterandfood.org/cpwf-in-the-mekong/45> [Accessed: 02 April 2014].

³⁵ See a more extensive overview of individual Chinese dams on the Mekong, for example, in Mehtonen, K. *Do the downstream countries oppose the upstream dams?*, Kumm, M., Keskinen, M., Varis, O. eds. *Modern myths...*, *op. cit.*, p. 163 (table 3).

decisions on the establishment and implementation of the cascade project without consultation with the countries in the lower course, neither in the bilateral formula nor within the framework of the existing international forum of the Greater Mekong Subregion (GMS). Despite China's assurances about the harmlessness of the project to the other riverside states³⁶, these actions aroused opposition in all countries of the lower reaches, especially in the face of protests of local communities of farmers and fishermen, attributing the deregulation and unpredictability of the Mekong to the activities of China³⁷. This causes the intensification of insecurity in the countries in the lower reaches of the Mekong, and also since – as opposed to economic cooperation, the management of the river course is closer to the realistic idea of 'zero-sum game'³⁸, the existing tensions in the region exacerbates.

Moreover, China's economic presence in the region raises some concerns. It engages itself mainly through growth polygons (GMS, the so-called Golden Quadrangle³⁹ and the Strategy for Economic Cooperation Ayeyawady-Chao Phraya-Mekong), as well as through development assistance. In the economic relations with the countries of the Mekong basin, Beijing concentrates on investments in infrastructure and the creation of special economic zones; the major projects include Kunming – Hanoi – Haiphong and Kunming – Nanning

³⁶ Xi, L. X., Jian-Jun, W., Grundy-Warr C. 2008. Are the Chinese dams to be blamed for the low water levels in the Lower Mekong? In: Kumm, M., Keskinen, M., Varis O. eds. *Modern myths...*, *op. cit.*, pp. 39–40; Baker, M.M. 2000. The Mekong Cascade. *Executive Intelligence Review*, vol. 27, no. 48, pp. 18–19.

³⁷ Lee, Y. China hydropower dams in Mekong river give shocks to 60 million. *Bloomberg Markets Magazine*. [Online] Available at: <http://www.bloomberg.com/news/2010-10-26/china-hydropower-dams-in-mekong-river-give-shocks-to-60-million.html> [Accessed: 02 April 2014].

³⁸ See more in Liebman, A. 2005. Trickle-down hegemony? China's 'Peaceful Rise' and the dam building on the Mekong. *Contemporary Southeast Asia*, vol. 27, no. 2, pp. 287–288.

³⁹ The Golden Quadrangle, established in 1993 and associating China, Myanmar, Laos and Thailand, is an intermediate institution between a formal growth polygon and a loose consultancy forum. Activities under the Golden Quadrangle focus on cooperation in the field of tourism and on improving navigation on the Mekong River. See more in Boyd, A. 2002. Fears of Mekong free-for-all as China goes it alone. *Asia Times*. [Online] Available at: http://www.atimes.com/atimes/Southeast_Asia/DK16Ae02.html [Accessed: 02 April 2014]; Xu, H., Bao, J., Zhou, Ch. 2006. Effectiveness of regional tourism integration: case of quadrangle economic cooperation zone in Great Mekong Region. *Chinese Geographical Science*, vol. 16, no 2, p. 141 ff.

– Hanoi roads⁴⁰. The PRC also finances a number of projects pertaining to the development of human capital, through the agency of ASEAN⁴¹. Projects emerging in the GMS countries are largely Chinese investments or are a form of development assistance for the CLMV countries⁴²; consequently – although they often bring positive economic effects – they contribute to reinforcing of inequality in the region and dependence of the countries in the lower reaches of the Mekong on China⁴³.

In comparison with the behaviour of China, Vietnam's attitude seems to be easier to accept for the Indo-Chinese countries. The government in Hanoi got engaged in cooperation with the Indo-Chinese countries of the Mekong basin even before joining the ASEAN. In 1992, together with the CLM countries, Thailand and the PRC took part in the establishment of the GMS⁴⁴. The GMS program includes nine economic sectors, among which the priority is the expansion of transnational transport infrastructure, allowing to accelerate the development and to achieve other objectives. Vietnam took part primarily in the construction of the so-called transport corridors – road connections intended to form the basis for the development of trade, tourism and investment in the CLM countries with in framework

⁴⁰ ASEAN-China Center. 2011. *China-ASEAN Cooperation: 1991–2011*. Available at: http://www.asean-china-center.org/english/2011-11/16/c_131249656_7.htm [Accessed: 02 April 2014].

⁴¹ See more, for example, in Haibing, Z. 2007. China's aid to Southeast Asia. In: Swee-Hock, S. ed. *ASEAN-China economic relations*. Institute of Southeast Asian Studies, pp. 256–257.

⁴² See more in Zhenming, Z. 2009. China's economic aid to the CLMV as its economic cooperation with them. In: Kagami M. ed. *A China-Japan comparison of economic relationships with the Mekong river basin countries* [Online]. BRC Research Reports, no. 1, p. 69 ff. Available at: http://www.ide.go.jp/English/Publish/Download/Brc/pdf/01_chinaseconomic.pdf [Accessed: 03 April 2014].

⁴³ See more on China's economic cooperation with GMS countries and assessment of its effectiveness in, for example, Masami, I. 2007. GMS economic cooperation and its impact on CLMV development. In: Soharit, Ch. ed. *Development strategy for CLMV in the age of economic integration* [Online]. ERIA Research Project Paper, no 4, p. 115 ff. Available at: <http://www.eria.org/research/images/pdf/PDF%20No.4/No.4-part1-4-GMS.pdf> [Accessed: 03 April 2014].

⁴⁴ The objectives of this program, established with the help of the Asian Development Bank (ADB) are the support for the economic relationship between the participants and the pursuit of the Millennium Development Goals by strengthening the so-called 'three Cs', that is connectivity, competitiveness and community. See more in *Overview: Greater Mekong Subregion Economic Cooperation Program*, Asian Development Bank, 2012, p. 3.

of the so-called economic corridors. To date within the framework of the North-South Economic Corridor road links from Hanoi and Haiphong to Kunming and Nanningu have been created⁴⁵. The GMS Transport Strategy for 2006–2015 also provides for the creation of a land connection between Ho Chi Minh City and Bangkok and between Da Nang and Rangoon (also within the economic corridors)⁴⁶. Under the aegis of the GMS, the Cross-border Transport Agreement was signed in 1999, under which Vietnam, Laos and Thailand are obliged to introduce practical facilitations in the cross-border traffic. By 2003 all the GMS countries joined the Agreement⁴⁷.

A narrower forum for cooperation between Indochina countries, covering only the Member States of ASEAN, is the Mekong River Commission (MRC). This institution was founded in 1995 and is the culmination of previous attempts to institutionalise international cooperation in this region⁴⁸. Commission members are Vietnam, Laos, Cambodia and Thailand; the PRC and Myanmar have an observer status. In addition to the countries, a number of organisations and institutions dealing with technological, environmental and developmental issues participate in the work of the MRC – including ADB, UNDP and ASEAN and representatives of local communities⁴⁹. The most important tasks of the MRC include the fight against poverty, strengthening of regional cooperation, environmental protection and the introduction of integrated management of water resources⁵⁰. So far, however, the Commission has focused on the conceptual, organisational tasks and the creation and dissemination of knowledge⁵¹. As a forum for cooperation and coordination of Indochina countries' policy on the use of the Mekong, the

⁴⁵ *Ibidem*, pp. 10–11.

⁴⁶ *GMS Economic Cooperation Program*. In: Cross-Border Infrastructure Toolkit. Asian Development Bank, 2007, pp. 5–6.

⁴⁷ *Greater Mekong Subregion: Transport*. Asian Development Bank. Available at: <http://adb.org/countries/gms/sector-activities/transport> [Accessed: 03 March 2014].

⁴⁸ First major project of international cooperation in the Mekong basin was the Mekong Committee set up in 1959 under the aegis of the United Nations. See more in *The story of Mekong cooperation*. Mekong River Commission. Available at: <http://www.mrcmekong.org/about-the-mrc/history/> [Accessed: 03 March 2014].

⁴⁹ *Development partners & partner organisations*. Mekong River Commission. Available at: <http://www.mrcmekong.org/about-the-mrc/development-partners-and-partner-organisations/> [Accessed: 03 March 2014].

⁵⁰ *Mekong River Commission Strategic Plan 2011–2015*. Mekong River Commission. p. xxi, Available at: <http://www.mrcmekong.org/assets/Publications/strategies-workprog/Stratigic-Plan-2011-2015-council-approved25012011-final-.pdf> [Accessed: 03 March 2014].

⁵¹ *Ibidem*, p. 3.

MRC is currently facing a new challenge which is the increasing number of dams (both regulatory and hydropower) on the river. It will force the participating countries to strengthen cooperation not only among themselves but also with other dialogue partners⁵².

Vietnam is also involved in other sub-regional institutions, aimed at promoting development and strengthening of cooperation in the Mekong basin. ASEAN Mekong Basin Development Cooperation (AMBDC) has operated within ASEAN since 1996 in the form of meetings at the ministerial level. In the framework of two working groups: Mekong Development Fund and Pan-Asia Railway Project infrastructure projects are implemented, trade and investments are supported and human capital is developed⁵³. The strategy for Economic Cooperation Ayeyawady-Chao Phraya-Mekong (ACMECS) was founded at a meeting of heads of state of Laos, Cambodia, Myanmar and Thailand in Bagan in 2003. Vietnam joined the initiative a year later. The declared objectives of ACMECS are: mutual help in the collective increase of international competitiveness, support for economic growth and promotion of sustainable development in line with the Millennium Development Goals⁵⁴.

OTHER FORMS OF INDOCHINESE COOPERATION IN THE FRAMEWORK OF ASEAN

The gradual improvement in relations of Vietnam with Laos and Cambodia, achieved both on the bilateral path and through the activities of multilateral institutions, enabled the creation of a tripartite institutionalised form of cooperation. The Cambodia – Laos – Vietnam Development Triangle (CLV-DT) was created in 2004 at an informal meeting of prime ministers of the three countries in Vientiane. Meetings of heads of government are to take place once every two years; an institutionalised form of cooperation are

⁵² Lee, G., Scurrah, N. 2009. *Power and responsibility. The Mekong River Commission and lower Mekong mainstream dams*. Oxfam Australia, p. 45 ff.

⁵³ See more in *Basic framework of ASEAN – Mekong basin development cooperation*. ASEAN Secretariat. Available at: <http://www.aseansec.org/6353.html> [Accessed: 04 March 2014]; *ASEAN-Mekong Basin Development Cooperation (AMBDC)*. Ministry of International Trade and Industry of Malaysia. Available at: http://www.miti.gov.my/cms/content.jsp?id=com.tms.cms.article.Article_bc03eba4-c0a81573-aba0aba0-ff751500 [Accessed: 04 March 2014].

⁵⁴ See more in *About ACMECS*. ACMECS.org. Available at: <http://www.acmeecs.org/index.php?id=9> [Accessed: 04 March 2014].

also meetings of Prime Ministers with representatives of Japan, which has supported this initiative diplomatically and financially since its inception. CLV-DT currently consists of 13 border provinces from all the three countries⁵⁵. The cooperation to accelerate economic growth in the framework of CLV-DT covers five areas: infrastructure, tourism, agriculture and trade, energy as well as human resources. So far, the greatest progress has been made in the development of transport infrastructure (among others, the created in 2006 project of connecting the Cambodian province of Mondulkiri with the Vietnamese province of Gia Lai by means of Road No. 78 and linking it with road 18B leading to the Lao province of Attapeu) and the creation of investor friendly environment⁵⁶. Moreover, since 2007 the increased co-operation for the development of tourism in the region has been taking place; special meeting of ministers in charge of tourism aim to create conditions for the collection and exchange of information related to tourism and training on this subject, as well as to support private companies operating in the sector and initiatives encouraging tourists to visit all the three countries⁵⁷.

The perception of Vietnam as a key player in the Indochina subregion is also deepened by the engagement of Hanoi in the economic development of Indochina, the desire to increase its international openness and the level of integration of the entire South-East Asia. The cooperation with the Indochina countries, in particular with the countries of former French Indochina, is characterised by three features. Firstly, there is pragmatism and focus on economic development and fight against poverty. This is an answer to the problem of development disparities within ASEAN, bringing new Member States closer to one another. Secondly, basing the majority of the activities on the geographical area of the Mekong River, which results both from the historical tradition of cooperation in the region, as well as from the economic role of this river. Thirdly, the multilateral nature of the initiatives, and above all the inclusion of the countries and institutions, not only from outside

⁵⁵ Cambodia – Laos – Vietnam Development Triangle Portal. 2010. *Overview report on reviewing, adjusting the Cambodia-Laos-Vietnam development triangle master plan*. Available at: http://clv-triangle.vn/portal/page/portal/clv_en/819086/1305933?p_cateid=825523&item_id=8003478&article_details=1 [Accessed: 04 March 2014].

⁵⁶ Pietrasiak, M. *Środowiskowe... [Environmental...]*, *op. cit.*, pp. 191–192.

⁵⁷ Inthamith, S. 2009. *The Cambodia – Laos – Vietnam development triangle*. International Cooperation Department Ministry of Planning and Investment of Lao PDR. Available at: http://www.moc.gov.kh/pdf/pdf_conferences/Presentation%20CLV%20%5Bcompatibility%20Mode%5D.pdf [Accessed: 04 March 2014].

Indochina, but also from outside ASEAN. This demonstrates the growing maturity and independence of regional policy of Hanoi.

At the same time, the membership of Vietnam, Laos and Cambodia in ASEAN has limited the development potential of projects of deeper, formal integration of the Indochina subregion, raised by some environments in all three countries⁵⁸. One of the most important reasons – beside nationalism shaped during the Cold War – were reforms adapted by Hanoi with the aim of joining the Association: resignation from relying on an alliance with one state, policy based on multilateralism and maintaining friendly relations with all countries. These assumptions, taken over and used also by Laos and Cambodia, have led these countries to greater independence in policy towards Vietnam and the realisation of their interests on the basis of contacts with multiple partners. The successes of this policy, also achieved through ASEAN, led to the situation in which the vision of closer cooperation between the CLV counties in the form of a 'new Indo-Chinese federation' lost its attractiveness⁵⁹. The lack of formal ties does not contribute to the reduction of the role of Vietnam in the region. As the economically and politically strongest, and also the fastest growing state, it has accepted the leading role among Indo-Chinese countries, although it has never applied openly to take the leadership position. This moderate policy is the credibility of Vietnamese intentions towards Indochina and contributes to building trust. It is evidenced by the stabilisation and strengthening of relations with Laos and Cambodia. Especially the latter case seems to be significant because it gives evidence in favour of overcoming the hitherto existing Cambodian concerns stemming from historical events⁶⁰.

⁵⁸ More on the history of the integration concept in Indochina and the evolution of the idea of the national state in the period of colonialism and the Cold War see in Sidel, J.T. 2012. The fate of nationalism in the new states: Southeast Asia in comparative historical perspective. *Comparative Studies in Society and History*, vol. 54, no. 1, pp. 136–139.

⁵⁹ Pholsena, V. 2006. From Indochinese dreams to post-Indochinese realities. In: Diokno, M.S.I., Chinh N.V. eds. *The Mekong arranged and rearranged*. SEASREP, pp. 50–51. It is worth noting that the very notion of 'Indochina' seems to be outdated; in foreign literature is increasingly used only in the context of the historical region – the French colony.

⁶⁰ Dosch, J. 2007. *The changing dynamics of Southeast Asian politics*. Lynne Rienner Pub, p. 176.

CONCLUSIONS

Vietnam's membership in ASEAN has become an indispensable element of the implementation of multilateral foreign policy, and also the way to further integration with the international community. Above all, however, it gave the opportunity to create a new national identity and a sense of regional links and to find its place in the new, globalised world. The adoption of rules and standards developed by the Association meant the abandonment of the previously existing hegemonic aspirations with respect to the immediate neighbourhood, but it opened a way for cooperation with other countries of Indochina on the basis of partnership and equality within the framework provided by the ASEAN. Thanks to its present successes, the realisation of the Vietnamese ambition to play the role of a regional power takes place gradually and with the approval of Indo-Chinese countries.

The improvement of the Vietnamese political image after the Cold War was mainly caused by its commitment to the further expansion of ASEAN by Laos, Cambodia and Myanmar, as well as the cooperation in sub-regional polygons of growth and bilateral engagement in the reconstruction and development of Indochina. This was particularly evident in the case of Cambodia, when Vietnam, as the host of the Sixth Summit of ASEAN in 1998, actively spoke in favour of admitting it to the Association⁶¹. Vietnam's efforts to bridge the development gap among the CLMV and the ASEAN-6 countries meet positive response of Indo-Chinese countries, but also other ASEAN members. According to the Hanoi Declaration on Narrowing Development Gap for Closer ASEAN Integration of 2001, they contribute to strengthening of unity within the Association, and provide its less developed members with tangible benefits⁶². An example of this, in addition to the described above bilateral actions in the framework of sub-regional groups, may be the inclusion of Cambodia, Laos and Myanmar to the cooperation within the framework of the ASEM initiative at its fifth summit in 2004 in Hanoi⁶³.

⁶¹ Emmers, R., *op. cit.*, p. 74.

⁶² *The Hanoi Declaration on Narrowing Development Gap for Closer ASEAN Integration*. ASEAN Secretariat. Available at: <http://www.aseansec.org/934.htm> [Accessed: 13 February 2014].

⁶³ Do, H. 2006. Economic interdependence within ASEAN. In: Balme, S., Sidel, M. eds. *Vietnam's new order: international perspectives on the state and reform in Vietnam*. Palgrave Macmillan, p. 115.

The previous effects of Vietnam's policy towards Indochina and Vietnam's generally distinguished position in the subregion more and more often inspire researchers to consider whether Vietnam has become a 'middle power'. There are many definitions of this term, taking into account both objective potential of the given state, as well as subjective factors, such as the doctrines of foreign policy and external perception and self-perception. Vietnam, despite its weaknesses and belonging to a group of developing countries, has at least three marks of a 'middle power': (1) its geographical area, population and military potential are located in the middle of the scale between great powers and small countries; (2) it is situated in the zones of influence of conflicting powers; (3) it seeks to exert greater influence than implied by its objective potential through confrontation with major powers, using the existing legal and institutional frameworks⁶⁴. Moreover, as rightly observed by Professor Jin Canrong of Beijing University, an adviser of the PRC government, the notion of power is inextricably linked to the issue of responsibility⁶⁵, realised at three levels: the observance of treaty obligations and international law, bearing costs associated with the fulfilment of international obligations, and changes (also legal) within the structure of the international system⁶⁶. Apart from the key implications of this position for Vietnamese policy towards global powers – China and the USA⁶⁷ – the recognition of Vietnam as a 'middle power' also entails consequences for the Indochina region. It means, first of all, that Vietnam – aspiring to be recognised as a power – is obliged to its partners to fulfil all the commitments and bear their costs. Previous actions of Hanoi:

⁶⁴ More on this and other definitions of a 'middle power' see in Capie, D., Evans, P. 2002. *The Asia-Pacific security lexicon*. Singapore: Institute of Southeast Asian Studies, pp. 161–164.

⁶⁵ At the same time it is worth noting that the term 'responsible power' was formed only in 2007. See more in Gill, B., Blumenthal, D., Swaine, M. D., Tuchman Mathews, J. *China as a responsible stakeholder*. Carnegie Endowment for International Peace. Available at: <http://carnegieendowment.org/2007/06/11/china-as-responsible-stakeholder/2kt> [Accessed: 18 February 2014].

⁶⁶ Canrong, J. 2012. *Odpowiedzialność wielkiego mocarstwa. Chińska perspektywa*. [*The responsibility of a great powers. Chinese perspective.*] Toruń: Wydawnictwo Adam Marszałek, pp. 19–21.

⁶⁷ See more, for example, in Easley, L.E. 2012. Middle power national identity? South Korea and Vietnam in US–China geopolitics. *Pacific Focus*, vol. 27, no. 3, pp. 421–442; Chen, S., Ratnam, G. *Vietnam rises as middle power at defence summit: Southeast Asia*. Bloomberg News. Available at: <http://www.bloomberg.com/news/2013-08-27/vietnam-rises-as-middle-power-at-defense-summit-southeast-asia.html> [Accessed: 26 February 2014].

the lack of territorial or trade disputes, compliance with concluded treaties or active operations to level the ASEAN divide issue are part of a vision of a power acting responsibly, thereby reducing the sense of insecurity of other Indochina countries against the Vietnamese ambitions.

Of particular interest seems to be the last plane of responsibility of powers mentioned by Jin Canrong – the change of the international system. Vietnam's past actions indicate that its intention is not a revolutionary change of the system; on the contrary, the policy of Hanoi rather suggests an adaptation to the existing framework of international law, both in terms of economy and security. At the same time, the commitment to the principles of ASEAN, the engagement in regional cooperation and the rapprochement with Indochina provide an explicit declaration of the international order desired by Hanoi based on multilateralism and the central role of ASEAN in regional cooperation. Such behaviour highlights at the same time – though not directly – not fully symmetrical relationship between Vietnam and other Indochinese countries, further strengthening its position as an informal leader.

Taking into account the potential difference existing among the CLMV countries, the government in Hanoi must yet be careful in both declarations and actual activities. The aspirations to lead the Indochina countries cannot take the form of hegemonic intentions or attempts of domination; this kind of action, totally contrary to the interests of Cambodia, Laos and Myanmar, will most certainly raise the opposition in those countries. If they are able to accept the status of a 'middle power' and the difference of potential, if their relationships with Vietnam are based on cooperation, then the hegemonic aspirations – even hidden under the appearance of cooperation – are doomed to failure.

REFERENCES

- Liebman, A. 2005. Trickle-down hegemony? China's 'Peaceful Rise' and the dam building on the Mekong. *Contemporary Southeast Asia*, vol. 27, no. 2. *About ACMECS*. ACMECS.org. Available at: <http://www.acmeecs.org/index.php?id=9> [Accessed: 04 March 2014].
- ASEAN-Mekong Basin Development Cooperation (AMBDC)*. Ministry of International Trade and Industry of Malaysia. Available at: http://www.miti.gov.my/cms/content.jsp?id=com.tms.cms.article.Article_bc03eba4-c0a81573-aba0aba0-ff751500 [Accessed: 04 March 2014].

- Basic framework of ASEAN – Mekong basin development cooperation*. ASEAN Secretariat. Available at: <http://www.aseansec.org/6353.html> [Accessed: 04 March 2014].
- Thayer, C. A. 1999. Vietnamese foreign policy: multilateralism and the threat of peaceful evolution. In: Thayer, C. A., Amer, R. eds. *Vietnamese foreign policy in transition*. Singapore: ISEAS.
- Dent, C. M. 2008. *East Asian regionalism*. Abington-New York: Routledge.
- Cambodia: domination by Thailand and by Vietnam*. U. S. Library of Congress. Available at: <http://countrystudies.us/cambodia/9.htm> [Accessed: 20 February 2014].
- China-ASEAN Cooperation: 1991–2011*. Available at: http://www.asean-china-center.org/english/2011-11/16/c_131249656_7.htm [Accessed: 02 April 2014].
- Capie, D., Evans, P. 2002. *The Asia-Pacific security lexicon*. Singapore: Institute of Southeast Asian Studies.
- Pike, D. 1978. Vietnam in 1977: more of the same. *Asian Survey*, vol. 18.
- Pike, D. 1978. Vietnam in 1977: more of the same. *Asian Survey*, vol. 18, no 1.
- Development partners & partner organisations*. Mekong River Commission. Available at: <http://www.mrcmekong.org/about-the-mrc/development-partners-and-partner-organisations/> [Accessed: 03 March 2014].
- Curtis, G. 1993. Transition to what? Cambodia, UNTAC and the peace process. *United Nations Research Institute For Social Development Discussion Papers*, no 48.
- Lee, G., Scurrah, N. 2009. *Power and responsibility. The Mekong River Commission and lower Mekong mainstream dams*. Oxfam, Australia.
- GMS Economic Cooperation Program*. In: Cross-Border Infrastructure Toolkit. Asian Development Bank, 2007.
- Greater Mekong Subregion: Transport*. Asian Development Bank. Available at: <http://adb.org/countries/gms/sector-activities/transport> [Accessed: 03 March 2014].
- Do, H. 2006. Economic interdependence within ASEAN. In: Balme, S., Sidel, M. eds. *Vietnam's new order: international perspectives on the state and reform in Vietnam*. Palgrave Macmillan.
- Langran, I. 2000. Cambodia in 1999: year of hope. *Asian Survey*, vol. 40, no. 1.
- Indonesia, ASEAN, and the third Indochina war*. The US Library of Congress. Available at: <http://countrystudies.us/indonesia/99.htm> [Accessed: 03 March 2014].
- Dosch, J. 2007. *The changing dynamics of Southeast Asian politics*. Lynne Rienner Pub.

- Haacke, J. 2004. Significance of Beijing's bilateral relations: looking 'below' the regional level in China-ASEAN ties. In: Leong, H.K., Samuel, C.Y.K. eds. *China and southeast Asia: global and regional challenges*. Singapore: Institute of Southeast Asian Studies.
- Rowiński, J., Szafraniec P. 2006. Indochiny w strategii politycznej Chińskiej Republiki Ludowej w końcowej fazie „zimnej wojny” [Indochina in the political strategy of the People's Republic of China in the final phase of the 'cold war']. *Studia Międzynarodowe*, vol 2, no 1–4.
- Canrong, J. 2012. *Odpowiedzialność wielkiego mocarstwa. Chińska perspektywa [The responsibility of a great powers. Chinese perspective]*. Toruń: Wydawnictwo Adam Marszałek.
- Klecha-Tylec, K. 2013. *Regionalizm w teorii i praktyce państw Azji Wschodniej [Regionalism in theory and practice of East Asian countries]*. Warszawa: Wydawnictwo Naukowe PWN.
- Easley, L.E. 2012. Middle power national identity? South Korea and Vietnam in US–China geopolitics. *Pacific Focus*, vol. 27, no. 3.
- Xi, L.X., Jian-Jun, W., Grundy-Warr C. 2008. Are the Chinese dams to be blamed for the low water levels in the Lower Mekong? In: Kumm, M., Keskinen, M., Varis O. eds. *Modern myths of the Mekong. A critical review of water and development concepts, principles and policies*. Water & Development Research Group. Helsinki: Helsinki University Press.
- Yuan, L. 2012. *Vietnam to remain Laos' biggest investor*. ASEAN-China Free Trade Area, Available at: <http://www.asean-cn.org/Item/4975.aspx> [Accessed: 02 February 2014].
- Karwowski, M. 2010. *Polityka zagraniczna Wietnamu [Foreign policy of Vietnam]*. Warszawa: Fundacja Studiów Międzynarodowych.
- Keskinen, M., Mehtonen, K., Varis, O. 2008. Transboundary cooperation vs. internal ambitions: the role of China and Cambodia in the Mekong region. In: Pachova, N.I., Nakayama, M., Jansky L. eds. *International water security: domestic threats and opportunities*. Tokio: United Nations University Press.
- Baker, M. M. 2000. The Mekong Cascade. *Executive Intelligence Review*, vol. 27, no. 48.
- Pietrasiak, M. 2010. *Środowiskowe wyznaczniki polityki zagranicznej Wietnamu w obliczu procesów integracji z gospodarką światową [Environmental determinants of foreign policy of Vietnam in the face of the processes of integration with the world economy]*. Toruń: Wydawnictwo Adam Marszałek.
- Stuart-Fox, M. 1998. Laos in 1997: into ASEAN. *Asian Survey*, vol. 38, no. 1.

- Mekong River Commission Strategic Plan 2011–2015*. Mekong River Commission. p. xxi, Available at: <http://www.mrcmekong.org/assets/Publications/strategies-workprog/Stratigic-Plan-2011-2015-council-approved25012011-final-.pdf> [Accessed: 03 March 2014].
- Overview report on reviewing, adjusting the Cambodia-Laos-Vietnam development triangle master plan*. Available at: http://clv-triangle.vn/portal/page/portal/clv_en/819086/1305933?p_cateid=825523&item_id=8003478&article_details=1 [Accessed: 04 March 2014].
- Rungswasdisab, P. 2005. Thailand's response to the Cambodian genocide. In: Cook S.E. ed. *Genocide in Rwanda and Cambodia: new perspectives*. Transaction Publishers.
- Emmers, R. 2005. The Indochinese enlargement of ASEAN: security expectations and outcomes. *Australian Journal of International Affairs*, vol. 59, no. 1.
- Chen, S., Ratnam, G. *Vietnam rises as middle power at defence summit: Southeast Asia*. Bloomberg News. Available at: <http://www.bloomberg.com/news/2013-08-27/vietnam-rises-as-middle-power-at-defense-summit-southeast-asia.html> [Accessed: 26 February 2014].
- Hansakul, S. 2013. *ASEAN Economic Community: Implications for Thailand & CLMV*. DB Research. Available at: http://www.dbresearch.com/PROD/DBR_INTERNET_EN-PROD/PROD000000000304467/Presentation%3A+ASEAN+Economic+Community+-+Implications+for+Thailand+%26+CLMV.PDF [Accessed: 28 February 2014].
- Inthamith, S. 2009. *The Cambodia – Laos – Vietnam development triangle*. International Cooperation Department Ministry of Planning and Investment of Lao PDR. Available at: http://www.moc.gov.kh/pdf/pdf_conferences/Presentation%20CLV%20%5Bcompatibility%20Mode%5D.pdf [Accessed: 04 March 2014].
- Mekong River Commission. 2010. *State of the Basin Report 2010*.
- Terada, T. 2004. *Thorny progress in the institutionalisation of ASEAN+3: deficient China-Japan leadership and the ASEAN divide for regional governance*. Policy and Governance Working Paper Series, no. 49.
- The Hanoi Declaration on Narrowing Development Gap for Closer ASEAN Integration*. ASEAN Secretariat. Available at: <http://www.aseansec.org/934.htm> [Accessed: 13 February 2014].
- Total population – both sexes. World Population Prospects: The 2012 Revision*. Available at: <http://esa.un.org/unpd/wpp/Excel-Data/population.htm> [Accessed: 28 February 2014].

- Pholsena, V. 2006. From Indochinese dreams to post-Indochinese realities. In: Diokno, M.S.I., Chinh N.V. eds. *The Mekong arranged and rearranged*. SEASREP.
- World Trade Organisation, *Trade profiles 2012*. Available at: http://www.wto.org/english/res_e/booksp_e/anrep_e/trade_profiles12_e.pdf [Accessed: 28 February 2014].
- Lee, Y. China hydropower dams in Mekong river give shocks to 60 million. *Bloomberg Markets Magazine*. [Online] Available at: <http://www.bloomberg.com/news/2010-10-26/china-hydropower-dams-in-mekong-river-give-shocks-to-60-million.html> [Accessed: 02 April 2014].
- Lina, Y. 2011. *Cambodia attracts 476 mln USD investments from ASEAN in 9 months*. Xinhua. Available at: http://news.xinhuanet.com/english2010/world/2011-11/10/c_131239303.htm [Accessed: 02 February 2014].
- Haibing, Z. 2007. China's aid to Southeast Asia. In: Swee-Hock, S. ed. *ASEAN-China economic relations*. Institute of Southeast Asian Studies.
- Zhenming, Z. 2009. China's economic aid to the CLMV as its economic cooperation with them. In: Kagami M. ed. *A China-Japan comparison of economic relationships with the Mekong river basin countries* [Online]. BRC Research Reports, no. 1, p. 69 ff. Available at: http://www.ide.go.jp/English/Publish/Download/Brc/pdf/01_chinaseconomic.pdf [Accessed: 03 April 2014].

VIETNAM AS 'A MIDDLE POWER' ON THE EXAMPLE OF ITS COOPERATION WITH INDO-CHINESE COUNTRIES

Summary

The article presents the process of evolution of Vietnam policy towards other Indochinese countries in the broader context of changes in the direction of Vietnam's foreign policy. Hegemonic aspirations of Hanoi and imposing its domination over Laos and Cambodia during the Cold War were met with the resistance (also armed) and aversion of these countries. However, a departure from the ideological aspect of foreign policy, reorientation to cooperation and the membership in ASEAN have significantly influenced the change in the approach of Vietnam. The withdrawal of troops from Cambodia and the termination of the conflict, the support for the accession of Cambodia and Laos to ASEAN contributed to a significant improvement of the image of

Vietnam in the region. Close cooperation – also in the sphere of development – with Vientiane and Phnom Penh, both in the Association, and regardless of its, cause the situation in which Hanoi changes from unwanted hegemony to the accepted leader of Indo-Chinese states.

WIETNAM JAKO „MOCARSTWO ŚREDNIEJ WIELKOŚCI” NA PRZYKŁADZIE JEGO WSPÓŁPRACY Z PAŃSTWAMI INDOCHIŃSKIMI

Streszczenie

Artykuł przedstawia proces ewolucji polityki Wietnamu wobec pozostałych państw indochińskich w szerszym kontekście zmiany kierunku wietnamskiej polityki zagranicznej. Hegemonistyczne aspiracje Hanoi i narzucenie swojej dominacji nad Laosem i Kambodżą w czasie zimnej wojny spotkało się z oporem (również zbrojnym) i niechęcią tych państw. Jednak odejście od ideologicznego aspektu polityki zagranicznej, reorientacja na współpracę i członkostwo w ASEAN znacząco wpłynęły na zmianę podejścia Wietnamu. Wycofanie wojsk z Kambodży i zakończenie konfliktu, wsparcie procesu akcesyjnego Kambodży i Laosu do ASEAN wpłynęły na znaczną poprawę wizerunku Wietnamu w regionie. Ścisła współpraca – również rozwojowa – z Vientiane i Phnom Penh zarówno na forum Stowarzyszenia, jak i niezależnie od niego sprawiają, że Hanoi z niechcianego hegemonia zmienia się w akceptowanego lidera państw indochińskich.

ВЬЕТНАМ КАК «ДЕРЖАВА СРЕДНЕЙ ВЕЛИЧИНЫ» НА ПРИМЕРЕ ЕГО СОТРУДНИЧЕСТВА С ГОСУДАРСТВАМИ ИНДОКИТАЯ

Резюме

Статья представляет процесс эволюции политики Вьетнама в отношении остальных государств Индокитая в более широком контексте изменения направления вьетнамской внешней политики. Гегемонные стремления Ханоя и навязывание своего доминирования над Лаосом и Камбоджой в период холодной войны столкнулось с сопротивлением (в том числе вооружённым) и неприязнью со стороны этих государств. Отказ от идеологического аспекта

внешней политики, переориентация на сотрудничество и членство в АСЕАН оказали большое влияние на перемены в политике Вьетнама. Выход войск из Камбоджи и завершение конфликта, поддержка процесса присоединения Камбоджи и Лаоса к АСЕАН повлияли на значительное улучшение имиджа Вьетнама в регионе. Тесное сотрудничество – в том числе развивающее – с Вьентьяном и Пномпенем как на форуме Ассоциации, так и независимо от него, привело к тому, что Ханой из нежеланного гегемона преобразуется в позитивно воспринимаемого лидера государств Индокитая.

Magdalena Środoń

THE ATTITUDE OF THE PEOPLE'S REPUBLIC OF CHINA TOWARDS THE ARCTIC

INTRODUCTION

Before World War II the polar regions were largely of interest to travellers as severe conditions in the region made it impossible to carry out broader actions. The situation has changed due to technical progress, which showed geostrategic advantages of the Far North. The progressive climate changes and shrinking of the permanent ice cover have led to the intensifying discussion on the exploitation of natural and biological resources of the Arctic Ocean and using the potential sea routes. With the development of possibilities to operate in the Arctic waters, the rivalry among the states interested in the extension of their influence in the Arctic Circle is getting stronger. One of the countries looking intently toward the north is China which engaged its capital and diplomacy in the Arctic several years ago. This article is devoted to the analysis of the general objectives of China's policy towards the Arctic region, with particular emphasis on the issue of natural resources, climate change, shipping and relations with the Arctic countries.

1. SCIENTIFIC RESEARCH

According to data published by the US Geological Survey, the Arctic may contain approximately 13% of unused crude oil and almost 30% of unused natural gas deposits¹. In addition to hydrocarbons, in the region there are

¹ Campbell, C. 2012. *China and the Arctic: objectives and obstacles*. U.S. – China Economic and Security Review Commission Staff Research Report, April, p. 5.

iron ores, zinc, copper, platinum, lead, gold and silver, rare earth metals and precious stones. Not without significance are abundant animate resources especially in view of fisheries development. The role of the polar regions is growing due to the potential trans-arctic trails. Global warming in the near future will lead to increased shipping opportunities. The opening of new waterways will significantly reduce the distances which should be covered when choosing traditional trails. The use of the Northwest Passage running along the coast of Canada and the Northern Sea Route along the coast of Russia would make it possible to bypass the Panama Canal and the Suez Canal resulting in the reduction in fuel costs and greenhouse gas emissions into the atmosphere.

Apart from arctic states, actors who theoretically are not connected with it show the growing interest in the Arctic region. An example is China, which in recent years has made increased efforts to strengthen its influence beyond the Arctic Circle. Despite the global crisis, China is still one of the fastest growing economies in the world. A number of other substantive criteria, such as the size of the territory, population, strategic location and nuclear potential, only strengthen China's position on the international arena².

The subject of particular attention of the Chinese government in the Arctic are issues regarded as essential for the vital interests of the country. Among the most important the following are mentioned: global climate changes and their impact on the incidence of extreme weather events and food production, providing access to Arctic marine arteries, obtaining opportunities for the exploitation of hydrocarbon deposits and access to fisheries.

China developed its activity in the polar regions relatively late. It was only in 1981, when the Chinese Arctic and Antarctic Administration (CAA) was established, which is now part of the State Oceanic Administration (SOA). The tasks of the CAA are securing the Arctic and Antarctic research programs in terms of logistics, that is the maintenance and provisions for stations in both polar regions. The first Chinese Antarctic operation was organised in 1984–1985. The research program implemented by China in the Arctic began a little later in 1988. The event was preceded by that establishment of the Polar Research Institute of China (PRIC) responsible for planning and coordinating all the scientific research actions carried out in relation to the Antarctic and the Arctic. Currently the PRIC is subordinate to the CAA³.

² Kopra, S. 2013. China's Arctic Interests. In: Heininen, L. ed. *Arctic Yearbook*. Northern Research Forum, Akureyri, p. 107.

³ Kubiak, K. 2009. Morskie złoża surowców i nowe szlaki żeglugowe. Chińska Republika Ludowa wobec problemów Arktyk. [Marine deposits of natural resources and new

In 1992 China launched a five-year research program in the Arctic Ocean, carried out jointly with a German university in Cologne and Bremen. The country, for a long time deprived of research facilities, in 2004 founded the first Chinese Arctic Station Yellow River in the area of Ny-Ålesund on Spitsbergen. A condition for conducting scientific research activities in the polar regions was the acquisition of suitable vessels. The first Antarctic expedition was secured by the ship Xiang Yanghong no 10, which due to the lack of specialised equipment was replaced with vessels J121 and Haiyang 4. In the absence of satisfactory results the Chinese authorities made a decision to acquire a Finnish ship Jidi equipped with ice strengthening, which was converted into a research and development vessel. After the withdrawal from service in 1994, its duties were taken over by the ship Xuelong purchased in Ukraine for 3.7 million USD. In 2010 thanks to this vessel it was possible to build a floating research station in order to conduct a 15-day mission on the Arctic Ocean, as part of the research on the evolution of sea ice in the region of the Barents Sea and the Chukchi Sea north of the Bering Strait⁴. In 2011 in order to continue supporting the projects in the polar regions, the Chinese government decided to invest 300 million USD in the construction of a new icebreaker allowing to conduct polar research from 2014. In total, in the years 1985–2012 China organised five Arctic and twenty-eight Antarctic expeditions. The increased activity in the southern hemisphere indicates that Antarctica is more accessible for China than the Arctic, mainly due to the legal mechanism binding in the region. The Antarctic Treaty of 1959 does not impose an obligation to issue a special permit by any country to build a research station. Before 2007 the Chinese conducted research mainly in four areas: biology, oceanography, glaciology and climatology. Only since 2007, after the Russians placed a titanium flag on the bottom of the Arctic Ocean, political issues have begun to be noticed⁵.

shipping routes. The People's Republic of China in the face of the problems of the Arctic.] *Rocznik Bezpieczeństwa Morskiego*, year III, pp. 131–132.

⁴ *Ibidem*.

⁵ Alexeeva, O., Lasserre, F. 2012. China and the Arctic. In: Heininen, L. ed. *Arctic Yearbook*, Northern Research Forum, Akureyri, p. 81.

2. NATURAL RESOURCES

According to the Chinese government, the main priorities of its operations are economic development and the energy security inextricably linked with it. In recent years, despite the global crisis, the Chinese economy has been developing at a stunning pace, as a result of which the country entered the era of new industrialisation. The increase in the consumption needs increased the energy demand, forcing in a natural way the strong entry of China on the world raw material markets. In order to maintain its economic growth, China has begun to import more and more oil. In the face of the surge in energy consumption of the Chinese economy the demand for natural gas has also increased. Although Arctic deposits of raw materials are relatively difficult to access and the number of countries interested in obtaining them increases, the Chinese authorities with increasing attention look at the north. The political stability of the area should be mentioned as one of the reasons for the Chinese interest in Arctic resources. In contrast to the regions from which China imports raw materials, namely the Middle East and Africa, the Arctic is a relatively calm region. If the countries adjacent directly to the Arctic Circle were able to solve problems related to the delimitation of maritime areas and the distribution of resources in such a way that the risk of conflict among them would be greatly reduced, the risk of suspension or disruption of supply to China would be incomparably smaller in relation to the current sources of import of hydrocarbons. The Chinese authorities have been seeking new areas of acquiring crude oil and natural gas for a long time. Among the most frequently mentioned have been Alaska and Eastern Siberia. The expansion in both these regions is of a capital nature and has already begun. In 2013, the Chinese energy company China National Petroleum Corporation (CNPC) and Russian Rosneft signed an agreement on establishing a joint venture company engaged in the exploitation of deposits of Eastern Siberia⁶. In turn, in 2014, in the presence of the presidents of China and Russia, the heads of the CNPC and Gazprom signed a 30-year contract for the supply of Russian gas to China. Two mining centres: Irkutsk (Kovykta deposit) and Yakut (Chajanda deposit) are to be the resource base. The agreement provides for gas export by a pipeline called the Power of Siberia which is to be built in

⁶ Blank, S. 2010. The Arctic: a future source of Russo-Chinese discord? *China Brief*, vol. X, no. 24, pp. 7–8; Gradziuk, A. 2014. Chińskie interesy we współpracy z Rosją. [Chinese interest in cooperation with Russia.] *Biuletyn PISM*, [Online] no. 71 (1183). Available at: https://www.pism.pl/files/?id_plik=17473 [Accessed: 11 May 2015].

the years 2015–2019⁷. The actions undertaken by the CNPC are part of the Chinese strategy to gain access to foreign deposits of hydrocarbons. Closer relations between the two countries in the energy sector are supposed to discourage China from using unconventional methods of obtaining natural gas, increasing dependence on supplies from Russia. China has long been looking for opportunities to reach for domestic shale gas resources. The involvement of Chinese companies in projects in North America is conducive to obtaining knowledge about the aspects of the shale gas industry operation⁸. Already in 2009 the United States and China announced a joint package of measures for the development of unconventional deposits. Barack Obama's visit to China in 2010 confirmed the agreement between the two countries on shale gas extraction and increasing the level of technology innovativeness. Purchasing of deposits of oil sands in Canada also fits into actions aimed to meet the growing Chinese demand for hydrocarbons.

Thus, in light of these considerations, China's share in the exploitation of Arctic deposits seems only a matter of time. Just now China is developing bilateral cooperation with Greenland, which using the increased autonomy and the right to control its natural resources, actively seeks ways to develop the raw materials industry and attract new investors. In 2009 a private mining company from Jiangxi Province acquired the right to search for metals and minerals in southern Greenland. In turn, in December 2014 the company General Nice Development Limited acquired an iron ore mine in the region of Isua, which is so far the biggest Chinese investment in the Arctic Circle⁹. China is also interested in obtaining access to Greenland's deposits of gold, copper, lead, platinum, uranium, diamonds and rare earth metals. It fiercely competes about the latter with the European Union, which has monitored problems of the development of the industry since China managed to monopolise the supply of these valuable elements. It should be clarified that about 30% of global rare earth metal deposits are located in the territory of China. Over the years, China had sold them at low prices, thus destroying the

⁷ Kardaś, S. 2014. Gazowe „partnerstwo” wschodnie: kontrakt Gazpromu i CNPC na dostawy gazu do Chin. [Eastern gas ‘partnership’: a contract of Gazprom and the CNPC on gas supply to China.] *Komentarze OSW*, no. 139, pp. 1–2.

⁸ Wiśniewski, B. 2011. Perspektywy rozwoju branży gazu łupkowego w Chinach [Prospects for the development of the shale gas industry in China.] *Biuletyn PISM*, [Online] no. 112 (861). Available at: http://www.pism.pl/files/?id_plik=9132 [Accessed: 11 May 2015].

⁹ *New strong force behind London Mining Greenland*. Available at: <http://naalakkersuisut.gl/en/Naalakkersuisut/News/2015/01/080115-London-Mining> [Accessed: 12 May 2015].

competition. Over time, Beijing began to limit exports of rare earth metals by putting limits on their supplies to world markets, which are reduced all the time. The shortage of rare earth metals hinders the development of new technologies, among others, the production of wind turbines, engines for hybrid cars, lasers, screens for computers and smart phones. It is not surprising that Western countries have begun to seek alternative sources of supply, turning toward Greenland¹⁰. Out of 14 elements which are on the EU list of critical raw materials, 9 of them are in an area of the island. In the framework of the European Innovation Partnership in the sphere of raw materials, which uses the accumulated capital and available human resources to continuously improve the processes of extraction and processing of raw materials in Europe, the EU signed a letter of intent with Greenland on extraction and exploitation of natural resources. Despite this, people around Antonio Tajani, the EU Commissioner for Industry, claim that the EU loses the competition with China for the access to the natural resources of Greenland¹¹. The regulation passed in late 2012 which allows foreign investors to pay salaries to its employees in accordance with the rules in force in their country, which is below the level of the minimum wage in Greenland, was treated as an overt manifestation of benevolence for the exertions to obtain privileges for the Chinese plans of exploiting Greenland's deposits¹².

A large part of the minerals and crude oil and gas fields are located in the exclusive economic zones of Arctic states. Knowing that some will not be able to start production on the industrial scale due to insufficient equity capital and the temporal unprofitability of the investments, the Chinese government is already trying to take advantage of the situation. Encouraging

¹⁰ Tomala, M. 2014. Status Grenlandii w świetle zmian klimatycznych. [The status of Greenland in the light of climate changes.] *Rocznik Bezpieczeństwa Międzynarodowego*, vol. 8, no. 1, pp. 114–115.

¹¹ Paszewski, T. 2013. *USA i UE wobec nowych wyzwań globalnych*. [The US and EU in the face of new global challenges.] Warszawa: Instytut Studiów Politycznych Polskiej Akademii Nauk, p. 41 and 45–46; *Zrozumieć politykę Unii Europejskiej – Przedsiębiorstwa*. [The European Union Explained – Enterprises.] European Commission, Directorate-General for Communication, The Publications Office of the EU, Luxembourg 2013, p. 11. Available at: http://europa.eu/pol/pdf/flipbook/pl/enterprise_pl.pdf [Accessed: 12 May 2015].

¹² Czarnecki, M., Kublik, A. Grenlandia po wyborach otworzy złoża metali ziem rzadkich. [Greenland after the election will open the deposits of rare earth metals.] [Online] Available at: http://wyborcza.pl/1,133092,13556869,Grenlandia_po_wyborach_otworzy_zloza_metali_ziem_rzadkich.html [Accessed: 5 May 2015].

domestic enterprises to carry out exploration activities, purchasing licenses and engaging in mining projects it seeks to achieve a position which will allow it to co-decide about the future of the region.

3. MARITIME ROUTES

A prospect of opening new shipping routes, which has arisen as a consequence of rapidly progressive climate changes, plays an important role from the point of view of the People's Republic of China. Beijing has long been interested in the development of the Arctic connections, and specifically in the possibility of shortening shipping routes to ports of the east coast of North America (the Northwest Passage) and European ports (the Northern Sea Route and the Northwest Passage). China is currently one of the biggest exporters of goods, while nearly 90% of the trade is transported by sea. Launching of new arteries would in the future reduce the cost of transport in foreign trade and thus increase the profitability and competitiveness of Chinese companies¹³.

According to some estimates around 2020 5–15% of Chinese trade, valued at approximately 683 billion USD, will be carried out through the Northern Sea Route. The results of the route profitability studies often differ and tend to be heavily overrated. Despite the large potential of the arctic routes, the use of them is not profitable at the moment for commercial shipping due to high insurance premiums, the lack of adequate infrastructure and difficult environmental conditions. Moreover, Chinese shipyards, although the largest in the world, have had no experience so far in building vessels capable of operating in polar conditions. It is unlikely that the industry will consider it a priority to adapt ships for the use on the Arctic routes. The change of the positions will probably take place as soon as the financial risks associated with the use of potential arteries is reduced. The most significant investment so far is the lease of the port of Rajin from North Korea by the Chinese Hunchun Chuangli Haiyun Logistics Company from the north-eastern province of Jilin. Although this company is a private company, the conditions of the agreement were agreed in collaboration with six Chinese ministries and the government of Jilin Province. Thanks to the agreement China has gained access to the Sea of Japan for the first time since 1938. Although no direct reference to the

¹³ Spears, K.J. 2009. China and the Arctic: the awakening snow dragon. *China Brief*, vol. IX, no. 6, p. 10.

Arctic region appeared, some believe that the port will be an Arctic haven of China¹⁴.

Economic issues are not the only ones because of which Beijing is interested in opening the Far North for seafaring for countries from outside the region. China is the leading importer of hydrocarbons. A large part of the energy resources is delivered to the Chinese market by sea. Thus, ensuring sustainable energy security of China is highly dependent on unconstrained and safe navigation. A weak point of China's energy policy is the 'Malacca dilemma' and specifically the risk of blocking transport through the Strait of Malacca, which links the Indian Ocean with the Pacific Ocean. It is difficult for Beijing to accept the fact that the United States controls the most important for the Chinese economy routes of oil tankers and merchant ships. The opening of the arctic routes, especially the Northern Sea Route, would reduce the dominance of the United States strongly present in the Pacific. In the future, in fact, regardless of the formal and legal status of the passage, the Russian Navy will play a leading role on the waters. In such a situation, the destabilisation of the communication by the United States will be unlikely. Navigation along the Northern Sea Route is a key element of the long-term cooperation agreement signed in 2010 by the largest Russian ship-owner Sovcomflot and the Chinese energy concern CNPC. Apart from the training of Chinese seamen, the agreement provides for cooperation and coordination of the transport potential of the trail¹⁵.

China, raising the issue of launching of the Northwest Passage and the Northern Sea Route, also has in mind the issues of increasing the degree of safety of seafaring, which is extremely important considering the fact that the Chinese merchant fleet reaches virtually every major Asian and European port. Both arctic arteries make it possible to avoid places which, due to their location are particularly vulnerable to terrorist attacks and the attacks by offshore pirates. A region sensitive to intentional interference is a strategic passage between the Mediterranean and the Red Sea, the route between Europe and the Far East in the area of the South China Sea and the Strait of Malacca, as well as the route which lies off the coast of Somalia. The intensity of piracy acts is connected not only with a direct threat to sailors' life, but also with a significant increase in the cost of freight. Annual losses resulting from

¹⁴ Jakobson, L., Lee, S.H. 2013. *The North East Asian states' interests in the Arctic and possible cooperation with the Kingdom of Denmark*. SIPRI, pp. 9–10.

¹⁵ Hong, N. 2012. The melting Arctic and its impact on China's maritime transport. *Research in Transportation Economics*, no. 35, p. 52.

this constitute from 0.01% to 0.2% of the total seaborne trade turnover, that is approximately 8 trillion dollars a year¹⁶.

The interests of many countries clash in the battle for free access to transarctic arteries. Canada and Russia strive to maintain tight control over routes running along their northern coasts, while others demand the right to free usage of both routes. Canada argues that the waters of the Northwest Passage are part of its internal waters and demands granting sovereign rights in this area. The United States along with the European Union, however, do not share the position of the Canadian government, claiming that the waters of the passage are part of the strait used for international navigation. China does not comment officially on the status of passage, but it certainly will be interested in securing the mechanism which in time will provide it with fast and secure access to markets. This does not mean that in the future Beijing will undermine the sovereign rights of Ottawa to the waters of the passage. China, like Canada, struggles with problems of determining the status of some marine areas. For example, it constantly emphasises that the Taiwan Strait area is a part of Chinese territorial waters and should not be open to international shipping, as demanded by the United States. An analogous case is the issue of the Qiongzhou Strait¹⁷. Some representatives of the Chinese authorities see a chance to reach a compromise on the Northwest Passage in the possibility of using a mechanism similar to the regime in force in respect of the Svalbard archipelago, which in practice would amount to granting Canada sovereign rights to the waters of the artery and other countries the freedom to use the route. Such a solution, however, seems unlikely, given the rigid stance of Ottawa on this issue¹⁸. The case of the Northern Sea Route is slightly different. The specificity of this route lies in the fact that it is not a strictly defined linear corridor, but the maritime area stretching from the Bering Strait to the Barents Sea, which runs through internal waters, the territorial sea and the exclusive economic zone, which means that, in accordance with international maritime law, three different navigation regimes could apply to it. Russia has tried to maintain control over the territories of both the

¹⁶ Środoń, M. 2013. Daleka Północ jako nowy korytarz transportowy. [The High North as a new transport corridor.] In: Żelichowski, R. ed. *Polityka światowa. Wybrane problemy. [World Affairs. Selected problems.]* Warszawa: Instytut Studiów Politycznych Polskiej Akademii Nauk, p. 84.

¹⁷ Lasserre, F. 2010. *China and the Arctic: threat or cooperation potential for Canada? China Papers*, no. 11, pp. 8–9.

¹⁸ Wright, D.C. 2011. *The panda bear readies to meet the polar bear: China and Canada's arctic sovereignty challenge.* Canadian Defence & Foreign Affairs Institute, pp. 6–7.

Arctic and the Northern Sea Route for many years, claiming that Arctic straits through which the route runs are its internal waters. Although this approach encounters disapproval of other countries, particularly the United States, in the situation where, in practice, it is impossible to take advantage of the freedom of navigation binding in the exclusive economic zone, without affecting the maritime areas that are under the sovereign authority of Russia, the route is considered a national sea route, subject to Russian jurisdiction and the legal status of the artery is regulated by internal legislation¹⁹.

4. CLIMATE CHANGES

Although the Chinese authorities are intent on the Arctic resources and the possibility of using the potential routes, it should be clearly stated that they have never laid claims to any part of the Arctic Ocean. Even if they put forward claims, they would be unjustified because China does not have a coastline in the region. Beijing often explains the growing interest in the Arctic by the necessity to conduct research on climate changes which occur much faster beyond the Arctic Circle than in other parts of the world. The Arctic plays a key role in the natural processes of a global nature. China believes it is one of the countries most vulnerable to the adverse effects of climate change. In 2011 about 430 million people were affected as a result of extreme weather phenomena and natural disasters connected with the processes occurring in the Arctic. The losses were estimated at 309.6 billion yuan²⁰.

Beijing hopes that the results of research projects carried out in the polar regions will be used by Chinese researchers to analyze conditions in the Himalayas, which are sometimes called the third pole. At first glance, it seems that the Arctic differs from the Himalayas. In reality, the two areas have a lot in common. The melting of Himalayan glaciers, just like of the Arctic ones, poses a real threat to the safety of people living in the region. In the end, the biggest rivers of south-east Asia are supplied with water from

¹⁹ Symonides, J. 2011. Perspektywy wykorzystania dla żeglugi międzynarodowej Północnej Drogi Morskiej w Arktyce. [Prospects for the use of the Northern Sea Route in the Arctic for international shipping.] *Stosunki Międzynarodowe – International Relations*, vol. 43, no. 1–2, pp. 52–53.

²⁰ Werz, M., Reed, L. 2014. *Climate change, migration, and nontraditional security threats in China complex crisis. Scenarios and policy options for China and the world.* Center for American Progress, pp. 5–8.

the glaciers of the Tibetan plateau. It is worth mentioning here that glaciers contain about 75% of global freshwater resources which are used by over 2.5 billion people. After collecting rainwater in the rainy season they release it evenly throughout the year, stabilizing water levels in rivers. It is clear, therefore, that along with melting glaciers, problems with water will worsen, which will negatively affect agriculture and hence the amount of produced food. Today, millions of people in China suffer from alternately occurring and increasingly intense floods and droughts, which result from, *inter alia*, climate change beyond the Arctic Circle. The consequences caused by the receding mass of Himalayan glaciers will magnify the negative effects caused by the changes taking place in the Arctic²¹. It is surprising that despite the awareness of the real risks of global warming, China's position on climate issues is not unequivocal. On the one hand, Beijing is aware of the consequences of the neglect of environmental problems. On the other hand, fearing the slowdown of the economic development pace, it avoids resolving issues related to the change of the energy balance structure. So far, carbon has played a major role in it and there is no indication that something has changed in this matter. Low energy efficiency of the Chinese economy and the costs which China would have to incur in order to reduce its energy consumption, explain why Beijing's involvement in international efforts to combat climate change is far from the expected.

5. CO-OPERATION WITH COUNTRIES IN THE REGION

Recognizing the potential which the opening of the Arctic brings to the world, China increasingly wishes to participate in decision-making processes which shape the future of the region. It is, ultimately, a member of the United Nations under the auspices of which the Convention on the Law of the Sea of 1982 was prepared. It is also a signatory to the Treaty of Paris of 1920, granting Norway the sovereignty over the Svalbard archipelago, and a member of the International Maritime Organisation responsible for safety at sea and prevention of marine environment pollution by ships. Thus, it can be said that it has an impact on the creation of certain frameworks of mechanisms of management of the Arctic region. It is obvious, however, that the position of China in the region has grown after 2013 when it obtained the

²¹ *Ibidem.*

permanent observer status in the Arctic Council, seen by many as a major international forum for cooperation in the Arctic.

The Arctic Council was established in 1996 on the initiative of eight countries – the signatories of the Arctic Environmental Protection Strategy (AEPS). Its main tasks include promoting cooperation and coordinating activities in the Arctic region by its members with the participation of indigenous peoples, especially in areas related to environmental protection and sustainable development. The membership in the Arctic Council has been divided into three categories. The first group consists of Member States (Denmark, Finland, Iceland, Canada, Norway, Russia, the United States, Sweden), the second of permanent participants (organisations representing Arctic Indigenous Peoples), the third of observers. States from outside the Arctic countries, intergovernmental and interparliamentary organisations and non-governmental organisations, which can contribute to the work of the Council, can apply for the observer status in the Arctic Council²².

In recent years, as a result of changes occurring in the Arctic region, the Council has grown in importance. Activities undertaken to strengthen its position both in the region and in international relations were reflected in the Nuuk Declaration signed in 2011, on the occasion of the Seventh Ministerial Meeting of the Arctic Council²³. The expression of the order established in the capital of Greenland were the establishment of a permanent secretariat for the Council, based in Trømso, and the development of the Agreement on cooperation in aviation and maritime search and rescue in the Arctic, which specifies for each Arctic state the area within which the country will bear full responsibility for the actions which are subject to the agreement. The Agreement expresses the willingness of the signatory countries to further strengthen cooperation in the Arctic, as well as the consent of these countries to the possible reform of the Council itself, which in the future may turn out to be inevitable²⁴.

²² Madej, M. 2013. *Rola Rady Arktycznej w definiowaniu współpracy w regionie*. [Role of the Arctic Council in defining regional cooperation.] *Studia Humanistyczno-Społeczne*, vol. 7, p. 68.

²³ The ministerial meeting is the most important form of interaction in the Council. Most member states are represented by the Ministers of Foreign Affairs, the secretary or undersecretary of state, or another competent minister, who formulate the directions of work of the Arctic Council, make decisions on projects proposed for implementation and decide on granting the status of a permanent participant or an observer.

²⁴ *Nuuk Declaration on the Occasion of the Seventh Ministerial Meeting of The Arctic Council 12 May 2011*, Nuuk, Greenland. Available at: <http://arctic-council.npolar.no/>

The Arctic Council has long attracted the attention of actors from outside the region who in obtaining the observer status saw an opportunity to highlight their presence and develop interests in the Arctic. China, having the *ad hoc* observer status since 2007, has tirelessly sought to obtain the permanent observer status. In order to achieve this goal it had to accept the criteria tightened in the Declaration of Nuuk, i.e. to recognise sovereignty and sovereign rights of the Arctic region and to demonstrate political will and financial capacity necessary to fulfil the obligations arising from the participation in the work of permanent participants and indigenous peoples organisations. An obligation was imposed on the observers to submit reports on their activities and inform the Council about undertaken actions which from its point of view may turn out to be relevant²⁵. The new rules were met with disapproval from the Chinese side, which concerned about the attitude of the Council, criticised its tendency to strengthen cooperation with contemporary observers and the reluctance to accept new members. The feelings of the Chinese were reflected in the words of Gou Haibo, a former director of the MFA's Department of Treaty and Law, who in 2011 wrote: 'The Arctic states have generally expanded their sovereign and jurisdictional rights within the Arctic (...). Interregional issues like shipping, resource exploration, and environmental protection have required cooperation between the Arctic and non-Arctic states, which could potentially lead to the weakening of Arctic states' monopolistic position within the region. Given that cooperation is required with non-Arctic states, it is impossible for non-Arctic states to simply be the passive users of Arctic sea routes. Nor can non-Arctic states simply be the end consumers of the region's energy and resources. Rather, they need to actively participate in the decision-making and management processes within the Arctic region'²⁶.

Consequently holding the position that discussions on the issues of the region should take place among countries that could be affected by climate change in the Arctic, in 2013 China applied for the permanent observer status. The application of the Chinese authorities was supported by Denmark,

accms/export/sites/default/en/meetings/2011-nuuk-ministerial/docs/Nuuk_Declaration_FINAL.pdf [Accessed: 30 April 2015].

²⁵ Wright, D.C. 2013. China's Growing Interest in the Arctic. *Journal of Military and Strategic Studies*, vol. 15, no. 2, pp. 55–57; *Senior Arctic Officials (SAO) Report to Ministers*, Nuuk, Greenland, May 2011, p. 50. Available at: http://www.arcticobserving.org/images/pdf/Board_meetings/5th_tromso/sao_report_to_ministers_-_nuuk_ministerial_meeting_may_2011.pdf [Accessed: 30 April 2015].

²⁶ Jakobson, L., Lee, S.H. *The North East Asian States' Interests in the Arctic...*, pp. 13–14.

Iceland, Finland, Norway and Sweden. Canada, Russia and the United States did not take the floor on this matter. The question of the extension of the group of observers divided the permanent members of the Arctic Council for several years. The ministerial meetings which were held in 2009 and 2011 resulted in postponing all applications. Finally, during the eighth ministerial meeting in Kiruna, Sweden, in May 2013, as a result of its intensive efforts, China gained the status of a permanent observer in the Arctic Council.

China's claims to the Arctic are grounded in the Convention on the Law of the Sea of 1982, but only in the area which lies beyond the exclusive economic zone of the Arctic states. The People's Republic of China, unlike the Arctic countries, cannot exercise sovereign rights in the region because it does not border the Arctic Ocean. Referring to the provisions of the Convention on the Law of the Sea of 1982, China demands respect for its rights in the area which was considered the common heritage of humanity. It is expected that this area will shrink by 2/3 if the claim of the Arctic states is fully recognised, which will severely weaken the possibility to use the resources by non-Arctic countries. Thus, China undertakes attempts to strengthen its position among other countries in advance.

There is no doubt about the fact that the Chinese authorities want to actively participate in shaping Arctic governance processes. With the rise of interest in the region, we can observe the increasing involvement of China in the development of relations with the Arctic countries on the bilateral and in multilateral plane. Cooperation is an element that helps to influence what happens beyond the Arctic Circle, so the principle of international cooperation found expression in a speech of the Chinese ambassador in Norway, Zhao Jun, in January 2013 at the conference on Arctic Frontiers in Tromsø, who asserted that China respects the sovereignty and sovereign rights of the Arctic states in the region, supports the principles and objectives of the Arctic Council, and attaches importance to environmental protection and research, while admitting that conducting them without the support of the Arctic states would not be possible. He also expressed hope for strengthening scientific cooperation with the countries of the region in terms of sharing research results, so that they may contribute to peace, stability and sustainable development of the region²⁷. China has organised many scientific expeditions with the participation of researchers from other countries. In

²⁷ *Speech by Chinese Ambassador Zhao Jun at the Arctic Frontiers Conference*, 21 January 2013. Available at: <http://www.arcticfrontiers.com/arctic-frontiers/archive/2013-geopolitics-and-marine-production-in-a-changing-arctic/downloads/conference-presentations/monday-21-january-2013/68-09-zhao-jun/file> [Accessed: 9 May 2015].

1999 four scientists from Japan, Russia and South Korea joined the Arctic expedition organised by China. In 2003 a similar expedition was joined by thirteen researchers from Finland, Japan, Canada, South Korea, Russia and the United States. In 2008 eleven scientists got involved in China's Arctic expedition and in 2010 – eight. Chinese scientists have also participated in several exchange programs and have entered into cooperation with Arctic research centres around the world²⁸.

As far bilateral relations are concerned, China tries to cooperate with all countries in the region. The United States, although it has not ratified the Convention on the Law of the Sea of 1982, remains an important player in Arctic issues. The problems of the region were discussed, for example, during the third round of the US-China strategic and economic dialogue in 2011, and during the fourth round in 2012. The same was true during Prime Minister Stephen Harper's visit to China in 2012, as the leading theme of the meeting was China's interests in the Arctic. In 2012 Chinese President Hu Jintao visited Denmark. It was the first presidential visit since the establishment of diplomatic relations between the two countries. Although the Arctic issues were not a subject of the meeting, China hoped that it would be conducive to obtaining support for the application for the permanent observer status in the Arctic Council. The same year, Chinese Prime Minister Wen Jiabao visited both Iceland and Sweden. Chinese leaders' visit to the Nordic countries testified to the increase of the role of these countries, not only in Chinese diplomacy, but also on the economic and scientific planes. The visit to Iceland was especially fruitful as it ended with the signing of six agreements and declarations, two of which were directly related to the development of the Arctic²⁹. In 2013 the Chinese energy concern CNPC signed an agreement with the Icelandic energy company Eykon Energy Company to search for oil off the northern coast of the island and announced collaboration in the development of geothermal resources. As far as Chinese-Norwegian relations are concerned, they had been regarded as correct until Liu Xiaobo was awarded the Nobel Peace Prize. In August 2010, two months before its awarding, the Norwegian foreign minister was received in Beijing among the enthusiastic declarations about the Chinese-Norwegian cooperation in the Arctic. The event was reported by Chinese media. After honouring Liu Xiaobo the relations between the

²⁸ Sun, K. 2013. *China and the Arctic: China's interests and participation in the region*. East Asia-Arctic Relations: Boundary, Security and International Politics, paper no. 2, pp. 3–4.

²⁹ Jakobson, L., Peng, J. 2012. *China's arctic aspirations*. SIPRI Policy Paper no. 34, pp. 19–20.

two countries practically froze. The award for the person whom the Chinese authorities regard as a criminal trying to sabotage the socialist system, was received in China as the evidence of bad intentions of Western countries. In March 2013 the Chinese-Norwegian relations warmed up. China resigned from the apology expected from the government of Norway, recognizing that the Nobel Committee is not dependent on the Norwegian authorities. Remaining in the conflict did not serve Chinese interests, particularly because Norway is one of the leading oil producers and a leader in conducting mining operations in Arctic conditions³⁰.

In terms of the legal order of the Arctic, the position of the Chinese government comes down to acknowledging the current regime as a solid legal basis for the settlement of disputes connected with the delimitation of maritime areas, environmental protection, navigation and scientific research. In a statement posted in 2010 on the website of the Chinese Ministry of Foreign Affairs Hu Zhengyu, Assistant Minister of Foreign Affairs, wrote that the recognition and respect for mutual rights is the legal basis for the development of cooperation between the Arctic and non-Arctic states. He also noted that, in accordance with the Convention on the Law of the Sea of 1982 and other relevant international laws, the Arctic countries wield sovereign rights in the region, while non-Arctic countries are entitled to conduct research, use the navigation routes and resources of the Arctic Ocean. Reading this statement leads to a simple conclusion. China does not waive the right to vote on Arctic matters. It will supervise the process of determining the final borders beyond the Arctic Circle, studying the applications for the extension of the outer limits of the continental shelf submitted by the circumpolar countries to the Commission on the Limits of the Continental Shelf. It is even possible that by using solutions provided by the Convention on the Law of the Sea 1982 China will contest some of them³¹.

The motives of China's growing interest in the Arctic are variously interpreted, which is evident especially in the materials published in the countries actively participating in the rivalry for the control in the region. China's involvement is seen as a threat or an opportunity to improve the quality of management of the Arctic. Some of the concerns seem justified,

³⁰ Wright, D.C. 2011. The dragon eyes the top of the world. Arctic policy debate and discussion in China. *China Maritime Study*, no. 8, pp. 33–34.

³¹ Kämpylä, J., Mikkola, H. 2013. *The global Arctic: the growing Arctic interests of Russia, China, the United States and the European Union*. The Finnish Institute of International Affairs. Briefing Paper no. 133, pp. 5–6.

especially when one tracks the comments of some Chinese notables. In March 2010 Rear Admiral Yin Zhuo appealed to his countrymen, for the sake of the size of the Chinese population, not to remain passive observers of the situation shaped in the Arctic by the circumpolar states, adding in the reasoning that, in accordance with the Convention on the Law of the Sea of 1982, the North Pole with the surrounding area is the common good and does not belong to any country³². Yin Zhuo's statement caused general consternation, perhaps because it was initially incorrectly cited and therefore misinterpreted. It concerned Rear Admiral's alleged statement that no country exercises sovereign rights over the area around the North Pole. Some understood Yin Zhuo's words as an announcement that the Chinese side is going to take more decisive action in the Arctic. Others accused Beijing of hypocrisy, stressing that China demands actions in the interest of humanity from circumpolar countries, while itself often ignores them³³.

The increased activity of Chinese diplomacy gave birth to a question about China's possible military presence in the Arctic. In 2011 Chinese businessman Huang Nubo asked the Icelandic government for permission to buy 300 square kilometres of land in the northern part of the island, officially in order to develop an ecotourism resort. Iceland rejected the offer because of suspicions about China's intention to build a naval base³⁴. The lack of consent does not mean the cessation of attempts to join the existing system of relationships. China carefully observes military actions of the Arctic states. The more Beijing will be dependent on the northern arteries and the supply of arctic raw materials, the sooner it will take action to introduce submarines and ships in the region, for example under the guise of the participation in exercises or rescue missions, especially because geo-strategic advantages of the Arctic have been known for a long time³⁵.

In 2012, President Hu Jintao called for a decisive defence of Chinese interests and rights at sea, announcing at the same time the transformation of China into a naval power. In turn, in early 2013 newly elected President Xi Jinping announced that China will stick to the road of peaceful development, but will never give up its legitimate rights and will not sacrifice its vital

³² Spears, K.J. 2011. The snow dragon moves into the Arctic Ocean basin. *China Brief*, vol. XI, no. 2, p. 13.

³³ Sun, K. *China and the Arctic...*, p. 5.

³⁴ Robinson, R.W. 2013. *China's 'long con' in the Arctic*. A Macdonald-Laurier Institute Publication, p. 4.

³⁵ Rainwater, S. 2013. Race to the north, China's Arctic strategy and its implications. *Naval War College Review*, vol. 66, no. 2, pp. 75–76.

interests. He assured that China will participate in multilateral trade, but it will not swallow the bitter fruit of restraining its sovereignty and security risks. Although at the moment the Arctic is not officially mentioned among the areas of strategic importance for China, it cannot be ruled out that in the future it will be included to this group as a result of the increase of China's role in the world economy³⁶.

SUMMARY

Although China has not presented an official strategy for the Arctic, it is actively engaged in the political life of the region, demonstrating the interest in both positive and negative effects of the occurring changes. Chinese financial background and research and scientific potential may in the future contribute to a better knowledge and understanding of the development of environmental processes in the Arctic, as well as to the effective use of potential perspectives regarding the exploitation of natural resources and the development of Arctic shipping. Meanwhile, the Chinese authorities are cautious in their activities, being aware of achieving greater benefits from the cooperation with the Arctic states. The rhetoric of the representatives of the Chinese authorities – conflicting at times – results from the fear of marginalisation of the role of China, and eventually its exclusion from the decision-making process regarding the management of the region. Conducting effective policy in international forums, especially in bilateral relations with the Nordic countries and Russia, undoubtedly strengthens the position of China in the Arctic. The effects of this process, together with the increase of its global role might in the long run be very significant for international relations.

REFERENCES

- Alexeeva, O., Lasserre, F. 2012. China and the Arctic. In: Heininen, L. ed. *Arctic Yearbook*, Northern Research Forum, Akureyri.
- Blank, S. 2010. The Arctic: a future source of Russo-Chinese discord? *China Brief*, vol. X, no. 24.

³⁶ Kopra, S. China's Arctic Interests..., p. 116.

- Campbell, C. 2012. *China and the Arctic: objectives and obstacles*. U.S. – China Economic and Security Review Commission Staff Research Report, April.
- Czarnecki, M., Kublik, A. Grenlandia po wyborach otworzy złoża metali ziem rzadkich [Greenland after the election will open the deposits of rare earth metals]. [Online] Available at: http://wyborcza.pl/1,133092,13556869,Grenlandia_po_wyborach_otworzy_zloza_metali_ziem_rzadkich.html [Accessed: 5 May 2015].
- Gradziuk, A. 2014. Chińskie interesy we współpracy z Rosją [Chinese interest in cooperation with Russia]. *Biuletyn PISM*, [Online] no. 71 (1183). Available at: https://www.pism.pl/files/?id_plik=17473 [Accessed: 11 May 2015].
- Hong, N. 2012. The melting Arctic and its impact on China's maritime transport. *Research in Transportation Economics*, no. 35.
- Jakobson, L., Lee, S.H. 2013. *The North East Asian states' interests in the Arctic and possible cooperation with the Kingdom of Denmark*. SIPRI, pp. 9–10.
- Jakobson, L., Peng, J. 2012. *China's arctic aspirations*. SIPRI Policy Paper no. 34.
- Käpylä, J., Mikkola, H. 2013. *The global Arctic: the growing Arctic interests of Russia, China, the United States and the European Union*. The Finnish Institute of International Affairs. Briefing Paper no. 133.
- Kardaś, S. 2014. Gazowe „partnerstwo” wschodnie: kontrakt Gazpromu i CNPC na dostawy gazu do Chin [Eastern gas ‘partnership’: a contract of Gazprom and the CNPC on gas supply to China]. *Komentarze OSW*, no. 139.
- Kopra, S. 2013. China's Arctic Interests. In: Heininen, L. ed. *Arctic Yearbook*. Northern Research Forum, Akureyri.
- Kubiak, K. 2009. Morskie złoża surowców i nowe szlaki żeglugowe. Chińska Republika Ludowa wobec problemów Arktyk [Marine deposits of natural resources and new shipping routes. The People's Republic of China in the face of the problems of the Arctic]. *Rocznik Bezpieczeństwa Morskiego*, year III.
- Lasserre, F. 2010. *China and the Arctic: threat or cooperation potential for Canada?* *China Papers*, no. 11.
- Madej, M. 2013. *Rola Rady Arktycznej w definiowaniu współpracy w regionie* [Role of the Arctic Council in defining regional cooperation]. *Studia Humanistyczno-Społeczne*, vol. 7.
- New strong force behind London Mining Greenland*. Available at: <http://naalakkersuisut.gl/en/Naalakkersuisut/News/2015/01/080115-London-Mining> [Accessed: 12 May 2015].

- Nuuk Declaration on the Occasion of the Seventh Ministerial Meeting of The Arctic Council 12 May 2011*, Nuuk, Greenland. Available at: http://arctic-council.npolar.no/accms/export/sites/default/en/meetings/2011-nuuk-ministerial/docs/Nuuk_Declaration_FINAL.pdf [Accessed: 30 April 2015].
- Paszewski, T. 2013. *USA i UE wobec nowych wyzwań globalnych [The US and EU in the face of new global challenges]*. Warszawa: Instytut Studiów Politycznych Polskiej Akademii Nauk.
- Rainwater, S. 2013. Race to the north, China's Arctic strategy and its implications. *Naval War College Review*, vol. 66, no. 2.
- Robinson, R.W. 2013. *China's 'long con' in the Arctic*. A Macdonald-Laurier Institute Publication.
- Senior Arctic Officials (SAO) Report to Ministers*, Nuuk, Greenland, May 2011, p. 50. Available at: http://www.arcticobserving.org/images/pdf/Board_meetings/5th_tromso/sao_report_to_ministers_-_nuuk_ministerial_meeting_may_2011.pdf [Accessed: 30 April 2015].
- Spears, K.J. 2009. China and the Arctic: the awakening snow dragon. *China Brief*, vol. IX, no. 6.
- Spears, K.J. 2011. The snow dragon moves into the Arctic Ocean basin. *China Brief*, vol. XI, no. 2.
- Speech by Chinese Ambassador Zhao Jun at the Arctic Frontiers Conference*, 21 January 2013. Available at: <http://www.arcticfrontiers.com/arctic-frontiers/archive/2013-geopolitics-and-marine-production-in-a-changing-arctic/downloads/conference-presentations/monday-21-january-2013/68-09-zhao-jun/file> [Accessed: 9 May 2015].
- Środoń, M. 2013. Daleka Północ jako nowy korytarz transportowy [The High North as a new transport corridor]. In: Żelichowski, R. ed. *Polityka światowa. Wybrane problemy [World Affairs. Selected problems]*. Warszawa: Instytut Studiów Politycznych Polskiej Akademii Nauk.
- Sun, K. 2013. *China and the Arctic: China's interests and participation in the region*. East Asia-Arctic Relations: Boundary, Security and International Politics, paper no. 2.
- Symonides, J. 2011. Perspektywy wykorzystania dla żeglugi międzynarodowej Północnej Drogi Morskiej w Arktyce [Prospects for the use of the Northern Sea Route in the Arctic for international shipping]. *Stosunki Międzynarodowe – International Relations*, vol. 43, no. 1–2.
- Tomala, M. 2014. Status Grenlandii w świetle zmian klimatycznych [The status of Greenland in the light of climate changes]. *Rocznik Bezpieczeństwa Międzynarodowego*, vol. 8, no. 1.

- Werz, M., Reed, L. 2014. *Climate change, migration, and nontraditional security threats in China complex crisis. Scenarios and policy options for China and the world*. Center for American Progress.
- Wiśniewski, B. 2011. Perspektywy rozwoju branży gazu łupkowego w Chinach [Prospects for the development of the shale gas industry in China]. *Biuletyn PISM*, [Online] no. 112 (861). Available at: http://www.pism.pl/files/?id_plik=9132 [Accessed: 11 May 2015].
- Wright, D.C. 2013. China's Growing Interest in the Arctic. *Journal of Military and Strategic Studies*, vol. 15, no. 2.
- Wright, D.C. 2011. *The panda bear readies to meet the polar bear: China and Canada's arctic sovereignty challenge*. Canadian Defence & Foreign Affairs Institute.
- Wright, D.C. 2011. The dragon eyes the top of the world. Arctic policy debate and discussion in China. *China Maritime Study*, no. 8.
- Zrozumieć politykę Unii Europejskiej – Przedsiębiorstwa [The European Union Explained – Enterprises]*. European Commission, Directorate-General for Communication, The Publications Office of the EU, Luxembourg 2013, p. 11. Available at: http://europa.eu/pol/pdf/flipbook/pl/enterprise_pl.pdf [Accessed: 12 May 2015].

THE ATTITUDE OF THE PEOPLE'S REPUBLIC OF CHINA TOWARDS THE ARCTIC

Summary

Transformations of the Arctic region cause serious implications for both the Arctic countries and other participants of international relations. For the sake of geographical, economic and political conditions, China is one of the countries which pay special attention to monitoring the developments beyond the Arctic Circle. This article examines aspects of Chinese interest in the region in terms of access to raw materials, the future opening of Arctic shipping routes and opportunities to realise research, while rising the problem of the relations with the Arctic countries.

CHIŃSKA REPUBLIKA LUDOWA WOBEC REGIONU ARKTYKI

Streszczenie

Przeobrażenia regionu arktycznego wywołują poważne implikacje zarówno dla krajów arktycznych, jak i pozostałych uczestników stosunków międzynarodowych. Przez wzgląd na uwarunkowania geograficzne, ekonomiczne i polityczne jednym z państw, które ze szczególną uwagą obserwuje rozwój sytuacji za północnym kołem podbiegunowym, jest Chińska Republika Ludowa. Niniejszy artykuł analizuje aspekty chińskiego zainteresowania regionem w kontekście dostępu do surowców, przyszłego otwarcia arktycznych szlaków żeglugowych oraz możliwości realizowania badań, poruszając jednocześnie problem relacji z państwami arktycznymi.

КИТАЙСКАЯ НАРОДНАЯ РЕСПУБЛИКА В ОТНОШЕНИИ АРКТИЧЕСКОГО РЕГИОНА

Резюме

Преобразования арктического региона влекут за собой серьёзные последствия, значимые как для государств Арктики, так и для остальных участников международных отношений. В связи с географическими, экономическими и политическими условиями одним из государств, с особым вниманием, наблюдающим за развитием ситуации за северным полярным кругом, является Китайская Народная Республика. Настоящая статья рассматривает аспекты китайского интереса к региону в контексте доступа к сырью, открытия арктических морских путей в будущем, а также возможности реализации исследований, одновременно обращаясь к проблеме отношений с арктическими государствами.

Artur W. Wróblewski

ON REVOLUTION 2015 – ARAB REVOLUTIONS REVISITED

I. THE ARAB SPRING – THE NATURE OF THE ARAB REVOLUTIONS

After almost four years of the crisis in Syria, which began in March 2011, the solution to the internal conflict is as far away as before. With all the twists which saw the semantic upgrading of the conflict from the crisis to the civil war – and with subsequent other developments which saw the transformation of the Syrian National Council into the National Coalition for Syrian Revolutionary and Opposition Forces – the events on the ground have not produced any viable resolutions. To the contrary, by implicating more variables in the equation they have further complicated the situation moving the expected finale even further away.

On the whole, the Arab revolutions have not brought Arab societies to a better *dénouement* so far – Egyptian and Libyan cases are fitting examples. The words of Hannah Arendt about XVIII revolutions in Europe encapsulate well the current situation in the Middle East: ‘In France the downfall of the monarchy did not change the relationship between rulers and ruled, between government and the nation, and no change of government seemed able to heal the rift between them. The trouble was that the chief difference between the nation and its representatives in all factions had very little to do with “virtue and genius”, as Robespierre and others had hoped... The inescapable fact was that liberation from tyranny spelled freedom only for the few and was hardly felt by the many who remained loaded down by the misery¹.

The proclaimed creation of the National Coalition for Syrian Revolutionary and Opposition Forces during the meeting in Doha on November 12, 2012 did not help consolidate the opposition forces in the face of Bashar el-Assad’s

¹ Arendt, H. 1987. *On Revolution*. Penguin Books, p. 74.

resistance and laid bare fragmentation and lack of ‘a working concept’ on the part of opponents-in-exile. No wonder that cyclical spectacles of wishful thinking in the West and the Gulf became an easy object of mockery in Damascus. The glib Information Minister in the Syrian government Mr. Omran al-Zoabi once cynically dismissed the opposition gathering as ‘delusional ravings of people sitting in the lounges of five-star Gulf hotels’. Mr. Omran al-Zoabi’s wry comments were not completely unfounded. It is now crystal-clear that the opposition groups have not won popular support within Syrian society. The opposition leadership have always attracted the same set of names – only reconfigured differently under diverse labels – and led by individuals too disconnected from the people on the ground in the country (the arguments used often against the Syrian National Council²) or too ailing to be considered seriously in terms of effective leadership on the ground (like in case of Mr. Riad Seif³).

Behind regime’s minister cynicism lurked a well-founded irony about the awkward directions of the Syrian revolution, which in many respects copied the distorted features of the Egyptian, Libyan and Tunisian uprisings. It bore also, in some respects, the resemblance to the French Revolution – the mistakes of which it repeated. All of them had one thing in common – they all, as the saying goes, devoured its children, cost a lot in social and economic terms and turned the clock back as measured against the scale of people’s ‘pursuit of happiness’.

Like the French Revolution the Arab Spring movements have their own teleological sense probably better comprehended as seen in the conceptual framework of Hegelian historical inevitability, in other words, as part of necessity of facts fixed and immutable.

Hegel feared the French revolution, detested its violent character, despised its protagonists and therefore tried somehow to rationalise the outbreak of irrational hatred to make sense out of the chaos. As a believer in the rational progression of history (and idealist determinist) he strove to convince himself against all odds that: ‘...world history exhibits nothing other than the plan of Providence.... In the pure light of this divine Idea... the illusion that the

² Shaw, W. 2012. Syrian Opposition Council struggles for legitimacy. Disconnect from conflict on the ground saps confidence in overseas political movement. [Online] 5 July 2012. Available at: <http://iwpr.net/report-news/syrian-opposition-council-struggles-legitimacy>

³ Riad Seif – key opposition figure appointed to head Syrian interim government abroad in November 2012.

world is a mad or foolish happening disappears... Spirit does not toss itself about it...'⁴.

Applying Hegel's way of understanding the history lets one appreciate better the logic of events in the Arab countries that have spiralled out of control and made average people's life worse off – either through sudden impoverishment or the death of relatives. Hegel's conception is comforting since it allows to come to terms with the fatalism of the situation – when it assumes the necessity for the historical processes to realise themselves. Unfortunately, the fatalism/destiny is good for history studied in academies (it allows it to realise itself) but not so much for an average individual.

It is worth reminding that in none of the Arab Spring countries, the (declared) progressive political goals of restoring the dignity to people, installing civil rights and liberties and making people happier were fully fulfilled. Are Arab revolutions a case of one merciless nepotism substituting another and a secular sham replacing religious exuberance? The Western media's coverage of the region show people cheated out of the victory and complaining – from an average businessman to a garbage collector. In order to identify what went wrong, for the sake of the research, the analysis will comprise Egyptian and Syrian revolutionary experiences.

II. WHAT WENT WRONG IN EGYPT

Something went wrong in the Middle East which affected the spirit of change and escapes any attempt for easy explanation. Structurally, a body polity has been transformed by bringing in new concepts of governments; ideologically, the new ideas have arrived in the form of new phraseology about freedom and liberties. However, from an axiological standpoint, the noble ideals seem to be more of a chimera than realities due to the simple fact that noble values have not followed the declaratory statements. These words on the French Revolution from Hannah Arendt's book *On Revolution* fit again the current condition of the Arab revolutions across the region: 'Thus the role of revolution was no longer to liberate men from the oppression of their fellow men, let alone to found freedom, but to liberate the life process

⁴ Hegel, G.F. *Introduction to the philosophy of history*. Available at: <http://www.class.uidaho.edu/mickelsen/texts/Hegel%20%20Philosophy%20of%20History.htm>

of society from the fetters of scarcity so that it could swell into a stream of abundance. Not freedom but abundance became now the aim of revolution⁵.

The Arab revolutions released huge destructive energy (life process of society) – like in the case of the French Revolution before. They were in need of guidance but what they encountered instead was abundance hiding spiritual vacuum, intellectual chaos and often propensity for deception from all kinds of career-seekers. The drama of a Tunisian cart wheeler or the death of protestors on Tahrir Square served as a catalyst for a change awaited by one group of people to take power from another; and as such, regrettable to say, their individual deaths were meaningless and their sacrifice expendable – expendable in the face of historical processes in the Middle East.

They released energy that in turn was ‘hijacked’ by – using Hegelian terms – the immutable laws of history which were, in this case, the dictate of the most voluble ideology.

The first mayor controversy over the decree issued on November 22, 2012 by President Mohamed Morsi, who had limited the powers of judicial authority, revealed intentions of the Egyptian President and his cohort. After months of turmoil, the decision could be interpreted as appropriating popular enthusiasm to its own purposes. To many antagonists it amounted symbolically to the loss of revolutionary innocence and the betrayal of Egyptian revolution as a popular revolution of values. This move increased fears that the proposed 234 Article of the constitution could open way for a theocracy by moving the country closer to Sharia law – prompting Mohamed El Baradei to comment wryly ‘...(Morsy) put to referendum a draft constitution that undermines basic freedoms & violates universal values’⁶.

While the protestors on the street in late November were replacing placards against Mubarak with the ones playing on Morsy’s name: *Morsy beaucoup* (*merci* in French) the gloomy self-realisation was slowly making its way. But, it appears as legitimate to ask, who in the first place told El Baradei and, for example, Western observers that the implementation of ‘freedoms and universal rights’ in Egypt will be realised at all? The logic of history had suggested something to the contrary and this is exactly what happened in Egypt. The aspirations of religious leaders in Egypt were known long in advance and went beyond gaining mere political influence – the ambitions of religious (but also non-religious) organisations is to win spiritual leverage.

⁵ Arendt, H. 1987. *On Revolution*. Penguin Books, p. 64.

⁶ http://www.cnn.com/2012/12/01/world/meast/egypt-protests/index.html?hpt=hp_t1

This is the spiritual power that infatuates followers and provides leaders with control over people's minds.

Significantly, the French revolutionaries, in order to gain popular acceptance, quickly created artificial God of the revolution by establishing the 'cult of the Supreme Being' (inspired by the last chapter of Rousseau's *Social Contract*) and winning quickly the army of devotees overflowing with enthusiasm: '... The true priest of the Supreme Being is Nature; his temple, the universe; his worship, virtue; his festivals, the joy of a great people'⁷.

The Bolshevik and Maoist revolutions followed suit procuring religion-like devotion to Leninism and Maoism with the bureaucratic apparatus fashioned after the hierarchical structure of the Catholic Church. These tactics are part of the 'revolutionary marketing' regardless of changing times, places and actors.

Given the above, it should not come therefore as a surprise that the group of 85 Egyptian members of parliament pushed through the legislative body their own project of the constitution and looked for ways to impose their own vision of Egyptian politics. At this stage of Egyptian experience it was as natural as, for example, the imposition by 56 white males (mostly lawyers) of the Republican Constitution on the United States in 1789 which defended the business interests of some oligarchs (like in Russia under Boris Jelcin 200 years later) and granted the rights to vote only to white property holding males – leaving everybody else in the society disenfranchised (women, poor white property-less males, black people and native Americans). In the American case, a narrowly conceived republicanism became a form of 'religion' – controlled and manipulated by a vibrant group of business leaders with vested interests (majority of them were lawyers).

The triumph of Muslim Brotherhood's political arm 'Freedom and Justice Party' in the legislative election and subsequent 'highjacking' of Egyptian revolution, from a historiosophical angle, was an inevitable consequence – considering that the conservative Muslims, as the most vocal group, constituted the 'optical' majority by employing combination of such factors as skilful political PR plus an aggressive and domineering approach. If we had added to this combination the political immaturity of people (exposed before to the prolonged time of oppression), the silent compliance of the 'non-optical' majority in the face of colossal challenges would not have surprised us.

⁷ Quote from: Hembree, F. 1993. *The French Revolution*, p. 111.

Interestingly, the oppression of liberal revolutionaries by their conservative counterparts (the Muslim Brotherhood under President Morsi) in Egypt was not unlike the Jacobin cleansing of real or imagined enemies of the French Revolution at the time of the Great Terror. Ironically, the similar sentiments for the return of the old good times under *ancien regime* appeared across the region – repeating the history of the French restoration under Louis XVIII.

The case of the Egyptian revolution is a telling example of *ancien regime* coming back. The arrival to power of Marshal Fatah Al-Sisi after Islamic president Mohammed Morsi's downfall – who in the first place had appointed Sisi in an attempt to reclaim power from the army – and the restoration of the old military elites signified the repetitive cycle of revolutions gone astray. What is interesting, Sisi came to power with the support of several old prominent businessmen and the mainstream parties embodying the old order such as *al-Dawa al-Salafiya* (the Salafist Call), the Salafist *Nour Party*, the liberal Free Egyptians Party and the liberal *New Wafd Party*⁸. The case of Tunisia is not dissimilar. After a three year spell of Islamic *Ennahda* (Renaissance) the party in power in the October 2014 elections brought back the old cohorts of deposed president Ben Ali, syndicalists and leftists – all united under the aegis of the new movement called *Nidaa Tounes* led by 87 year-old Beji Caid Essebsi, the former minister of Bourguiba⁹. Similar narrative could be applied to the Libyan case where the dictatorship has been replaced by warlords and two acting governments.

Concluding, it seems that the excesses of the revolution are unavoidable until the thirst for bloodletting runs its course and the majority of population comes to their senses. So far the Egyptian revolution has been impressive as extravaganza – of beautiful language, lofty declarations, important statements and words; words which do not come true easily in the Middle East. In a sense, it has been a 'revolution completed' – in a semantic dimension – with antagonists ascribing their own meaning to the words, relativising them and, in a way, depreciating their value.

⁸ *Egypt: Abdul Fattah al-Sisi profile*. BBC. [Online] 16 May 2014. Available at: <http://www.bbc.com/news/world-middle-east-19256730> [Accessed: 20 July 2014].

⁹ *En Tunisie, la victoire des laïcs*. *Le Figaro* [Online] 27 October 2014 Available at: <http://www.lefigaro.fr/international/2014/10/27/01003-20141027ARTFIG00315-en-tunisie-la-victoire-des-seculiers.php> [Accessed: 28 October 2014].

III. WHAT WENT WRONG IN SYRIA?

The Syrian problem is another good case study – being part of a more complex problem inherent in the region. As a focal point for the analysis it can be extrapolated and universalised as an experience not unique to one location and one people. The Egyptian revolution, to some extent, is a finished entity, at least, at its first stage of development while the Syrian revolution is still an experience *in statu nascendi* – therefore more interesting from the epistemological standpoint as a subject of the analysis.

With all this fatalistic determinism in the Middle East is Syria doomed to the recurring cycles of endless violence and bloodbath? It is a very probable scenario given the synergy of two overlapping negative factors – the persistent problems and catastrophic impact of the external players. It can be examined by using sociological methods and foreign policy theorem.

1. Analyzing internal factors

A. What Syria needs is not a stash of arms but a kind of a moral revolution and a secular canon of ethical standards

As to the intrinsic nature of the thing, the inability of Syrians to find ways in order to reach compromise was striking. As an eyewitness to Syrian national ‘reconciliation’ I was awed by the amount of anger and distrust on the part of people involved in the political process. The politicking in Syria from the beginning took the form of a spectacle of emotions running high where buck-passing and name calling became more important than any substantial argument. Temperamental extremists, the Syrian were unable to overcome differences. The hot temperament so enticing for tourists when quarrelling with the merchants at the Damascus *souq* turned out to be a critical factor preventing any compromise at the round table. It transpired also that the idea of Syria as one nation unravelled fast.

Temperamental aspects aside, the major factor inhibiting chances for national reconciliation seems to be overpowering mistrust inherent in the Middle Eastern behavioural pattern. The negative legacy of distorted politics and business spawned the culture where taking advantage of one another, inflating stories or telling half-truths became commonplace.

Becoming involved in the meetings arranged to discuss new vectors of reforms in Syrian politics in May 2012 I was struck how lightly people

were appropriating statements only to depart from them minutes later. Not mentioning that the most outspoken participants defected soon after that, making the whole reform initiative a laughing stock.

Though it might be politically incorrect to admit it openly, however, the erratic behavioural pattern is a main inhibitor paralysing the political processes in Syria and beyond. On the one hand, it is one of the charming idiosyncrasies making the region so intriguing but, on the other hand, hindering political processes. Anybody making business or politics in the Middle East knows how tough the environment can be.

What is interesting, no part of the region is immune to it, including the Israelis. Politically counted into the Western zone of democratic tradition, where dishonesty in politics is expected to be punished by the voters at the ballot boxes, Israel follows the Middle Eastern pattern of lie. Israeli politics has been plagued by corruption in recent years, yet Israeli politicians know well that they are not going to be held accountable for excesses. To some extent, being well versed in political tradition of Morgenthau style, they adapt to the circumstances of the region – otherwise they would not have survived so long in such unfriendly environment. Manipulation is innate in the fabric of the societies in the Middle East – it is like a contagious disease.

Analyzing the anatomy of the problem the question arises what could be done to build trust among people. The solution for the region could arrive from an unexpected source. It could take the form of, to paraphrase famous sociologist Max Weber's words – 'Islamic ethics and the spirit of modernity'¹⁰. Weber's one hundred year old studies on bureaucracy, Protestantism, capitalism and disenchantment of the world demonstrated how important in Judeo-Christian traditions of the West was the liberation of significant areas of human activity from religious oppression. It was like a 'Copernican revolution' in thinking and perception of the world. It was a point of emancipating Western Europeans from the feudal shackles intellectually, from religious infatuation and it was a point of encouraging open debate and creative thinking in neo-platonic sense. To some extent, it was a culmination of the secularisation process which had began in medieval times.

These were the ideas sewn from the time of Thomas Aquinas who separated the secular from the religious thus broadening epistemological horizons and breaking intellectual straitjacket of St. Augustine stiff tradition¹¹.

¹⁰ Reference to Weber, M. 1993. *Protestant Etics and the Spirit of Capitalism*. New York: Routledge.

¹¹ Read Redhead, B. ed. 1995. St Thomas Aquinas: the state and morality. In: *Plato to NATO. Studies in political though*. London.

The French Revolution, the Enlightenment and industrial revolutions only strengthened the secular tendencies in the West. And, what is interesting, the overcoming of religion did not happen outside or against the Judeo-Christian faith as Dr. Richard L. Rubenstein noticed duly in his book *The Cunning of History*: ‘It must not be forgotten that the Protestant insistence upon the radical transcendence of a supramundane God, which was the indispensable theological precondition of both the secularisation process and disenchantment of the world, was biblical in origin’.

The emancipation of mind in the Judeo-Christian tradition allowed the creation of universal ethics understood as a secular set of values and principles valid universally and internalised by the majority of people. This, in turn, became the avenue to mutual understanding and social harmony in Euroatlantic geographical space.

The Arab world will have to face a similar revolution in thinking about the doctrinal concept of the state and society¹². The discussion is not a new one and has accompanied from the beginning the public discourse with writings and preaching of such intellectuals as Sayid Qutb, Al-Banna or Abul Maududi where it was pointed that overzealous devotion to the one-sided (and distorted) politicised interpretation of the Quran/religion was a trap. At issue was, for example, the prominent slogan popular among conservatives that guided the movement of the Muslim Brotherhood: *al-islam dinun was dawlatun* (Islam is a religion and a state). The closer study revealed that the sentence was mentioned neither in a verse of the Quran nor was it quoted from a hadith. It was simply a 19th century invention appropriated by the Salafi movement that emerged to stop the Western influence in Egypt¹³. The damage to the interpretation had been done yet by inseminating peoples’ minds with a wrong concept.

Characteristically, around the same time when Weber was pondering on the separation of the earthly economic pursuits from religious endeavours the Arabic ideologues of the Islamic State developed a doctrine of the state (*dawla islamijja, hukuma islamijja*) which went in the opposite direction to the tendency which Weber demonstrated. For them (Rashid Rida) the political renaissance (*nahda*) signified the merger between politics and religion under the rule of the pious caliph.

The Middle East (and the Arab world) in the process of undergoing renaissance, now like never before, needs dignifying ethos and everyday

¹² Lewis, B. 2003. *The crisis of Islam. Holy war and unholy terror*. London.

¹³ For more details read Halliday, F. 2005. *100 Myths*.

ethics which would constitute the moral reference and set a criterion for judgements. It could solidify the backbone of societies and offer a platform for resolving differences.

The Syrian case of quarrelling leaders unable to overcome prejudices might be symptomatic of a bigger problem of the Middle Eastern reflecting deficiency in the ethical standards relating to politics and business, the lack of which undermine the fabric of trust indispensable in the process of modern state-building where decisions are made more through consensus than prevalence¹⁴. The inability of constructing a modern polity, in this case, is a result of temperament and distrust.

What Syria needs is not a stash of arms but a moral revolution and secular canon of ethical standards internalised and implemented in the social sphere. Syria needs, to remind Polish philosopher Leszek Kolakowski's words, *mathanoi* (a change of heart) and *katechon* (spiritual might). On the other hand, religion could play a very positive role in times of social changes. Kolakowski, professor of Oxford and committed secularist, wrote an interesting essay in the 1980s in which this religious sceptic emphasised the role of religion (any religion but Christianity in this case) as the moral cornerstone for civilisational progress. The religion for him represented the point of reference in the chaotic world guarantying the organised progression of peoples and societies through history and maintaining the ability to distinguish good from bad while preserving the superiority of natural law prescribing moral behaviour. By removing the natural law as a point of reference – the law externally anchored – we expose ourselves to the dangers of totalitarian whimsies and relativisation of moral categories. The instrumentalisation of religion by extremist forces in the Arab countries complicated the situation and made it harder to discover any moral common denominator.

B. The Polish case – Solidarity revolution scenario revisited

The Polish Solidarity revolution was one of the most successful metamorphosis which contributed to the radical change of the geopolitics of Eastern Europe. At the same time it was a bloodless spectacle bearing resemblance to a civil disobedience in India or in the United States respectively.

¹⁴ Fukuyama, F. 2004. *State building. Governance and world order in the twenty-first century*. Cornell University Press. It is worth pointing that Fukuyama believes that: '...good governance and democracy can not be easily separated...'

Studying this chapter of European history one can notice that all change was preceded by a moral transformation more than political or economic developments.

Growing incrementally the evolutionary process lasted for 10 years before it brought the expected fruits. The victory was also preceded by colossal mobilisation of intellectual forces in Poland – from the left and right side of the political scene – with huge role of the Catholic Church under the spiritual leadership of Polish Pope Karol Wojtyła.

After years of political debating the Polish revolution, instead of generating recommendations for an armed uprising, produced something unique under conditions of escalating national hostility of the beginning of the 1980s – it was almost intangible and took a form of a book of ethics by philosopher Józef Tischner *The Ethics of Solidarity*¹⁵ which promoted moral consciousness, individual embetterment and propagated ethical dimensions in national transformation. Interestingly, though being a catholic priest and theologian, Tischner drafted a code of ethical standards – secular and religion-neutral in its spirit – serving the collective objective of national reconciliation and preparing fertile ground for the political revolution. The short quote from Tischner's book carries a potent message of universal value – timeless in its actuality despite time elapsed. Preserving what is quintessential about humans it could be applied to any revolution (including the Syrian one): 'We are living in an extraordinary moment right now. People are casting aside their masks, they are coming out of their undergrounds, they are showing their true faces. Out from under the dust and out of the oblivion their consciences are coming to light. Today we are such as we really are. Believers are believers, the doubtful are doubtful and non-believers are non-believers. It makes no sense to play someone else's role. Everyone wants to be called by his own name. What we are experiencing is not only a social or economic event, but, above all, an ethical one. The matter impinges on human dignity. The dignity of man is founded on his conscience. The deepest solidarity is the solidarity of consciences...'¹⁶

The moral revolution accompanying the social, political and economic grievances in Poland allowed for the creation of elites magnanimously capable of transgressing negative emotions of retribution and inclined to compromise. Despite General Jaruzelski's repressions and martial law, after

¹⁵ Tischner, J. 2005. *The Ethics of Solidarity*. Kraków. Available at: http://tischner.org.pl/thinking_pliki/thinking_1/tischner_3_ethics.pdf

¹⁶ *Ibidem*.

only eight years, Poland was ready for the round table – which was a triumph of common sense and moderation over passions and cries for revenge. Without the self-consciousness raised to a higher level and accompanied by the spirit of respect, the peaceful transition of Eastern Europe from socialism to capitalism would not have been so smooth. It seemed that only when the moral reflection made deep inroads on all sides of the barricades of the conflict (the communists and the opposition) progress was possible. It is worth noting that similar intellectual undertones and moral sensitivity were reflected in other equally successful transition of countries of the region. For instance, the writings of the playwright Vaclav Havel in Czechoslovakia and the collection of essays *The Power of the Powerlessness* where he described citizens forced to live under lie in communist regime are a point in question.

The phenomenal achievements in Eastern Europe attempted for practical realisation of the theory of justice were projected by John Rawls in his famous book on ethics and politics *A Theory of Justice* in which the author envisioned theoretical state-building scenario¹⁷. It was an imaginary situation in which social/state institutions received the legitimacy through the application of common principles formulated in the ‘original position’ behind the ‘curtain of ignorance’ and approved by the majority of rational citizens.

Who knows if it had not been for moral consciousness that the chances for conflict resolution would have been bigger and the grounds for, to use Karl Popper’s nomenclature, open society more fertile¹⁸. The intelligentsia, as a leading class and a vocal participant in public life as well as a natural avant-garde of political and social processes in the society, could help heal wounds. Deprived of more active debate the Syrians got stupefied hustling around everyday business.

The poor quality of education in social sciences worsens the problem by diminishing the ability of balancing the information inflow and sharpening the critical judgment. The Syrians suffer from the serious symptom identified by Hannah Arendt as – antipolitics¹⁹. They remain blinded to what real politics is being exposed to, to use Arendt’s words, ‘antipolitics informed by totalitarian tradition’ marked by the culture of corruption, foul play and cronyism. It happens whenever there is no chance to work out, under conditions of free discourse, the critical thinking ability – so ‘worshiped’ by Immanuel Kant in

¹⁷ Rawls, J. 1971. *A theory of justice*. Harvard: Harvard University Press.

¹⁸ Popper, K. 2013. *The open society and its enemies*. Princeton: Princeton University Press.

¹⁹ Arendt, H. 1985. *The human condition*. Chicago. Also read Arendt, H. 1973. *The origins of totalitarianism*. Harcourt.

his writings – understood as the ability to posit itself among the plurality of judgments and critically confronting it against all odds.

It is also worth reminding Kant's timeless observation on the paradoxical nature of democracy which – unlike the Western tradition often holds it – may not yet necessarily be the best of political systems. It might also not be deemed the best fitted option for the Middle East. Kant's reservation about democracy found expression in his support for the mixed form of government and in sober warnings against excesses of democratic governing: '...democracy is, properly speaking, necessarily a despotism, because it establishes an executive power in which "all" decide for or even against one who does not agree; that is, "all", who are not quite all, decide, and this is a contradiction of the general will with itself and with freedom'²⁰.

To some extent, the West fixed the problem highlighted by Kant by resolving the paradox of democratic deficit – present also in Rousseau's idea of *élan général* as a force subjugating the minorities. The western invention of representative and later participatory democracy with the extended system of legal guarantees for minorities created an acceptable version of democratic order overseen by such institutions as, for example, the European Court of Human Rights in Europe.

The oversensitivity and revulsion for honest soul-searching is another inhibitor of change in the Middle East. The suggestion about ethical inward inquiry should not be regarded as impingement on dignity. Unless the majority depart from the conviction that the systematic study of human society and behaviour is not un-religious menace – the diagnosis will not be possible and right solutions for modern challenges will never be found – neither in Syria nor anywhere else.

2. External factors – Syria let down twice by the West

The distrust toward the West prevailed in Syria – even among the Christians. The West was perceived as a cynical, egoistic player with a reputation mortgaged by the colonial past and its unequivocal ties to Israel. The United States' position is even worse given its strategic relationship with Israel – it is a reputation of being the imperialist minus colonial past.

²⁰ Kant, I. 2003. *To perpetual peace: a philosophical sketch*. Hackett Publishing. Available at: http://oll.libertyfund.org/index.php?option=com_staticxt&staticfile=show.php%3Ftitle=357&Itemid=27

It is worth noting that one of the main features of the Syrian mental makeup has been programmatic hatred of Israel, propagated from early school days. The successful propaganda took its toll on Syrians sometimes in the form of a grotesque where the legitimate historical fact mixed with pure nonsense. Characteristically, the anti-Israelism and anti-imperialism is one of the few things capable of releasing emotions – verging on religious elevation escaping rational explanation. It is a result of exposure to prolonged subliminal conditioning of mind – illustrating detrimental effect when extreme emotions affect political judgment. No wonder, from an ideological point of view, anti-Israelism (called anti-Zionism) played a very useful role of a scarecrow solidifying a sense of national unity across the sectors of society – the fear being one of very few things – except for food – which multi-sectarian Syrians have shared in common.

Given the Syrians' negative connotations about the West for the majority of their history the Western world was often stereotyped more as a promised land for *gestarbaiters* than any conceptual model of political arrangement to be mimicked. The brief overview of historical data illustrates the troubled relations.

From a distant past, the territory of present Syria was a battleground for the crusaders and Muslims. The monument of Saladin on the horse towering over the Old Town in Damascus testifies to the glories of the victory over Christian conquerors. In more recent history, the Syrians were left alone and betrayed unceremoniously by the West at least twice in the 20th century. For the first time it was after the fall of the Ottoman Empire – when the new world order was emerging in the wake of the First War; the second setback came with the current crisis.

Unlike in the case of the Central European peoples, such as Poles and Czechs, President Woodrow Wilson was less responsive to the calls for independence in the Middle East. Wilson abandoned Syrian aspirations to the logic of the treacherous Sykes-Picot agreement between the British and the French which partitioned the Levant into the zones of influence in red and blue shades on the map. What was worse the West violated the terms of Husayn – MacMahon correspondence in which the British High commissioner promised the recognition of the independent Arab kingdom under Sharif Husayn's Hashemite dynasty in exchange for the Arabs fighting assistance against the Turks (allied at the time with Germans). The Syrians helped to fight the Turks but promises were broken. The treaties signed over Syrians' heads during the war, such as the aforementioned Sykes-Picot Agreement and the Balfour Declaration, were quite unequivocal about the future of this area leaving Syrian nationalists in the cold.

Ironically, though the Syrians defended their rights smartly using President Wilson's own idealistic slogans from *The Fourteen Points* about 'new age of open diplomacy with open covenants of peace proceeded frankly and in the public view'²¹, their dramatic cries were left unanswered. The quote from the statement of the Syrian Congress gives a sample of frustrations: 'The fundamental principles laid down by President Wilson in condemnation of secret treaties impel us to protest most emphatically against any treaty that stipulates the partition of our Syrian country and against any private engagement aiming at the establishment of Zionism in the Southern part of Syria; therefore we ask for the complete annulment of these conventions and agreements'²².

For the Syrians it marked the culmination of disappointment and a good lesson of *realpolitik* while for the Americans it meant the loss of face as a reliable potential partner – reputation that they will never quite recover. Years later, in 1945, the Americans will repeat exactly the same mistake in Vietnam turning deaf ear to the nationalist Ho Chi Min's borrowing Jefferson's words from the *American Declaration of Independence* and proclaiming a Democratic Republic of Vietnam in the presence of American delegation: '*We hold these truths to be self-evident. That all men are created equal*'²³. Ho Chi Min, who originally looked for support from the US in the anti-colonial nationalist struggle against the French in Southern Asia, eventually, turned against them affiliating with the Communists and becoming a major source of woes for the American diplomacy. The 'Syrian scenario of 1919' will be repeated later with Fidel Castro after revolutionary Cuba looked in vain for US backing.

As to the French in the Middle East after WW I they persisted in ignoring further Syrian national demands which took the form of declaration of independence presented officially by the Syrian Central Congress in March of 1920. The declaration was based on the resolution delivered to the King-Crane Commission – which was set up by the Americans and whose recommendations supported Syrian efforts. The French refused also to recognise Sharif Husayn's son, Amir Faysal, as the king of Greater Syria encompassing territories of Palestine and Lebanon.

The final distribution of the Arab provinces took place in April 1920 at the conference of San Remo with the British annexing Iraq and Palestine and

²¹ Valone, S.J. ed. 1995. *Two centuries of US foreign policy. The documentary record*. Praeger, p. 56.

²² Roger, E. 2011. *The Arabs. A history*. London, p. 200.

²³ Shi, T. 1992. *America. A narrative history*. New York, p. 1305.

the French grasping Lebanon and Syria. The famous battle of Khan Maysalun in July 1920 in the mountain pass between Damascus and Beirut in which a few Syrian nationalists – evoking the spectre of heroic Greeks at Marathon – fought a lost battle for self-determination against the prevailing French cohorts. This gloomy moment in Syrian history turned into a day which sealed the fate and relegated the province to the servile status of the colony.

The Syrians felt let down by some of the allied victors of the Great War and, before the Second World War, Damascus saw twice its recurring struggle for freedom finishing in bloodbath – it was bombarded twice by the French forces with a significant loss of life on the Syrian side²⁴.

The colonial historical experience conditioned the perception of the West by subsequent generations of the Syrians. It fuelled the mistrust though civilisationally the elites cultivated the cultural heritage of former colonial exploiters – what has manifested itself in education and many snobbish habits.

The Syrians were navigating choppy waters of the Middle East politics after the Second World War looking for new allies and new opportunities. The flirt with pan-Arabism resulting in a confederation project with colonel Gamel Abdel Nasser's Egypt was short-lived; but the Russian option – as an alternative to the American – seemed attractive. The Syrians did not like American intimate bond with Israel and resented the interference in the region's politics manifested by Mossadeq affair – followed by the control of Iran till 1979 (interestingly, the Russians had grabbed a chunk of Iran long before during the Russo-Iranian wars of 1804–1813 and later in 1826–1828; in this way they acquired the Persian province of Azerbaijan which became eventually a republic of the Soviet Union).

B. The West betraying moderates in Syria

After missed chances of currying favours with the Syrians at the Paris Peace Conference after the First World War it seems that the second major blunder arrived eighty years later – at the beginning of the Syrian crisis in 2011.

The West made a mistake by hurrying too quickly into taking sides in the conflict. Instead of giving itself more time to consider all viewpoints and weigh possible scenarios it pinned its hopes on only one antagonist – the opposition thus undermining instruments of diplomatic manoeuvring. Unfortunately,

²⁴ Read The climax of European power (1914–1939). In: Hourani, A. 1992. *The history of the Arab peoples*. New York.

the Syrian opposition turned out to be less reliable as a partner – than it was originally predicated – bogging down the country in a prolonged crisis which devastated the country and pauperised society. At the same time West's whole long legacy of weaving delicate network of relations with Hafez Assad and with the current government in power was lost irreversibly.

The United States and the European Union rushed into creating the vision of the future based on the wrong assumptions. For it took the French diplomacy quite a long time to realise the errors of judgment and, most importantly, admit them explicitly. It is worth quoting at this point a comment from an interview with one anonymous functionary from Quai d'Orsay which appeared in *Le Figaro*: '*La diplomatie française a sous estimé le régime syrien parce qu'on a bien voulu le sous estimer. On ne devait pas être surpris par sa capacité de résistance... Le Conseil national syrien (CNS) est en perte de vitesse sur le terrain. Nous avons soutenu un cheval perdant*'²⁵.

By brandishing enunciations of support for one side of the conflict while unceremoniously condemning the other, the tools at the disposal of diplomacy were relegated to the backburners only petrifying the hostile camps.

At the same time the Western policymakers' serious error seemed to be to ignore the most important protagonist in the crisis – the 'silent majority' of average Syrians comprising roughly 60% of the society. It is a significant segment of the population embracing the middle class of businessmen, shopkeepers, farmers, religious minorities, women and children. In other word, this is an apolitical and non-sectarian group bonded by a commonsensical interest and, at the same time, encompassing the most vulnerable elements of society. They were neither supportive of the regime nor negative about the opposition – like in every war and armed conflict they were just casual bystanders caring only about surviving. And like in every war and every conflict it was this people who were affected the most and who bore the biggest burden of violence. What is most important, the cross section of this group unveiled its universalist profile extending beyond simple religious and ethnic affiliation. The western world should have reached across the ethnic barriers and tried to make the 'silent majority' an addressee of its policies – as a moderate and prevalent segment of Syrian society. Instead,

²⁵ Malbrunot, G. 2012. Syrie: un diplomate français met les pieds dans le plat. *Le Figaro* [Online] 29 February 2012. Available at: <http://blog.lefigaro.fr/malbrunot/2012/03/syrie-un-diplomate-francais-me.html>. (English translation: The French diplomacy underestimated the Syrian regime because we wanted to underestimate them. We would not have been forced now to be surprised by their capacity to resist... The Syrian National Council is losing support on the ground. We supported the losing horse).

the recognition was hastily extended to the Syrian National Council (SNC), the representation based outside the country and dominated by a group with clear religious tag of the Muslim Brotherhood – reinforcing only the perception of the sectarian character of the crisis.

In this way the West squandered the occasion to win a potential loyal ally and lost the most valuable future asset installed inside Syria. The Western/American belief in controlling the Muslim Brotherhood and moderating more radical Salafis was delusional. The choice for attributing so much authority to them was startling remembering that there existed at least six distinctive ideological camps in Syria which left room for manoeuvre and alternatives. Picking up an ally from each camp and creating a conglomerate of forces swearing allegiance to progressive ideas of secular state was a better option. It would have prepared the groups for the adoption of ideas of fair governance and political pluralism – conditions for assistance from the West. Instead, the recognition was thrown behind the group dominated in two-thirds by the Muslim Brotherhood.

The refurbishment of the Syrian National Council in November 2012 and renaming it into the Syrian National Coalition for Syrian Revolutionary and Opposition Forces did not change the situation substantially. The New National Coalition's 27 of 65 seats were still controlled by the Muslim Brotherhood and the new organ was headed by Ahmed Mouaz al-Khatib, former Imam of the Umayyad Mosque in Damascus, known for his anti-Semitic and anti-Western remarks. He is also quoted as an admirer of the Qatar-based Muslim Brotherhood preacher Sheikh Yusuf al-Qaradawi²⁶ and remains ideologically attached to Islamism of the Brotherhood's Damascene branch – associated with Issam al-Attar, a former spiritual guide of the Muslim Brotherhood in Syria²⁷.

It is worth mentioning that the National Syrian Coalition includes also other Islamists, domineering thus the opposition body slated by the West as the representation of the reform forces of future Syria. By supporting the organ identified with one option the West squandered an occasion to create a truly pluralist representation composed of the moderates without religious affiliations – at least at the head of the organisation. With all due

²⁶ Rubin, B. Proof of a scandal: U.S. policy is making Syria into an anti-Western, anti-Semitic Islamist State. [Online] Available at: <http://www.gloria-center.org/2012/12/proof-of-a-scandal-u-s-policy-is-making-syria-into-an-anti-western-antisemitic-islamist-state/>

²⁷ *Ahmad Mouaz al-Khatib al-Hasan*. [Online] Available at: <http://carnegie-mec.org/publications/?fa=50017>

respect to the figure of Damascus Imam the question arose why, having so many alternatives from amongst the secular silent majority, the West put its trust in the religious cleric from the Damascus Mosque affiliated with the Islamic movement. Appointing the imam as head and spokesperson of the revolution would have been like placing a priest at the helm of the Polish solidarity revolution, in which the Catholic Church was heavily involved. If it had happened it would have probably affected the credibility of the movement. The activities of the Muslim Brotherhood in Egypt provoked the question about the organisation's 'hidden agenda' and real intentions.

Another big blunder of the West was channelling arms to groups dominated by Islamists – some of them very shadowy. Upon closer inspection it seemed that their main source of legitimacy qualifying for the cash flows was manifesting open opposition to the Assad government. Though the Free Syrian Army was nominally anti-sectarian and proclaiming to fight in the name of freedom, in fact, it was backed by Islamic forces. The new joint military council formed by the fighters in Antalya at the end of 2012, which led the battle for Syria, reflected exactly the same logic of lopsided composition as the Syrian National Council in the past and Syrian National Coalition nowadays. The Muslim Brotherhood and other Islamic forces account for two-thirds of 263-member military body overseen by US and Turkish advisers and financed with Saudis and Qatari money. Though the frontman for the military council was reputed to be a moderate – his deputies, Abdel-basset Tawil of Idleb and Abdel-Qader Saleh of Aleppo Governorate – were linked to the Salafi movement.

Another mayor deficiency in the Western strategy towards the Syrian opposition was the absence of a clear set of conditions under which the aid could be transferred – at least such terms were not revealed to the public. The Syrian opposition as a beneficiary of the patronage benefits should have presented in unambiguous words the contour of the future political social and economic arrangement. Taking their public statements about freedom at face value was a naiveté – the history of former allies turning their weapons against former sponsors should have served as a warning. A formal document – something like a 'memorandum of understanding' – should have been outlined as a road map plan for Syria. Any help should be conditioned on the honest reporting of how the situation develops, on delivering on the promises and implementing all terms of such an agreement. The opposition – whether its civilian government or the military arm – should be morally and politically obligated to respect the preliminary arrangements and only upon acceptance of the strings attached, the world should sponsor the fighters inside the country and their representation abroad as government-in-exile.

The current system of security guarantees for ‘after the crisis’ is vague and the clandestine deals between the Western intelligence organisations and all sorts of locally operating groups within Syria may bring further destabilisation into the region. The channels of communication remain shadowed from the public and provoke legitimate questions about the future security implications. Keeping in mind that the opposition is led by Islamists – regardless of their specific affiliation – one may wonder what will be the end effect of such an approach. Exactly such a clumsy strategy and the absence of strong security and control mechanisms contributed to the loophole which conceptually trapped Americans in Afghanistan and helped to create a breeding ground for the emergence of the Taliban forces. In this case, the American intelligence services, in the most expensive covert operation in the history of the CIA called ‘Cyclone’, channelled weapons and money with the assistance of Pakistan only to wake up in the face of the ‘beast’, well armed and with honed military skills, which turned the weapons against its former patron after the elimination of the short-term Russian obstacle. The famous photo of the CIA chief William Casey passing Stinger missiles to the mujahideen on the Afghan-Palestinian border via Pakistani Inter-Services Intelligence took later a symbolic meaning – after their former protégés had facilitated successful terrorist operations against US interests around the world and... set in motion events that led to 9/11.

The transparency issue is becoming an urgent matter especially now in the critical moment of Islamic terrorists regrouping and rebranding activities. The lack of thereof may result in the sinister entrapment to be regretted for many years to come. The current trend among jihad groups point to the tendency of giving up on a unique name (such as for example al Qaeda) and unified command and adopting, increasingly, different names in different geographical locations. The old world of unipolar jihadism is being thus replaced by the fragmented multipolar jihadosphere composed of many separate groups but unified by the same ideology. What connects all those organisations is the same Arabic name *ansar al Sharia* (supporter of Islamic law) and unbridled enthusiasm for the adopted cause (*dawa*) of manifesting missionary zeal and imposing ‘happiness’ on people in the form of religious regime. The trend started in Yemen, when al Qaeda in the Arabian Peninsula (AQAP), al Qaeda’s branch, set up the front group Ansar al-Sharia in Yemen in April 2011²⁸ and continued with the emergence of sister organisations

²⁸ Aron Y.Z. 2012. Know your Ansar al-Sharia. *The Washington Institute for the Near East Policy*. [Online] 21 December 2012. Available at: <http://www.washingtoninstitute.org/policy-analysis/view/know-your-ansar-al-sharia>

around the Middle East and in Africa (in Libya, in Tunisia, in Morocco and Egypt). The additional boost to this process came in the form of a special ‘blessing’ from famous jihadi ideologue Shaykh Abu al-Mundhir al-Shinqiti.

Unfortunately, the terrorist groups linked to Al Qaeda have penetrated into Syria making the transfer of weapons to this country possible. The group Jabhat al-Nusra, presented as the most fearsome Syrian rebel fighting force, is the prime driver behind coordinating jihadist actions there and sends a warning signal about the directions the West-sponsored revolution might be taking if not properly supervised²⁹. It is symptomatic of a major potential problem awaiting Syria after the crisis. The reply of one of its leaders to the question about designating the organisation as terrorist by Obama’s government should be heeded with attention: ‘It’s not a problem... We know the West and its oppressive ways. We know the oppression of the [U.N.] Security Council, the lies of the international community. It’s not news. This means nothing to us’³⁰.

Keeping in mind the assumed long-term strategy of al-Qaeda and its local affiliates, and assuming those activities are coordinated between different groups, the presence of this terrorist group in Syria is ominous. The developments in northern Mali as of January 2013 – being a consequence of the successful entrenchment of Al Qaeda in the Islamic Maghreb which copied *modus operandi* of Al Qaeda in Mesopotamia under the leadership of Abu Musab al-Zarqawi – should serve as a lesson³¹. Jabhat al-Nusra followed in the footsteps emerging as another nightmare of the West.

The absence of a balanced and creative approach on the ground was reflected in the West’s wishful thinking and futile speculations based on oversimplifications. The text which appeared in 2013 on the website of the American think tank ‘Council on Foreign Relations’ and on the opinion pages of the *New York Times* disclosed such a tendency. It was tangible evidence

²⁹ Jabhat al-Nusra military successes are transforming it into Syria’s main rebel force. *War News Updates* [Online] 12 January 2012. Available at: <http://warnewsupdates.blogspot.com/2013/01/jabhat-al-nusra-success-is-transforming.html>

³⁰ The interview with an official of *Jabhat al-Nusra*, Syria’s Islamist militia group. *Time* [Online] 25 December 2012. Available at: <http://world.time.com/2012/12/25/interview-with-a-newly-designated-syrias-jabhat-al-nusra/>

³¹ Al Qaeda in the Islamic Maghreb, led by university mathematics graduate Abdelmalek Droukhal, fought Algeria’s secular government in the 1990s. It changed the name from the Salafist Group for Preaching and Combat to Al Qaeda in the Islamic Maghreb in 2007. Read more in Al Qaeda in the Islamic Maghreb. *The New York Times* [Online] 17 January 2013. Available at: http://topics.nytimes.com/topics/reference/timestopics/organisations/a/al_qaeda_in_the_islamic_maghreb/index.html

of (well-intentioned) strategic thinking based on old axioms of the American diplomacy (being part of the imperial mindset) and archaic perception of the world rooted in the past experience – completely detached from the realities on the ground (the scenario repeated despite the Vietnam, Iraqi and Afghanistan experience which turned out to be the longest US conflict in history – 15 year-long).

C. Foreign nations' proxy war in Syria

The foreign involvement in the Syrian crisis is the most dramatic dimension of the conflict. The conflict deteriorated fast in 2011 not so much out of its own internal impetus but because of the outside interference³². Everything started with precocious side-taking when American ambassador – Robert Ford and the French ambassador – Chevalier openly condemned the government in Damascus. The articulated support for opposition forces and its military branch of the Free Syrian Army, no doubt, have contributed to the escalation of the conflict informed by the proxy war logic. On one side the United States aligned with Jordan, Saudi Arabia, Turkey and Qatar while on the other the Shiite-ruled neighbours of Iran and Iraq meddled in the fray sending Hezbollah fighters and Iraqi militiamen to Assad's rescue. It was a critical point when the situation worsened adding the strong religious undertones to the political rivalry. Syria became the playground for the old regional rivalry between Shiite Iran and Sunni Saudi Arabia – pivotal states in the struggle for regional hegemony. The command headquarters for the operation were established in Istanbul under the guidance of Qatari operative embedded in border the town of Adana which previously armed rebels in Libya (and toppled Gaddafi). At the beginning things looked easy for the opposition and the financing of rebel fighters in Syria went smoothly. But calculations were misplaced and the popular support for Assad in Damascus allowed him to survive. This was the moment when the unity in Western coalition camp frayed. The Saudis and the Turks started to finance Muslim fighters of all colours – officially they were moderate and more effective – although money ended up in radical Muslims' stash arms as it turned out. The situation spiralled out of control making the United States force Saudi Arabia to replace Prince Bandar bin Sultan as the head of Saudi intelligence with

³² Foreign nations' proxy war in Syria creates chaos. *The Washington Post* [Online] 2 October 2014. Available at: http://www.washingtonpost.com/opinions/david-ignatius-foreign-nations-proxy-war-creates-syrian-chaos/2014/10/02/061fb50c-4a7a-11e4-a046-120a8a855cca_story.html [Accessed: 5 October 2014].

more transparent Interior Minister Mohammed bin Nayef. But the damage had already been done. The conflict escalated and the weapons proliferated. In this way, the western coalition unconsciously helped to create favourable conditions for the Islamic State. The Turks undertook even the oil trade with the IS allowing intermediaries to transport cheap oil trucks over border – everything with intention to finance fighters in Syria. At the same time the Turkish priorities slightly changed from fighting Assad's government to destroying Kurdish resistance on the Syrian-Turkish border. The unwelcome spill-over effect, like in the case of Afghanistan in the past, was once again a result of strategic intentions disengaged from a thorough intellectual analysis.

D. The Russian factor – the sources of Russian conduct towards Syria

The Russian strategy towards Syria, which stands in stark contrast to the Western policy, does not come as a surprise. Its approach is another disclosure of the old instinctive distrust of the West manifested so many times before in history. George Kennan, when posted in Moscow as a diplomat, encapsulated well this psychological streak in Russian thinking about the world outside when writing his famous *Long Telegram*. In what turned later into the analytical essay *The Sources of the Soviet Conduct* and published in *Foreign Affairs* in 1947 Kennan wrote: 'At the bottom of Kremlin's neurotic view of world affairs is traditional and instinctive Russian sense of insecurity. Originally, it was insecurity of a peaceful agricultural people trying to live on vast exposed plain in neighbourhood of fierce nomadic peoples. To this was added, as Russia came into contact with economically advanced West, fear of more competent, more powerful, more highly organised societies in that area. But this latter type of insecurity was one which afflicted rather Russian rulers than Russian people'.

The fear of nomadic threat embraced such purges as the Mongol invasions while the fear of the West was manifested after the Polish occupation of Moscow in the wake of the successful battle of Kluszyń of 1610 where the Russian tsar Vasil Shujski was unable to stop systemic deterioration of the Russian principedom.

Psychologically, the Russians do not think about Syria in terms of freedom, human rights and political pluralism which were now openly declared by insurgents (those looking for Western backing) as the goal of the uprising and promoted in the Western mass media as justification for the support for them.

Those values are irrelevant for the Russians and historically foreign to their cannon of values. The Russians think in traditional geopolitical way seeing in the Western engagement a plan to impose the control on an insubordinate country, which from the beginning of Assad family's rule, gravitated to the Russian-controlled sphere of interest. In other words, the Russians do not conceptualise the crisis in terms of the 'humanitarian intervention doctrine' (R2P – responsibility to protect) which is a Western invention, but perceive the region in the spirit of 'the Sykes-Picot agreement' which almost one hundred years ago saw the West secretly dividing the region into zones of interest betraying Arab indigenous aspirations. What is more, the Russians believe that the West is implementing this clandestine stratagem to extend influence into Syria exactly to vitiate the Russian influence in the area traditionally bonded to them. Measuring up against the actions of others by their principles of *realpolitik* they view world politics – to quote from Hans Morgenthau's *Politics among Nations* – as the realisation of 'national interests perceived in terms of power'. This comes natural to the Russians whose code of norms in foreign policy is not embedded in any system of values (liberalism, individualism and 'enlightened altruistic interest') but based on the terms of a zero-sum game.

The other reasons behind Russian idiosyncrasies are economic and strategic. The monopoly on relations with ostracised Syria is simply a very good **economic business**, given the violations of sanctions, and creates promising business perspectives for the future trade relations – after Syria enters the stage of post-war reconstruction and development. Sentiments apart, the war is always a good business for sanctions breakers hence the intense contacts between Moscow and Damascus in military, trade and financial domains. It is reported that Damascus is sending its staple products such as vegetables and fruit abroad through Russian operated port of Tartus and buying wheat from them. Some sources suggest the illicit trade is also going in sanctioned oil and other products. In addition, the Russian banks such as VTB, Vneshekonombank, and Gazprombank are actively bankrolling the Assad government despite the Western financial institutions cutting ties with the government in Damascus³³.

The filling in of vacuum by Russians and Iranians' helping hands in forlorn Syria is documented by some circumstantial evidence and provides, to

³³ Peel, M. 2012. Syria and Russia's 'special relationship'. *Financial Times* [Online] 9 July 2012. Available at: <http://www.ft.com/intl/cms/s/0/e64a3076-c9b2-11e1-a5e2-00144feabdc0.html#axzz2IWcINLjh>

some extent, an explanation behind Assad regime's long stay in power despite foreign and domestic pressures. The military contracts form a significant chunk of the Syrian cake to be grabbed. According to the analytical reports from *Oxford Analytica* the Russian military transactions in 2010 accounted for 6% of the total Russian arms exports and 5 percent of Russia's global arms sales in 2011 while the outstanding accounts show about 4 billion worth of contracts for future military deliveries – as of 2012³⁴. Though the numbers are not mind-boggling the statistics speak for themselves and reveal hard facts behind Russian calculations. In addition, given Russian savings in military spending in certain areas and the tightening arms trade market due to growing international competition the Syrian crisis becomes a golden opportunity to cash quick money from the pinched Syrians and secure employment and smooth operation for its industrial-military complex³⁵. The Russians also make up for the losses incurred in the wake of the Western sponsored sanctions against Iran and Libya which were reputed to cost Russia respectively about 13 billion and 4.5 billion dollars in lost arm deals contracts. In addition to lucrative arms deals, Russian companies also invested roughly 20 billion dollars in various projects including energy sector investments – comprising a gas production facility and pipelines.

More important for Russia's involvement in the crisis are **strategic** motives. After the disintegration of the Soviet zone of influence during the decade of Yeltsin at the helms of the state and arrival – according to Charles Krauthammer – of the so-called 'unipolar moment' in history³⁶, the Russians under Putin's regime undertook an elaborate task of rebuilding old

³⁴ O'Toole, J. 2012. Billions at stake as Russia backs Syria. *CNN* [Online] 10 February 2012. Available at: http://money.cnn.com/2012/02/09/news/international/russia_syria/index.htm. Also read Paraszczuk, J. 2012 Russia supplying arms to Syria under old contracts. *The Jerusalem Post* [Online] 26 November 2012. Available at: <http://www.jpost.com/International/Article.aspx?id=293520>

³⁵ Syria is reported to be well furnished with Russian-made military stuff – though details show unconvincing record in the field of military-technological cooperation. Syria obtained over time – assisted by Russian technological back-up – up-to-date weaponry which include rockets S-300 (mobile anti-aircraft missile system – the delivery of which has recently been halted), MiG-29 SMT plane fighters, four MIG 31E fighter planes (eventually contract cancelled after protests from Israel), Pantsir S1E air-defense systems, Iskander tactical missile systems, Yak-130 aircraft, Amur-1650 submarines.

³⁶ Krauthammer, Ch. The unipolar world. *Foreign Affairs* [Online] vol. 70, no. 1. Available at: http://www.comunicazione.uniroma1.it/materiali/14.34.27_Charles%20Krauthammer%20The%20UnipolarMoment.pdf

strategic outposts in the world. One of the lost assets was influence in the Middle East region. They still think of old grandness, cherish old imperialist sentimentalism and will not let pass any occasion to restore old outposts – ethically questionable means are welcome.

Since Russia has never judged political decisions by ethical standards (and wholly alien was to them the concept of ‘ethical foreign policy’ introduced to the diplomatic lexicon by British Foreign Secretary Robin Cook in 1997 – and nicknamed quickly ‘Cook’s ethical bombshell’ by broadsheet newspapers³⁷) the opportunity to support Damascus is viewed by them merely in strategic terms. Practically, the port of Tartus does not represent any impressive prize for the Russian Navy, consisting only of a few floating moorings, warehouses and decrepit barracks (similarly to the port of Latakia). What really counts is a symbolism of bringing ‘boots’ to the coast of the Mediterranean Sea which have been a coveted prize for them since immemorial times (efforts to obtain control over Bosphorus and Dardanelle date back to the 19th century).

The Russian new military and security doctrine – outlined by Russian decision makers in recent years – only facilitates institutional conditions for recreations of a system of client states in, to use Kennan’s words, ‘geographically shifting points’ in order to reposition itself while building a new international security system and exert pressure on the West. The new 2010 military doctrine (‘Military Doctrine of The Russian Federation Until 2020’), which replaced the one from the year 2000, designated NATO as a source of potential military danger and redefined terms of nuclear deterrence (by not ruling out the option of preventive nuclear strikes in situations vital to Russian national security, even in small-scale, local wars like that in Georgia in 2008³⁸). This is exactly the approach George Kennan had in mind seventy years earlier when dissecting Russian mentality³⁹. Various international and regional arrangements under Russian auspices serve this purpose, such as

³⁷ Wheeler, N. J., Dunne, T. *Moral Britannia? Evaluating the ethical dimension in Labour’s foreign policy*. The Foreign Policy Centre. Available at: http://www.kms1.isn.ethz.ch/serviceengine/Files/ISN/.../Moral_Britannia.pdf. Also read Labor conference: ethical foreign policy and wars. *BBC*. [Online] Available at: <http://www.bbc.co.uk/news/uk-politics-19784597>

³⁸ Tsyarkin, M. 2010. What’s new in Russia’s new military doctrine? *Radio Free Europe* [Online] 27 February 2010. Available at: http://www.rferl.org/content/Whats_New_In_Russias_New_Military_Doctrine/1970150.html

³⁹ ‘Advancing democracy abroad through iron and blood doesn’t work...Russia opposes Western influence... or ... puts a stick in the spokes of Western-initiated projects not out of spite, but because advancing democracy through iron and blood just does not work’. Quote from *Lavrov: ‘West’s policy of iron and blood doesn’t work’*. [Online]

the Collective Security Treaty Organisation (CSTO), the Commonwealth of Independent States (CIS), the Eurasian Union which form a geopolitical net of concentrated circles on the map – all this to re-establish the Soviet style sphere of influence⁴⁰.

D. ‘Syrian experience’ – was George Kennan wrong or right
– is the ‘Kremlin’s neurotic view’ of the West justified?

Putting the tradition of Russian foreign policy in a sharp focus one can conclude that many features fuelling neurotic suspicions of the West were not totally unfounded. The aforementioned ‘Sykes-Picot agreement’ is one of the examples of power politics where the pursuit of strategic gain replaced the moral considerations of Western policymakers. In this case the aspirations of Arab peoples were sacrificed at the altar of big politics inevitability. The Bolshevik government, not out of magnanimity but driven by the desire to affect the image of Tsarist government, revealed the evil nature of secret arrangements (such as the Sykes-Picot document) in order to disclose the Western politicians’ duplicity.

Another act of the play was the ‘Yalta agreement’ – whereby the allies in Eastern Europe were ‘sold out’ – following Stalin’s ‘divide and rule’ logic in which the Western powers acquiesced. The event petrified a great powers pattern of behaviour sealing the fate of subjugated peoples for the whole Cold War period.

With the expiration of the Soviet Union in December of 1991, the old world habits in the international politics did not disappear but were replaced by other more subtle ways of gaining influence. The new trend took the appearance of dignified moralisation under the cloak of various concepts such as ‘unilateral interventionism’, ‘doctrine of human rights’, ‘humanitarian intervention’ or the most in vogue now – ‘responsibility to protect (R2P)’⁴¹.

The NATO’s armed intervention against Serbia in 1999, over loud protests from the Russians and the Chinese and without a UN Security Council resolution (so in violation of the existing regime of international law laid

24 December 2012. Available at: <http://www.americanoverkill.com/lavrov-wests-policy-of-iron-and-blood-doesnt-work/>

⁴⁰ Pyrkalo, S. 2012. *Customs union, Kazakhstan and Belarus is first success in CIS, Says EBRD*. European Bank for Reconstruction and Development. [Online] 7 November 2012. Available at: <http://www.ebrd.com/pages/news/press/2012/121107a.shtml>

⁴¹ Bajoria, J. *The dilemma of humanitarian intervention*. Available at: <http://www.cfr.org/human-rights/dilemma-humanitarian-intervention/p16524>

out by article VI and VII of the UN Charter), fuelled the theory of West's ulterior motivation. The support for the Kosovars' secession alerted Russia and was interpreted not as a humanitarian solution, but as part of encircling ploy to undermine their influence in the Balkans (the accidental bombing of the Chinese embassy did not help to ease fears).

Also, the recent examples of blatantly broad interpretation of the resolutions adopted by the United Nations Security Council in the case of the Iraq and Libya crisis and their subsequent direct violations (according to the Russian and French position) only hardened the Russian neurotic perception of Western intentions. For them that Western phraseology amounted to creative devices to justify 'postmodern expansionism' behind the veil of altruism. Judging by its own foreign policy standards, it did not matter much whether interventionism was interpreted in terms of 'right to intervene', 'responsibility to protect' or 'peace enforcement & building'. Strictly, from the legal (not moral) point of view, their arguments were not baseless.

This was the case, for instance, of famous resolution 1441 adopted unanimously in November 2002⁴². The vague language of resolution 1441 – calling for 'serious consequences' in case of Iraqi non-compliance with disarmament obligations – was treated with suspicion from the beginning by the Russians, Chinese and French. It was viewed as purposefully ambiguous to offer a pretext for launching military intervention⁴³. As it turned out later, the distrust turned out justified after the Americans alongside with the British, despite prior vehement denials of the existence of any 'hidden automatic triggers' inside the text, employed skilful *exegesis* (exceeding the commonplace interpretation of the language) to warrant an open attack (based on the sexed-up evidence about WMD in the first instance).

Similar misgivings on the part of the Russians (the Russians and Chinese abstained) accompanied the vote in the UN Security Council on resolution 1973 adopted in March 2011 in the context of the Libyan crisis⁴⁴. The resolution allowed merely for establishing a 'no-fly zone' and for the use of 'all means necessary short of foreign occupation to protect civilians'. Again, also in this case, the broad exegesis of the 'innocent language' of the resolution

⁴² *UN Resolution 1441*. Available at: <http://www.un.org/depts/unmovic/new/documents/resolutions/s-res-1441.pdf>

⁴³ As The Iraq Survey Group report confirmed in the US in the aftermath of the war (and similar commission in Great Britain), the evidence material on WMD was intentionally 'sexed up' to serve the political purposes.

⁴⁴ Libya UN Resolution 1973: text analysed. *BBC* [Online] 18 March 2011. Available at: <http://www.bbc.co.uk/news/world-africa-12782972>

went beyond understanding of some agreeing parties (or abstaining parties like the Russians). Special forces from Great Britain, France, Italy and other allied countries intervened on the ground raising Russian objections as to the legality of the operation and a possible breach of the resolutions' spirit. From Russian perspective, all this verbal sophistication was redundant since it merely hid ulterior motives of traditional power politics disguised in the idealist verbalisation of humanitarianism⁴⁵. The overbroad interpretation of the legal documents set also dangerous precedent for relativising international law – as a result the Russians mimicked the West's behaviour intervening in Georgia's provinces of Northern Ossetia and Abkhazia.

The critical look on the above-mentioned resolutions in the context of the Syrian conflict allows to contextualise slightly differently the Russian international perspective on the crisis and, to some extent, understand the obstinacy of Moscow on Syria during the votes in the UN Security Council. Given the Russian tradition of foreign policy-making – based on the tenets of a realistic paradigm and in the absence of any even remote idealist background – along with the ambiguous record of the Western powers' 'unprincipled' behaviour outlined above, one should not expect any radical face-about in Kremlin's declared strategy in near future.

IV. CONCLUSION

The above analysis leads to several conclusions:

1. The 'pact on Syria' with the opposition should be signed first

The assistance offered to the Syrian opposition should not be unconditional. Any help should have been preceded by the 'sworn promise' to implement the system of governance based on universally tested, secular principles which lay groundwork for the future government. Those non-negotiable, 'technical' principles include: the rule of law – not of men, judicial review, separation of powers and (considering multiethnic character of the Syrian state with the Kurdish factor) federalism.

Those ideas have been already tested around the world and fit best the multiethnic and multisectarian societies. There is no other political solution

⁴⁵ Goodman, R. *Humanitarian intervention and pretexts for war*. Available at: <http://www.law.harvard.edu/faculty/rgoodman/pdfs/RGoodmanHumanitarianInterventionPretextsforWar.pdf>

which can make people confident apart from those commonsensical and practical arrangements. Past experiments with building states on religious or non-religious ideologies of different kinds did not work appearing oppressive and very costly either in socialist societies or theocratic regimes. Only under such terms the true ‘majority of Syrians’, including the ‘silent majority’, will back up efforts for reforms and a real change in the war-torn country.

Whether one calls this set of operational principles: liberal democracy, Islamic democracy Syrian style or Syrian democracy does not matter – what matters is the substance of the pursued politico-economic model.

In the case of Israel, for example, political scientists commonly associate the term ‘ethnic democracy’ to describe the existing political regime. Being a political system with many imperfections and deficiencies, it is still rooted in the Western tradition guarantying basic rights to people and allowing the peaceful rotation of political groups at the helms of the government through free elections. Israel is held responsible for oppressing the Palestinians but, at the same time, it provides the administrative framework for fair judicial litigation (domestic and abroad), for allowing political representation in the parliament and for religious freedom. It creates thus a hope for eventual peaceful settlement of the Israeli-Palestinian conflict.

Any other model of governance would not permit such favourable conditions. Although it, like the Arab countries, faces the problem of religious fundamentalism (with the *Haredi* Jews questioning even the basic right of the state of Israel to exist) the existing system of universally recognised principles allows Israel to function smoothly as the only democracy (or ‘ethnic democracy’) in the Middle East capable of providing the majority of people with economic well-being and political instrumentality.

The West should support only those forces which openly favour political model of, like in the case of Poland, ‘friendly separation between the state and the church’ (the French developed the system of so-called ‘strict separation between the state and the church’) Any attempt of blending religion into the institutions of the state should be nipped in the bud as sectarian aberration place Syria on the path of the assured conflict which eventually, to recall Norman Podhoretz’s slogan, would guide the state to ‘religious fascism’ which would backfire in the future in a way the Munich Agreement did before WWII.

2. Moral revolution should be encouraged

The successful transformation in Syria and other Arab countries is an uncertain outcome. Like in the case of the Polish solidarity revolution, which preceded the economic and political transformation in Poland, without ethical *katharsis* the propensity for corruption and lack of transparency would not have been eradicated. Only self-cleansing and rising ethical awareness might help in building civil society. The improvements in international ranking on the corruption and transparency in Poland are the crowning argument on behalf of efforts aimed at moral embetterment as a condition *sine qua non* accompanying the construction of a well functioning state.

Without ethical changeover in Syrian mentality (and in other Arab spring countries) the overthrow of President Assad's government will only see the replacement of one corrupted group by another.

3. Assad regime should be engaged

Ostracism of Assad's government and explicit support lavished on the opposition was an error. The Assad's government should have been engaged and pushed for the reform from the beginning. General Jaruzelski's regime was also obstinate and repressive but changed over time. Helping the unprepared and disintegrated opposition resulted in the bloodbath and senselessly multiplied civil victims exposed to the military revenges. Encouragement for the uprising in Syria provoked the situation of putting civilians against tanks and planes. Ironically support came from the former colonial power of France which persecuted Syrians only eighty years ago and from Turkey which was always in constant dispute with Syria over territorial delimitation and water. It only legitimised the violence which eventually spiralled out of control. Applying the scenario in Syria to the Polish revolution one might wonder what would have happened if the West had armed Polish opposition for the armed confrontation.

There is no doubt that the response of General Jaruzalski's regime would have been a violent retaliation (assisted with potential Soviet intervention) and the country would have got stuck in the protracted bloody civil war – considering Polish character and martyrdom proclivities. The events in Budapest in 1956 and in Czechoslovakia in 1968 laid bare the resilient and ruthless nature of the dictatorships which have no scruples to mercilessly decimate enemies of the system. The Western world protested (it even encouraged freedom fighters in Budapest through the broadcasts on the waves of the Radio Free Europe)⁴⁶ but

⁴⁶ Read: The upheavals of 1956: Hungary. In: Crampton, R.J. 2003. *Eastern Europe in the twentieth century – and after*. Routledge, 2003, pp. 288–303.

did nothing, or almost nothing, to practically help prolong the hopeless upheaval as if suspecting tragic consequences of this act. This attitude saved civilian lives allowing the majority of Hungarians to live relatively peaceful lives (for forty five years) under communist oppression waiting patiently for the political solution to appear at the right historical moment (Hegel's idea comes to mind again).

In the Polish case, the introduction of the martial law in December 1981 resulted in very few victims (still over one hundred people died) only because there was no national rebellion led by irresponsible anticommunists. In places where the resistance took place (like the protests at the Wujek Coal Mine) the regime fired back at people. The peaceful transition through the martial law period was a result of self-limitation by the opposition, European political tradition, moral self-reflection, influence of the church authorities (which called for moral crusading and not for the armed revenges). Also well developed political consciousness, respect for human life embedded in the tradition and the mitigating approach of the Western countries played a role.

Unfortunately, the Syrian crisis has proceeded according to a completely different scenario. Though one has to take into account the changed geopolitical circumstances, in comparison to situation in Poland thirty years ago under the conditions of Cold War bipolarity, still the Western approach surprises with its inordinate proclivity to arm the Syrians. The cornered regime fights back well aware that, in the culture of the Middle Eastern region, one cannot count on mercy if defeated. The West, knowing this mentality, and still sending arms, to some extent, is contributing to more violence for civilians trapped in the conflict.

Given the poor record of human rights and little respect for the value of human life in the Middle East tradition, in comparison to the Western world, the conditions created in Syria by the world could not be more unwelcome. The reports circulated in the Western media calling for referral of the Syrian crisis to the International Criminal Court (ICC) and bringing President Assad before justice – prepared for him allegedly in the Hague – only throw more wood into the fire⁴⁷.

The existing situation provokes several questions. If the justice be always done, like the human rights activist see it in Western world, why was General Jaruzelski spared in the Hague and engaged as a reliable partner for the

⁴⁷ Russia against Hague trial for Syria. *Rianovosti* [Online] 15 January 2013. Available at: <http://en.ria.ru/world/20130115/178794483.html>; Albright, M., Muasher, M. 2011. Assad deserves a swift trip to The Hague. *The Financial Times* [Online] 28 June 2011. Available at: <http://www.ft.com/intl/cms/s/0/e591a260-a1bb-11e0-b9f9-00144feabdc0.html#axzz2IWcINLjh>

West instead? He also maintained the corrupted regime propped up by force, jailed the opposition leaders while the regime condoned the killing of several activists in Poland. He agreed to reforms only after the complete economic bankruptcy of Poland when longer staying in power would have created only more problems than benefits (this is also the case of the Soviet Union)

Also, why was Werhner von Braun – Hitler’s henchman, member of Allgemeine SS and creator of rocket technology V2 which killed thousands of civilians in London – never put on trial? Instead he was rewarded with many privileges and employed by the United States’ government after the war to supervise the moon exploration program (developed Saturn 5 booster rocket).

The Syrian crisis is a collective failure of the Syrian leaders and international community. The demolition of Syria was chosen by big powers over diplomatic resolution of the conflict and national reconciliation. It happened so because the conflict is taking place in the Middle East, in other words, in the part of the world considered inferior by Western decision-makers. This situation revealed the double-standards to the extent that the West would have never armed and encouraged fighting of the Flanders against the Walloons or the Basque against the French (similarly to not sending weapons to the Poles against the Russians in 1981, and to the Hungarians against the Soviets in 1956) fearing the resultant disruptive consequences for the Euroatlantic zone.

In this aspect, the current approach of the Western world towards Syria, with total disregard for human life in the Levant, can be considered racist, discriminatory and irresponsible.

REFERENCES

- Arendt, H. 1987. *On Revolution*. Penguin Books.
- Batatu, H, 1999. *Syria’s peasantry, the descendants of its lesser rural notables, and their politics*. Princeton University Press.
- Crampton, R.J. 2003. *Eastern Europe in the twentieth century – and after*. Routledge.
- Reese, E. 2014. *Inside Syria: The backstory of their civil war and what the world can expect*. New York.
- Halliday, F. 2005. *100 Myths*.
- Hembree, F. 1993. *The French Revolution*.
- Hourani, A. 1992. *The history of the Arab peoples*. New York.
- Krauthammer, Ch. *The unipolar world*. *Foreign Affairs*, vol. 70, no. 1.

- Lewis, B. 2003. *The crisis of Islam. Holy war and unholy terror*. London.
- Redhead, B. ed. 1995. *Plato to NATO. Studies in political thought*. London.
- Roger, E. 2011. *The Arabs. A history*. London.
- Seale, P. 1989. *Assad: the struggle for the Middle East*. University of California Press.
- Weber, M. 1993. *Protestant ethics and the spirit of capitalism*. New York: Routledge.
- Valone, S.J. 1995. ed. *Two centuries of US foreign policy. The documentary record*. Praeger.
- Van Dam, N. 2011. *The struggle for power in Syria: politics and society under Assad and the Ba'th Party*. I.B. Tauris.

ON REVOLUTION 2015 – ARAB REVOLUTIONS REVISITED

Summary

The article critically examines the general features of the so-called Arab revolutions which began several years ago in the MENA region leaving vast areas unravelled. The author attempts to understand why the region has never had any luck with the peaceful solutions by dissecting external factors as well as internal sources. By looking into the transition failures of societies in turmoil such as Egypt, Tunisia, Libya and Syria more generalised observations are attempted with view of identifying crucial obstacles inhibiting the progress of peace initiatives. In the process, the author recreates the images of past revolutions in the world in order to find universal similarities and differences. It leads him to the need of underlying the role of ethical standards in politics and everyday life of societies as one of the key factors which was indispensable in the successful state-building by referencing to the reform experience in Eastern Europe between 1989–1991. Also, the distrust of the Arabs towards the West is explored in the framework of a geopolitical and historical analysis which recalls the past blunders of Western powers and explains why manoeuvres of Russians win today sympathy with regional players such as Syria or Iran.

REWOLUCJA 2015 – POWRÓT DO ARABSKICH REWOLUCJI

Streszczenie

Artykuł opisuje główne przyczyny sprawcze fali rewolucji, która ogarnęła kraje arabskie Bliskiego Wschodu, analizując fiasko transformacji poprzez odniesienie się do zewnętrznych i wewnętrznych źródeł konfliktów w wybranych krajach regionu, takich jak Egipt, Tunezja, Libia oraz Syria. Analizie systemowych problemów służy odwołanie do rewolucyjnych doświadczeń przeszłości, takich jak transformacja ustrojowa w Europie Środkowo-Wschodniej w latach 1989–91. Pozwala to na dostrzeżenie i zrozumienie różnic między Arabską Wiosną a na przykład doświadczeniem transformacji w Europie Środkowo-Wschodniej, gdzie istotną rolę odegrały również aspekty etyczne rewolucji – co przygotowało grunt pod przemiany systemowe. Artykuł ukazuje również błędy, jakie kraje zachodnie popełniły na Bliskim Wschodzie, przyczyniając się wydatnie do obecnej nieufności klasy politycznej i pomagając nieświadomie Rosji w umacnianiu jej geopolitycznych wpływów na tym obszarze.

РЕВОЛЮЦИЯ 2015 – ВОЗВРАТ К АРАБСКИМ РЕВОЛЮЦИЯМ

Резюме

В статье рассматриваются главные причины революционной волны, которая охватила арабские государства Ближнего Востока. Анализируется неудачное проведение трансформаций через обращение к внешним и внутренним источникам конфликтов в отдельных государствах региона, таких, как Египет, Тунис, Ливия и Сирия. Анализу системных проблем служит обращение к революционному опыту прошлого, в частности, к политической трансформации в Центрально-Восточной Европе в 1989–1991 годах. Это позволяет заметить и понять различия между Арабской Весной и, например, опытом трансформации в Центрально-Восточной Европе, в которой существенное значение имели также этические аспекты революции – что подготовило почву для системных изменений. В статье указаны также ошибки, которые западные государства допустили на Ближнем Востоке, значительно повлияв на возникшее недоверие политического класса и неосознанно помогая России в укреплении её геополитического влияния на этой территории.

Marta Stempień

GLOBAL ENCOUNTER.
RIVARLY BETWEEN ISLAMIC STATE
AND AL-QAEDA OVER THE SUPREMACY
OF TH GLOBAL JIHADIST MOVEMENT

INTRODUCTION

In 2015 the attention of the international community remains strongly directed to the events in the Middle East, especially because international terrorist groups have repeatedly demonstrated their ability to commit terrorist attacks, not only in the region but also in other parts of the world. However, since the Islamic State of Iraq and al-Sham (ISIS) announced the creation of the caliphate in Syria and Iraq, and then took over Mosul, there have been many doubts about how to describe and evaluate this group in relation to al-Qaeda, a global organisation associating jihadists, which the international community got to know on the occasion of terrorist attacks carried out in the West in the late 90s of the 20th century and at the beginning of the 21st century.

It seems that the Islamic State combines the possibility of projection of military operations in the region with the abilities and potential of performing them far from the territory of the Middle East. Of course, al-Qaeda has also shown that it has these capabilities, however, in the case of the Islamic State it seems that they can become incomparably bigger in the future, with the formation of quasi-state structures.

Although the national and international literature describes the objectives and results of operations of al-Qaeda very broadly, as well as the expansion policy of the Islamic State, it is not focused on a comparative analysis of these two organisations. On the one hand, it may be connected with the

multidimensionality of the problems and an unusual dynamics of a series of interrelated conflicts in the Middle East. On the other hand, al-Qaeda was the source of the emergence of the Islamic State, and for this reason the separation from the structures of this organisation seems, in principle, to be often an impossible task. That is why, in the literature we do not find a holistic analysis of this issue, taking into account the comparison of these two organisations. We can encounter many more forecasts concerning the acquisition of monopoly over 'global jihad' by the Islamic State.

The aim of this publication is to show common features and differences between the Islamic State and al-Qaeda in the context of the rivalry of these two organisations. On the basis of a wide historical and ideological perspective, the article contextualises the creation of the Islamic State terrorist organisation, by means of which it seeks to understand why, in contrast to al-Qaeda, it is now able to so effectively gather and use its power and whether it will be possible in the future. In addition, for the purposes of this publication it seems necessary to show the origins of the organisation of the Islamic State, the first causes of its functioning in the structures of al-Qaeda which ultimately led to competition between the two organisations for hegemony over the global jihadist movement.

1. THE EVOLUTION OF THE ISLAMIC STATE FROM THE STRUCTURE OF AL-QAEDA

The history of the structures which evolved to ultimately create the current organisation of the Islamic State date back to the late 90s of the 20th century. Then Abu Musab al-Zarqawi created an organisation called Jamaat al-Tawhid wa-l-Jihad (JTWJ)¹, next in 2004 it was renamed Al-Qaeda in Iraq, and Ayman al-Zawahiri became its main leader. It was he who extended the action plan of the organisation by Iraq, where a caliphate, an Islamic state based on Sharia laws, was to be established. In 2006 al-Qaeda in Iraq was joined by other groups of jihadists who declared the creation of the Islamic

¹ Zelin, A.Y. 2014. The war between ISIS and al-Qaeda for supremacy of the global jihadist movement. Research Notes. *The Washington Institute for Near East Policy*, no. 20, June 2014. Available at: http://www.washingtoninstitute.org/uploads/Documents/pubs/ResearchNote_20_Zelin.pdf, p. 1.

State organisation of Iraq (ISI), which was later renamed the Islamic State of Iraq and the Levant (ISIL)².

The international community did not pay much attention to the activities of the Islamic State before 2013, which meant that the organisation was shrouded in mystery both in the Middle East and in the West. Also, not much attention was paid to the change of the name from al-Qaida in Iraq to the Islamic State in Iraq and the level of ambition of the members of the organisation elite, concealed under this action, remained entirely unnoticed. It is now known that the name change was a much greater event than it was perceived at that time. It signalled the beginning of an ambitious political project – the creation of a caliphate, which would be a prelude to further expansion³.

Table 1

The evolution of the names of the Islamic State and the leaders of the organisation

Date	Name	Date	Leader
1999–2004	Jamaat al-Tawhid wa-l-Jihad – JTWJ, Organisation of Monotheism and Jihad	1999–2006	Abu Musab az-Zarqawi
2004–2006	al-Qaeda in Iraq – AQI; al-Qaeda in the Land of Two Rivers		
2006	Majlis Shura al-Mujahedin, Mujahedeen Shura Council	2006–2010	Abu Ayyub al-Masri
2006–2013	Islamic State of Iraq – ISI		Abu Omar al-Qurashi Al-Baghdadi ¹
2013–	Islamic State of Iraq and al-Sham – ISIS; Islamic State of Iraq and the Levant – ISIL; Islamic State – IS	2010–	Abu Bakr Al-Baghdadi

a) In July 2007, the United States acknowledged the need to consider whether Abu Omar al-Qurashi al-Baghdadi was a fictional person; Gordon, M.R. 2007. Leader of Al Qaeda group in Iraq was fictional, U.S. military says. *New York Times*. [Online] Available at: http://www.nytimes.com/2007/07/18/world/africa/18iht-iraq.4.6718200.html?_r=0

Source: Own study on the basis of Zelin, A.Y. 2014. The war between ISIS and al-Qaeda for supremacy of the global jihadist movement. Research Notes. *The Washington Institute for Near East Policy*, no. 20, June 2014.

² Terrill, A.W. 2014. Understanding the strengths and vulnerabilities of ISIS. *Parameters*, vol. 44, no. 3., pp. 14–15.

³ Bunzel, C. 2015. *From paper state to caliphate: the ideology of the Islamic State*. The Brookings Project on U.S. Relations with the Islamic World, Analysis Paper, no. 19, March 2015, p. 4.

In early 2006 other jihad groups joined al-Qaeda in Iraq and together they set up the Mujahedeen Shura Council. In October 2006 the Council declared the establishment of The Islamic State of Iraq – ISI. In the period from 2006 to 2013, with the name change, the way of functioning of the organisation underwent transformation. It abstained from armed attacks, focusing on internal consolidation and the adaptation of its tactics to new realities. In 2010 Ibrahim Awwad Ibrahim Ali al-Badri al-Samarrai was appointed to lead what was then known as the Islamic State in Iraq. Now, as the leader of the Islamic State, he is known under the pseudonym Abu Bakr al-Baghdadi. It should also be noted that during this period the ISI suffered a number of serious setbacks in the fight against the armies of the anti-terrorist coalition formed to fight against al-Qaeda. By the end of 2011 the group was marginalised in Iraq, but after the withdrawal of the US troops from Iraq, the ISI gradually regenerated its structures, taking advantage of the fact that the country plunged into a deep socio-economic and political crisis⁴.

At the same time in which the Islamic State was building its structures focusing on recruitment activities, internal consolidation and transformation of military tactics and strategy, al-Qaeda was actually totally involved in fighting with the anti-terrorist coalition under the leadership of the United States. In addition, in May 2011, it lost its leader Osama bin Laden. Since the death of its military and spiritual leader al-Qaeda was perceived as a moribund group. Despite this, it did not want to give up the position of the leader of the jihad movement, trying to compete with ISIS. Ayman al-Zawahiri tried to counter the increase of the power of ISIS in the Middle East by announcing the creation of al-Qaeda in the Indian Subcontinent (AQIS), which so far has not produced the desired effect, which was to increase the scope of the territorial impact of the group⁵.

In April 2013 overt hostility between ISIS and al-Qaeda broke out, with the announcement by Abu Bakr Al-Baghdadi of the extension of the Islamic State in Iraq to the territory of Syria and changing the name of the group into the Islamic State of Iraq and al-Sham. Also he revealed that the organisation merged with the an-Nusra Front, but the leader of the Front Abu Mohammed al-Jawal issued a statement denying such a merger. This event caused another

⁴ Terrill, A.W. *op. cit.*, pp. 14–15.

⁵ Moore, J. Al-Qaeda losing ‘deadly competition’ with ISIS. *Newsweek*. [Online] Available at: <http://www.newsweek.com/al-qaeda-decline-syria-affiliate-nusra-front-considers-split-311348> [Accessed: 25 April 2015]; Saltman, E.M., Winter, Ch. 2014. *Islamic State: the changing face of modern jihadism*. Quilliam, p.10.

argument between the Islamic State and al-Qaeda and led to contention for the subordination of individual jihadist cells⁶.

Since the proclamation of the caliphate by the Islamic State in 2014, the organisation extremely quickly became economically self-sufficient thanks to the creation of a sophisticated financial model which, in contrast to the actions of al-Qaeda, stresses the importance of autonomy and separateness of the organisation in relation to other structures. The IS has developed a system of self-sufficiency, mainly production self-sufficiency, but also sales of crude oil resources. In addition, ISIS has got not only a well-developed economic mechanism, but also impressive operational capabilities which, when combined with propaganda, are extremely effective, by which the group represents some kind of a factor which has changed the 'global game' of terrorist organisations⁷. However, despite the fact that such a statement is obvious, because the Islamic State has undoubtedly shaken the global arena of jihad, it is not clear what this will mean for the face and actions of Islamic terrorism in the coming years, and what the consequences of this will be for the international community.

We can see numerous differences between al-Qaeda and the Islamic State. The discrepancies are visible not only in the mode of action but also in the human potential of both organisations, as well as the leadership style. The main difference comes from the origin of the founders of the group. Zarqawi and other leaders of the Islamic State come from at least upper middle class, and many of them, like the leader, have higher education. Despite the fact that Bin Laden himself came from an aristocratic Saudi Arabia family⁸, his closest associates came or come from poorer, less educated backgrounds. However, frictions between the leaders were not caused by the questions of the origin and education, but rather by Zarqawi's extreme views. Already during the first meeting of the leaders in Afghanistan in 1999, bin Laden was distrustful and suspicious of the younger associate. But Zarqawi settled in another part of Afghanistan, away from bin Laden and al-Qaeda program, as a result of which the concerns of the al-Qaeda leader weakened. It is believed that bin Laden from the beginning tried to fully control Zarqawi,

⁶ Zelin, A.Y. *The War...*, p. 4; Terrill, A.W. *op. cit.*, p.15.

⁷ Cockburn, P. 2015. *Państwo Islamskie. [The jihadis return: ISIS and the new Sunni uprising.]* Translated from English by M. Bielik; introduction and substantial consultation D. Boćkowski, Warszawa: Dom Wydawniczy PWN, p. 90.

⁸ Villamarín Pulido, L.A. 2008. *Sieć Al-Kaida. [Al-Qaeda network.]* Translated by Danuta Zasada, Warszawa: Wydawnictwo Wołoszański, p. 107.

demanding swearing a religious oath of allegiance (*bay'ah*)⁹, but the offer was repeatedly rejected. Zarqawi yielded to bin Laden only in 2004, taking an oath and changing the name of his group to al-Qaeda in the Land of Two Rivers, widely known as al-Qaeda in Iraq. At that time this fact could cement the relationship between the two organisations, but current events show that the aim of the al-Qaeda leader has not been achieved, and it was then that the Islamic State started to gain in autonomy¹⁰.

Being a part of the network of al-Qaida in Iraq meant that the group controlled the resources and the flow of foreign fighters, which helped it win the loyalty of society. This is important because in this way AQI controlled a number of informal structures and was able to affect future generations of the jihadist movement. As a result, one of the key factors that differentiate the Islamic State from al-Qaeda now is a generational gap¹¹.

It should be also noted that, unlike the leaders of other cells of al-Qaeda, the current emir of ISIS, Abu Bakr al-Baghdadi, who was appointed in 2010, has never publicly sworn the oath of allegiance to Zawahiri¹². Therefore, it can be assumed that he was set to become self-sufficient and in the long run to achieve hegemony over the jihadist movement by means of the organisation then known as the Islamic State in Iraq. It seems that it is on the right track, though the methods of the pursuit of this objective seem to be brittle. The Islamic State continuously creates its own network of interconnected, terrorist groups, modelled on the known activities of al-Qaeda. At the same time it applies proselytic actions, modern methods of recruiting fighters, improves fundraising methods, and above all tries to build effectively functioning quasi-state structures¹³.

⁹ Bay'ah – an Islamic oath of allegiance, obedience sworn to a caliph, the leader of the Muslims; *Arabowie. Słownik encyklopedyczny. [Arabs. Encyclopedic dictionary.]* 2001. Warszawa: Wydawnictwo Naukowe PWN, p. 99. Only an individual can take the oath, that is why after Zarqawi's death, bay'ah was canceled, which technically meant the lack of subordination in relation to al-Qaeda, although in practice it was subordinated to the al-Qaeda until February 2014.

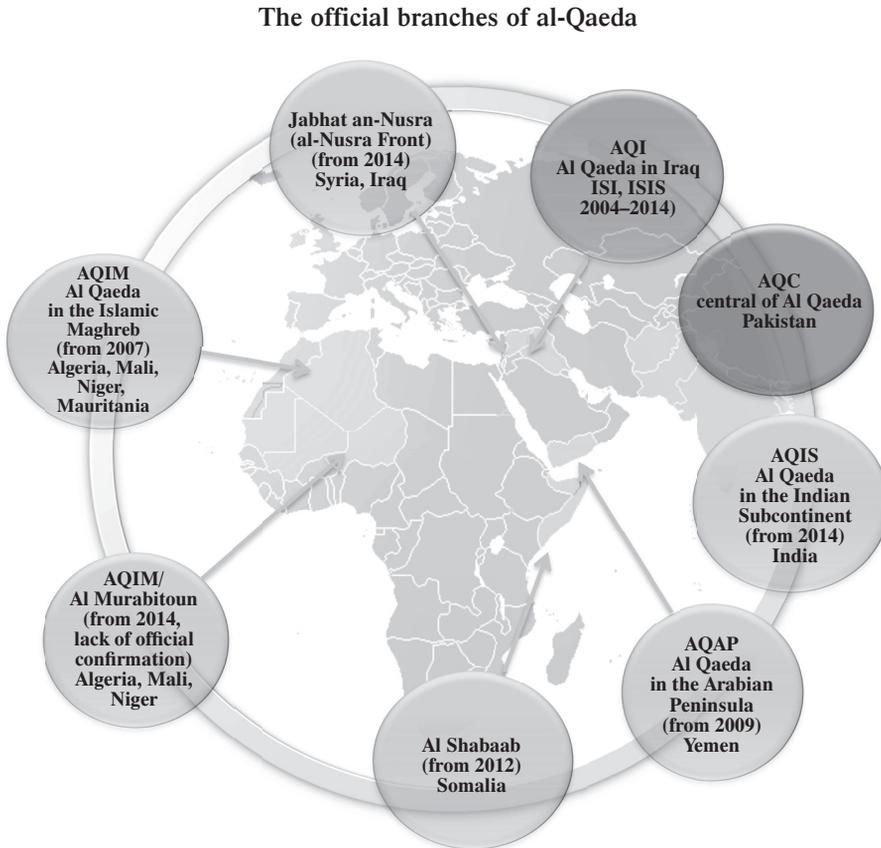
¹⁰ Zelin, A.Y. *The War...*, pp. 1–2.

¹¹ *Ibidem*, p. 4.

¹² *Ibidem*, pp. 1–2.

¹³ The IS has a number of attributes of statehood: the territory inhabited by nearly six million people, its own armed forces, police, law and judiciary, the capital, flag, leader, it intends to print its own documents and money, has its own media, press, builds a system of medical care and education. Boćkowski, D. 2015. Wstęp do polskiego wydania. Państwo Islamskie u wrót Europy. [Preface to the Polish edition. The Islamic State at the gates of Europe.] In: Cockburn, P. *Państwo Islamskie. [The jihadis return:*

Figure 1



Source: own study.

2. AL-QAEDA VERSUS THE ISLAMIC STATE

In the 80s and 90s of the 20th century numerous regional groups of extremist and fundamentalist shared a very general ideological outline as well as funds and resources provided by Osama bin Laden. A clear division between Al-Qaeda and its factions, that is the split in the jihadist movement occurred only after the events of 11 September 2001. However, in the initial phase of the process, most of them, despite independence, maintained friendly relations with the network of al-Qaeda. The current situation seems

ISIS and the new Sunni uprising.] Translated from English by M. Bielick; introduction and substantial consultation D. Boćkowski, Warszawa: Dom Wydawniczy PWN, p. 34.

to point to the ultimate sanction of the split in the global jihadist movement which led to rivalry for hegemony between the Islamic State and al-Qaeda. The presentation of both similarities and differences in the functioning of both organisations requires first of all an analysis of ideological issues, the course of action, recruitment of new members, use of media and methods of financing.

In ideological matters the Islamic State it is very similar to other terrorist groups like al-Qaeda and the Taliban. The differences are visible only in the approach to the proper time and conditions necessary to establish the caliphate¹⁴. Both al-Qaeda and the Islamic State identify themselves with the movement in the Islamic political thought known as Jihad-Salafism and jihadism¹⁵. In fact, both groups refer to the theology of Salafism and present similar nature of jihad, but the Islamic State does it in a much stricter way. In contrast to al-Qaeda, it is absolutely uncompromising in matters of doctrine, absolutely and unquestionably referring to the idea of Salafism¹⁶. In addition, the *differentia specifica* of the Islamic State seems to lie in the fact that religion and ideology play a much more subjective role, which may result from the already mentioned differences in backgrounds and education of leaders of the groups.

The difference is reflected in the chosen path to the ultimate goal which is the establishment of an Islamic caliphate. The main enemy of al-Qaeda is the United States, which is seen as the cause of all conflicts in the region. The overthrow of the corrupt, apostate regimes in the Middle East and replacing them with 'real' Islamic rules becomes of secondary importance. In turn, the Islamic State does not apply a similar strategy, seeking opponents in its environment, at the regional level. The road to the main purpose of the Islamic State is not through actions directed against the United States, but against apostate regimes in the Arab world. These actions were initiated against the regime of President Bashar al-Assad in Syria and Prime Minister Haider

¹⁴ Friedland, E. 2015. *Special Report. The Islamic State*. Clarion Project. [Online] 10 May 2015. Available at: <http://www.clarionproject.org/sites/default/files/islamic-state-isis-isil-factsheet-1.pdf>, pp. 13–14.

¹⁵ Jihadism is a neologism which was adopted by the scientific community in the late 90s of the 20th century and has permanently entered common use. Jihadism is a global social movement, in its assumptions it is utopian, anti-Western, based on the use of violence. See Khosrokhavar, F. 2009. *Inside jihadism. Understanding jihadi movements worldwide*. Boulder, London: Paradigm Publishers.

¹⁶ Bunzel, C. 2015. *From paper state to caliphate: the ideology of the Islamic State*. The Brookings Project on U.S. Relations with the Islamic World, Analysis Paper, no. 19, March 2015, p. 7.

al-Abadi in Iraq. Thus, the Islamic State and al-Qaeda are fundamentally different in terms of the perception of their main opponents, and used strategies. Their fight tactics are also not the same. The list of enemies of the Islamic State is much longer than that of al-Qaeda, and includes Jews, Shiites, Zaidis (and other factions of Shia Islam), Yezidis, Alawites, Kurdish and terrorist groups such as the Muslim Brotherhood, Hamas, Hezbollah¹⁷, or some factions of al-Qaeda, for example, the Support Front for the People of Al-Sham (the al-Nusra Front). Al-Qaeda also regards Shiites as apostates, but killing them is perceived as too extreme¹⁸, that is harmful to the broader concept of jihad which should be in the first place directed against the West¹⁹. A short-term aim of the Islamic State is the struggle in Syria and Iraq, a medium-term goal consists in the consolidation and extension of control in the territory of Iraq and Syria, and taking over control of neighbouring Sunni countries. A long-term goal, and also the ultimate one, is identical with the aspirations of al-Qaeda, that is the establishment of an Islamic caliphate²⁰.

Thus, the differences in strategies and techniques of both organisations may result from the desire to control the territory and constantly strengthen and expand its position. By controlling a particular territory the IS can build an army, and by the army it can control more territory. For this purpose, hierarchical structure of counsellors, ministers and military commanders on the conquered areas are created²¹. The IS has already established a relatively high degree of stability of the created local organisational structures²². Leaving the ideological issues aside, the functioning of the IS, as a kind of a quasi-state on the occupied territory, is quite conventional insurgent behaviour, characteristic for many insurrectionary movements, including those of a fundamentalist nature. The direction in which these new structures will be developed is less obvious. On the other hand, al-Qaeda sees a long-term objective in gaining territory and the construction of the caliphate, and that is why it focuses on the dispersion and fragmentation of international

¹⁷ The Islamic State considers Shia Islam as perversion, like all other factions of Islam which are not compatible with the Salafist rhetoric of the organisations.

¹⁸ Bunzel, C. *op. cit.*, p. 11.

¹⁹ Byman, D., Williams, J. 5015. Al-Qaeda vs. ISIS: the battle for the soul of jihad. [Online] *Newsweek* 27 March 2015. Available at: <http://www.newsweek.com/al-qaeda-vs-isis-battle-soul-jihad-317414> [Accessed: 13 June 2015].

²⁰ Friedland, E. *op. cit.*, p. 13.

²¹ *Ibidem*, pp. 17–19.

²² See Mecham, Q. 2015. How much of a state is the Islamic State? In: *Islamism in the IS age*. POMEPS Studies 12. [Online] 17 March 2015. Available at: http://pomeps.org/wp-content/uploads/2015/03/POMEPS_Studies_12_ISAge_Web.pdf, pp. 20–24.

structures, and not on building local structures²³. These differences in the used tactics reflect the differences in strategies. Al-Qaeda appreciates a massive scale operations, therefore makes dramatic attacks on strategic and symbolic targets, such as the World Trade Centre. In contrast, the Islamic State evolves with the conflicts in Iraq and Syria, and the tactics of the organisation adapts to the circumstances of these wars. The IS seeks to gain massive strength, and terrorism, in this context, is not a punctual action as in the case of al-Qaeda, it represents a part of the revolutionary war in which all methods of struggle are allowed²⁴.

The differences in the selection of techniques and perception of enemies, including mainly Shiite communities, may result from the fact that certainly the organisational structures of the Islamic State are much more heterogeneous than those of al-Qaeda. Militants from various countries and backgrounds work in the structures of the IS, and the only motive required to join the ranks of the group is a declaration of readiness to fight with the infidels and total devotion to the cause. This issue is also related to the dissimilarity of ways of recruiting fighters. The Islamic State has implemented a number of methods adapted to all environments. These are actions on local, regional, and international levels. The recruitment of fighters is not limited to the territory of the Middle East and North Africa, but it is also extended to other parts of the world, including primarily Europe. In this way, the organisation shows the world that it is exempt from punishment for breaking international law²⁵ and law of the widely understood West.

In addition, the IS uses a variety of techniques to recruit, ranging from proselytizing²⁶ taking a form of exerting pressure, the use of threats, torture, to creating an apparent concern for society: providing material and social benefits to those in need. It recruits women, and even forces them to send

²³ See Kosmyńska, S. 2012. *Od Boga do terror: rola religii w ideologii dżihadizmu na przykładzie organizacji Al-Kaida*. [From God to terror: the role of religion in the ideology of jihadism on the example of al-Qaeda organisation.] Łódź: Wydawnictwo Uniwersytetu Łódzkiego, pp. 251–264.

²⁴ Byman, D., Williams, J. *op. cit.* [Accessed: 13 June 2015].

²⁵ See Lankosz, K., Chorośnicki, M., Czubik, P. 2005. *Walka z terroryzmem w świetle prawa międzynarodowego*. [The fight against terrorism under international law.] 2nd ed. Bielsko-Biała: Wyższa Szkoła Administracji.

²⁶ Proselytism, understood as an attempt to recruit new followers of a particular religion or idea, or as converting others to one's faith. Proselytism may take a right or wrong form, but the most dangerous of its form is exerting pressure or coercion to accept the principles of the faith.

their children to camps training new militants²⁷. The organisation sees in this action a long-term investment which will be used to build loyalty and create a modern staff of fighters who will perceive violence as their way of life²⁸. In addition, women play a different role in the organisation of the Islamic State. In February 2014 the IS announced the creation of the Al-Khansaa Brigade consisting solely of women whose main task is to enforce strict rules of Sharia law. However, according to the organisation, women should be primarily mothers and housewives, while men – militants. If the roles are mixed, then foundation of humanity will be affected leading to instability²⁹.

On the other hand, the international activities have led to the recruitment of several thousand fighters fascinated by the ideology of jihadism among Western countries. The Islamic State uses all means to attract young Europeans. A recruiting network is created by supporters from different countries and people returning from the Middle East with a mission to recruit new fighters. Network operations are facilitated by the progressive Islamisation of Western Europe³⁰. Special schools are even created for newly recruited foreign jihadists³¹. This does not change the fact that the extremists associated with societies of Western Europe after arriving in a zone occupied by the Islamic State do not become a fighting ‘vanguard’ of the Muslim

²⁷ Islamic State recruits 400 children since January: Syria monitor. *Reuters* [Online] 24 March 2015. Available at: <http://www.reuters.com/article/2015/03/24/us-mideast-crisis-syria-children-idUSKBN0MK0U520150324> [Accessed: 7 April 2015]; Raising tomorrow’s mujahideen’: the horrific world of Isis’s child soldiers. Extracted from: Stern, J., Berger, J.M. 2015. *ISIS: The state of terror*. HarperCollins. Available at: <http://www.theguardian.com/world/2015/mar/10/horror-of-isis-child-soldiers-state-of-terror> [Accessed: 13 June 2015].

²⁸ Raising tomorrow’s mujahideen’: the horrific world of Isis’s child soldiers. Extracted from: Stern, J., Berger, J. M. 2015. *ISIS: The state of terror*. HarperCollins. [Online] Available at: <http://www.theguardian.com/world/2015/mar/10/horror-of-isis-child-soldiers-state-of-terror> [Accessed: 13 June 2015].

²⁹ Women and jihad; Caliphate calling. *The Economist*, vol. 414, no. 8927, 28 February 2015.

³⁰ The population of Muslims, including immigrants and people born in Western Europe amount to approximately 20 million out of the 500 million inhabitants. Johnson, T. 2011. *Europe: Integrating Islam*. [Online] 25 July 2011. Available at: <http://www.cfr.org/religion/europe-integrating-islam/p8252> [Accessed: 8 April 2015].

³¹ Boćkowski, D. 2015. Wstęp do polskiego wydania. Państwo Islamskie u wrót Europy. [Preface to the Polish edition. The Islamic State at the gates of Europe.] In: Cockburn, P. *Państwo Islamskie. [The jihadis return: ISIS and the new Sunni uprising.]* Translated from English by M. Bielik; introduction and substantial consultation D. Boćkowski, Warszawa: Dom Wydawniczy PWN, p. 34.

community. Frustrated with the exclusion from the society of the West, guided by the need to return to the tradition and culture, they become the lowest level of the organisational hierarchy of the Islamic State³².

Not only recruitment activities of the IS significantly differ from those used by al-Qaeda. It pertains also to the information transfer techniques, used both for the transfer of data on the activities and to recruit new members. The Islamic State leads a massive propaganda campaign using all modern means of communication, including Twitter³³, Facebook or YouTube, making it much more effective than the efforts of al-Qaeda in this matter³⁴. The organisation also publishes an English-language magazine entitled *Dabiq*³⁵ and program manifestos published by the women's Al-Khansaa Brigade, while al-Qaeda mainly produces long films presenting the considerations about various aspects of jihad of main ideologists of the group, which are then transferred to the media. Certainly, the Islamic State media messages are more attractive for numerous young, frustrated fanatics of the idea of jihad. Undoubtedly the progressive process of globalisation and computerisation has enabled leaders of the group to maximise the potential of new technologies and social media. Modern technologies are also used not only to convey verbal aggression, but also to promote the contents of macabre films, such as those showing mass and individual murders, including of American journalists James Foley and Stephen Sotloff or Briton David Haines.

In addition, another factor conditioning the attractiveness of the Islamic State is also strong motivating of actions by political and social considerations, whereas in the case of al-Qaida primarily by hatred of Western civilisation. Leaders of the groups pose as defenders of the Sunni community, not only because of the religious community, but also for the sake of politico-socio-cultural actions. They try to create the educational, tax and health care system under the black flag of the Islamic Caliphate.

The methods of financing of al-Qaeda and the Islamic State are largely convergent, but each of them constitutes a different percentage of the total

³² Roy, O. 2007. Islamic terrorist radicalisation in Europe. In: Amghar, S., Boubekeur, A., Emerson, M. eds. *European Islam challenges for public policy and society*. Brussels: Centre for European Policy Studies, pp. 55–56.

³³ On the use of Twitter by the IS see Berger, J.M., Morgan, J. 2015. *The ISIS Twitter census. Defining and describing the population of ISIS supporters on Twitter*. The Brookings Project on U.S. Relations with the Islamic World, Analysis Paper, no. 20, March 2015.

³⁴ After the atrocities; terror and Islam. *The Economist*, vol. 414, no. 8921, 17 January 2015, p. 21.

³⁵ So far 9 issues of the magazine have been published.

revenues of the organisation. The IS, currently considered the richest terrorist organisation, derives its revenue primarily from smuggling crude oil (at least a million dollars a day). It is supplemented by funds from extortion, kidnapping for ransom and the tax system introduced in the occupied territories. The group is largely self-sufficient, donations constitute only a small percentage of its income. Despite the diversification of income, important differences can be indicated in obtaining financing for the activities of both organisations. The network built by al-Qaeda is more decentralised and fluid, which may be due to the long period of its operation. Moreover, in contrast to the Islamic State, donations represent a significant percentage of revenues of al-Qaeda, the CIA has calculated that it is approximately 30 million USD annually³⁶.

3. WILL AL-QAEDA LOSE THE RIVALRY WITH THE ISLAMIC STATE?

The main reason for the overt hostility between al-Qaida and the organisation now known as the Islamic State may be considered Al-Baghdadi's disobedience, who decided to take control over Syria without the consent of the leader of al-Qaeda. This move surprised the headquarters of al-Qaeda, which in 2014 finally and formally distanced itself from its subsidiary in Iraq and Syria, ending years of difficult cooperation between the two organisations³⁷.

However, disputes between religious leaders and leaders of both organisations had lasted for a long time and had not been related only to the issue of the operation area. They had often been disputes on ideological, philosophy of life, political and social issues. Zarqawi already felt that the only way to save the *umma* – the global Islamic community – was its cleansing, while Ayman al-Zawahiri believes that not Muslims themselves are the problem, but apostate institutions which should be replaced by new ones – the true Islamic governments³⁸. This fundamental divergence between the Islamic State and Al-Qaeda can be reduced to the difference between the doctrinal and more strategic perspective and differences in attitudes towards

³⁶ Friedland, E. *op. cit.*, p. 20; Saltman, E.M., Winter, Ch. *op. cit.*, pp. 10–11, 47–51.

³⁷ Baghdadi was a leader of a section of Al-Qaeda in Iraq. For this reason, he should not lay claims to al-Sham (the Levant) which was under the control of another branch of Al-Qaeda – the al-Nusra Front.

³⁸ Byman, D. 2015. *Terrorism in Africa: the imminent threat to the United States*. 29 April 2015. Available at: <http://www.brookings.edu/~media/research/files/testimony/2015/04/29-terrorism-in-africa-byman/byman-aq-v-is-hsc-042315.pdf>, p. 4.

building Islamic institutions and reign. Currently, the IS recognises that al-Zawahiri has deviated from the path chosen by bin Laden, which makes his leadership illegitimate. Leaders of the Islamic State consider themselves the only, true heirs of the legacy of bin Laden and al-Qaeda, which they carry out under a new name of the Islamic State caliphate³⁹.

Al-Qaeda has been impaired as a result of counter-terrorism actions in the region of Afghanistan and Pakistan. Former leaders of the group are dimmed by the new generation of jihadists, presenting more radical views that fit well the political climate prevailing in some Arab countries, struggling with the effects of revolts which began in 2010 and 2011. Al-Qaeda now has competition from the IS in Iraq, Syria and Libya. In addition, in Nigeria and Egypt certain factions of jihadist groups have announced an alliance with the IS.

It should be remembered that in spite of the above factors, al-Qaeda in Afghanistan and Pakistan and al-Qaeda's affiliates in various regions now control more territory than at any other point in history. According to some scholars, al-Qaeda has never been on the path to defeat, and the prediction of the downfall of the organisation after bin Laden's death were premature just like the current voices about its collapse. The presence of branches of the organisation in different geographical regions (Fig. 1) can be evidence for this, as well as for the territorial proliferation of the organisation. However, on the other hand, this number may be proof of the consolidation of previously existing militant groups operating in the area, and not of the creation of new structures. Moreover, just like the Islamic State, they can detach themselves from the head office and start to compete with it. It does not change the fact that al-Qaeda is present in many different regions of the world⁴⁰.

Analyzing al-Qaeda as a network of interconnected cells, it is clear that its performance seems to remain at a good level. It is focused on profits in Syria and Yemen, as well as potentially in Libya if its unofficial branch, Ansar al-Sharia, is able to regain the strength lost after the establishment of the Islamic State. The headquarters of al-Qaeda has similar hopes connected the activities of the al-Nusra Front in Syria. In spite of this, if you look at the other branches – Al-Shabaab, AQIM, as well as AQIS – everything look less positive. However, if key data and resources of the network are successfully moved away from Pakistan, where the position of al-Qaeda has

³⁹ Zelin, A.Y., *The War...*, pp. 1–5.

⁴⁰ Humud, C.E. 2014. *Al Qaeda-affiliated groups: Middle East and Africa*. Congressional Research Service Report, 10 October 2014. Available at: <http://fas.org/sgp/crs/mideast/R43756.pdf>, pp. 24–25.

significantly weakened, then the chances of survival and further development of the organisation will greatly improve⁴¹.

The Islamic State takes advantage of this situation and does not conceal the competition with al-Qaeda and usurps the right to control the branches subordinate to the head office of al-Qaeda (al-Qaeda Central – AQC). Such actions have already produced the effect of obtaining a group of Taliban – Al-Qaeda members from Afghanistan and Pakistan, who have sworn allegiance to al-Baghdadi. Desertions of members of organisations subordinate to al-Qaeda have also happened in the case of the al-Nusra Front, al-Qaeda in the Arabian Peninsula and al-Qaeda of the Islamic Maghreb. Thus, the Islamic State also seems to understand the need to establish its cells in other countries, and wherever the call for jihad is or will be present, rivalry will also appear there⁴².

Although al-Qaeda and the Islamic State share a common ideological program, aiming at the ultimate establishment of an Islamic caliphate, the IS is a lot younger, more radical in its actions and certainly has a faster operating structure than al-Qaeda. However, does this rapid pace of action also mean greater efficiency? An unambiguous answer to this question at the moment is a difficult task due to the multidimensional nature of this competition, connected with many conflicts in the Middle East. It seems, however, that the IS will retain the upper hand, so long as it does not suffer any significant territorial losses and can present its structures as those that build an Islamic caliphate better than al-Qaeda and its official affiliates. In addition, the Islamic State also gains the support of many important jihadist groups, for example, Nigerian Boko Haram and Egyptian Ansar Bayt al-Maqdis, which have formally pledged allegiance to the IS and may be regarded as official cells of the organisation and the areas controlled by them as ‘provinces’ of the Islamic State caliphate. Although the media attention is focused on the Islamic State, al-Qaeda’s subsidiaries have also achieved successes in recent times. This applies to the activities of AQAP in Yemen and the al-Nusra Front in Syria⁴³.

The rivalry of the two strongest jihadist movements, which have almost identical strategic objectives, is a fact, because first of its signs are already visible. The IS and al-Qaeda are divided mainly because of the divergence of priorities. Al-Qaeda is focused on attacking Western targets and anti-terrorist coalition forces, while the IS intends first to overthrow the systems in Middle

⁴¹ Zelin, A.Y. *ICSR Insight: The State of al-Qaeda*. Available at: <http://icsr.info/2015/04/icsr-insight-state-al-qaeda/> [Accessed: 30 April 2015].

⁴² Zelin, A.Y. *ICSR Insight...*; Byman, D. *op. cit.*, p. 6.

⁴³ Byman, D. *op. cit.*, p. 6.

Eastern countries by military means. However, the tactics has changed after August 2014 when the international coalition forces started conducting raids. Just like al-Qaeda, the Islamic State has begun calling for attacks on Western countries. Given the attractiveness of the IS for the community of jihadists coming from the West it is a disturbing tendency. Potentially, the group may develop the ability to attack targets located at greater distances.

It seems that al-Qaeda has already lost its monopoly of the leader of global jihadism, though in the eyes of many people it remains a symbol of terrorism⁴⁴. Furthermore, the group which descends from this organisation is more and more often labelled with this name. However, what makes the Islamic State more attractive for Islamic militants? Certainly, one of the factors is the heterogeneity of the IS, because fighters from around the world, not only from the Middle East, operate in its structures, on the other hand, it is a group of very different origins. For this reason, leaders of al-Qaeda wonder whether they have sufficient capacity to win the ideological war with the future generation of the global jihadist movement.

On the one hand, the rivalry and mutual fight among jihadist groups can be helpful for counter terrorist activities and cause the separation of the available resources. In addition, such chaos could destroy the idea of global jihadism, thereby reducing slightly the risk for Western countries. On the other hand, excessive competition of jihadists can be a great threat to the West. If the resources of both the 'old guard' of al-Qaeda and the IS do not change, increased competition of these two jihadist networks, caused by endless conflicts, may constitute the most dangerous scenario. This rivalry may cause the increased demand for spectacular attacks against the West, which could serve as a confirmation of the dominance of one of the parties as well as a means of propaganda operations.

SUMMARY

The face of radicalism has significantly changed since the events of 11 September 2001, after which al-Qaeda was a monopolist in the world of Islamic jihadism. Currently in the international arena there are numerous terrorist groups of different sizes, which not only cooperate, but often

⁴⁴ See Kosmyńska, S. 2012. *Od Boga do terroru: rola religii w ideologii dżihadyzmu na przykładzie organizacji al-Kaida*. [From God to terror: the role of religion in the ideology of jihadism on the example of al-Qaeda organisation.] Łódź: Wydawnictwo Uniwersytetu Łódzkiego, pp. 251–264.

compete with one another. An example of such competition is a conflict between al-Qaeda and the Islamic State. These organisations are currently at open war for domination over the global Jihadist community. Undoubtedly, the IS currently has the upper hand, but the fight is not over yet. On the one hand, the organisation skilfully uses the adopted mechanisms of action, e.g. the use of cruelty, violence or proselytism and excessive enforcement of Sharia law, which currently make it attractive for a certain group of Muslims. On the other hand, in the long term, they may lead to the alienation of the organisation which, by failing to establish its cells and not undertaking cooperation with groups in other regions, would be deprived of support. In this way it will strain the long-term goals of the global 'project' of the proliferation of ideas of jihad, the ideas for which al-Qaeda, and perhaps above all al-Qaeda, has been striving for many years.

Exactly from this perspective the global clash of al-Qaeda with the Islamic State organisation could reduce the spread of the ideology of jihadism, which would contribute to the facilitation of counter terrorist activities. However, analysing the current activities of the IS, increased competition with al-Qaeda could lead to the increase in demand for terrorist attacks in the West, to confirm the efficacy and the dominance of one party. Despite the fact that the prospect of a merger, or even a limited agreement between the two organisations is considered to be the most dangerous, it is possible that their rivalry constitutes a greater threat for international security. Therefore, the fear of the creation of a huge jihadist network under the leadership of al-Qaeda should be less worrisome than a scenario in which two parallel, competing structures are trying to prove their hegemony over the global jihadist movement through spectacular attacks in the West.

However, Al-Qaeda is going through a difficult period, because the IS is gaining influence both in Syria and Iraq. Taking into account the prospect of further successes, it is not currently strong enough to be able to resist this grouping. As we can see in Syria even militants of the al-Nusra Front are not able to restrain the IS. Currently, al-Qaeda and its affiliates are forced to try to regain lost territories. What is more, the caliphate created by the IS is a structure attractive for jihadists, and successes which the Islamic State has, in contrast to al-Qaeda which has not achieved major victories in the last decade, are attracting new members and the IS continues to build its prestige and legitimacy within the global Jihadist movement.

REFERENCES

- After the atrocities; terror and Islam. *The Economist*, vol. 414, no. 8921, 17 January 2015.
- Arabowie. Słownik encyklopedyczny [Arabs. Encyclopedic dictionary]*. 2001. Warszawa: Wydawnictwo Naukowe PWN.
- Berger, J. M., Morgan, J. 2015. *The ISIS Twitter census. Defining and describing the population of ISIS supporters on Twitter*. The Brookings Project on U.S. Relations with the Islamic World, Analysis Paper, no. 20, March 2015.
- Boćkowski, D. 2015. Wstęp do polskiego wydania. Państwo Islamskie u wrót Europy [Preface to the Polish edition. The Islamic State at the gates of Europe]. In: Cockburn, P. *Państwo Islamskie [The jihadis return: ISIS and the new Sunni uprising]*. Warszawa: Dom Wydawniczy PWN, 2015.
- Bunzel, C. 2015. *From paper state to caliphate: the ideology of the Islamic State*. The Brookings Project on U.S. Relations with the Islamic World, Analysis Paper, no. 19, March 2015.
- Byman, D. 2015. *Terrorism in Africa: the imminent threat to the United States*. 29 April 2015. Available at: <http://www.brookings.edu/~media/research/files/testimony/2015/04/29-terrorism-in-africa-byman/byman-aq-v-is-hsc-042315.pdf>.
- Byman, D., Williams, J. 2015. Al-Qaeda vs. ISIS: the battle for the soul of jihad. *Newsweek* [Online] 27 March 2015. Available at: <http://www.newsweek.com/al-qaeda-vs-isis-battle-soul-jihad-317414>.
- Cockburn, P. 2015. *Państwo Islamskie [The jihadis return: ISIS and the new Sunni uprising]*. Translated from English by M. Bielik; introduction and substantial consultation D. Boćkowski, Warszawa: Dom Wydawniczy PWN.
- Friedland, E. 2015. *Special Report. The Islamic State*. Clarion Project. [Online] 10 May 2015. Available at: <http://www.clarionproject.org/sites/default/files/islamic-state-isis-isil-factsheet-1.pdf>.
- Gordon, M.R. 2007. Leader of Al Qaeda group in Iraq was fictional, U.S. military says. *New York Times*. [Online] Available at: http://www.nytimes.com/2007/07/18/world/africa/18iht-iraq.4.6718200.html?_r=0.
- Humud, C.E. 2014. *Al Qaeda-affiliated groups: Middle East and Africa*. Congressional Research Service Report, 10 October 2014. Available at: <http://fas.org/srg/crs/mideast/R43756.pdf>.
- Islamic State recruits 400 children since January: Syria monitor. *Reuters* [Online] 24 March 2015. Available at: <http://www.reuters.com/article/2015/03/24/us-mideast-crisis-syria-children-idUSKBN0MK0U520150324>.

- Johnson, T. 2011. *Europe: Integrating Islam*. [Online] 25 July 2011. Available at: <http://www.cfr.org/religion/europe-integrating-islam/p8252>.
- Khosrokhavar, F. 2009. *Inside jihadism. Understanding jihadi movements worldwide*. Boulder, London: Paradigm Publishers.
- Kosmynka, S. 2012. *Od Boga do terror: rola religii w ideologii dzihadyzmu na przykładzie organizacji Al-Kaida* [From God to terror: the role of religion in the ideology of jihadism on the example of al-Qaeda organisation]. Łódź: Wydawnictwo Uniwersytetu Łódzkiego.
- Lankosz, K., Chorośnicki, M., Czubik, P. 2005. *Walka z terroryzmem w świetle prawa międzynarodowego* [The fight against terrorism under international law]. 2nd ed. Bielsko-Biała: Wyższa Szkoła Administracji.
- Mecham, Q. 2015. How much of a state is the Islamic State? In: *Islamism in the IS age*. POMEPS Studies 12. [Online] 17 March 2015. Available at: http://pomeps.org/wp-content/uploads/2015/03/POMEPS_Studies_12_ISAge_Web.pdf.
- Moore, J. Al-Qaeda losing 'deadly competition' with ISIS. *Newsweek*. [Online] Available at: <http://www.newsweek.com/al-qaeda-decline-syria-affiliate-nusra-front-considers-split-311348> [Accessed: 25 April 2015];
- Raising tomorrow's mujahideen?: the horrific world of Isis's child soldiers. Extracted from: Stern, J., Berger, J.M. 2015. *ISIS: The state of terror*. HarperCollins. Available at: <http://www.theguardian.com/world/2015/mar/10/horror-of-isis-child-soldiers-state-of-terror>.
- Roy, O. 2007. Islamic terrorist radicalisation in Europe. In: Amghar, S., Boubekour, A., Emerson, M. eds. *European Islam challenges for public policy and society*. Brussels: Centre for European Policy Studies.
- Saltman, E.M., Winter, Ch. 2014. *Islamic State: the changing face of modern jihadism*. Quilliam.
- Stern J., Berger J.M. 2015. *ISIS: The State of Terror*. HarperCollins.
- Terrill, A.W. 2014. Understanding the strengths and vulnerabilities of ISIS. *Parameters*, vol. 44, no. 3.
- Villamarín Pulido, L.A. 2008. *Sieć Al-Kaida* [Al-Qaeda network]. Translated by Danuta Zasada, Warszawa: Wydawnictwo Wotofsański.
- Women and jihad; Caliphate calling. *The Economist*, vol. 414, no. 8927, 28 February 2015.
- Zelin, A.Y. *ICSR Insight: The State of al-Qaeda*. Available at: <http://icsr.info/2015/04/icsr-insight-state-al-qaeda>.
- Zelin, A.Y. 2014. The war between ISIS and al-Qaeda for supremacy of the global jihadist movement. Research Notes. *The Washington Institute for Near East Policy*, no. 20, June 2014. Available at: http://www.washingtoninstitute.org/uploads/Documents/pubs/ResearchNote_20_Zelin.pdf.

GLOBAL ENCOUNTER. RIVARLY BETWEEN ISLAMIC STATE AND AL-QAEDA OVER THE SUPREMACY OF THE GLOBAL JIHADIST MOVEMENT

Summary

The aim of the article is the comparison of Islamic State and al-Qaeda, demonstrating similarities and differences between the two organisations. The main hypothesis of the research is the assumption that the Islamic State is different from al-Qaida primarily due to the fact that the main purpose of the organisation activity is to establish an Islamic state based on Sharia principles. This assumption is part of the strategy established by the deceased spiritual leader of the group – Abu Mus’ab az-Zarqawi. Despite the fact that the final strategic goal of al-Qaeda is now convergent with that of the Islamic State, al-Qaeda’s methods of operation developed under the leadership of Osama bin Laden focused on the destabilisation of the West and the Muslim support of liberation movements. In turn, the Islamic State focuses on the elimination of apostate regimes in the Arab world and establishment of the Caliphate. Currently the diversity of perspectives of leaders of both terrorist organisations, despite many similarities in the ideological issues, has led to a rivalry between the two factions for hegemony over the global jihadist movement.

GLOBALNE STARCIE. RYWALIZACJA PAŃSTWA ISLAMSKIEGO Z AL-KAIDĄ O HEGEMONIĘ NAD RUCHEM DŻIHADYSTOWSKIM

Streszczenie

Celem artykułu jest porównanie Państwa Islamskiego i Al-Kaidy, wykazanie podobieństw łączących oraz różnic dzielących obie organizacje. Główną hipotezą badawczą jest założenie, że Państwo Islamskie różni się od Al-Kaidy przede wszystkim tym, że priorytetowym celem organizacji jest ustanowienie państwa islamskiego, opartego na zasadach szariatu. Założenie to jest częścią strategii ustanowionej przez zmarłego przywódcę duchowego grupy – Abu Musaba az-Zarkawiego. Pomimo, że ostateczny cel strategiczny Al-Kaidy jest obecnie zbieżny z działaniami Państwa Islamskiego, to metody działania Al-Kaidy opracowane pod przewodnictwem Osamy bin Ladena skoncentrowane są na destabilizacji Zachodu oraz wsparciu muzułmańskich ruchów

wyzwoleńczych. Z kolei Państwo Islamskie koncentruje się na likwidacji apostatycznych reżimów w świecie arabskim oraz ustanowieniu kalifatu. Obecnie owa odmienność perspektyw przywódców obu organizacji terrorystycznych, pomimo wielu podobieństw w kwestiach ideologicznych, doprowadziła do rywalizacji obu ugrupowań o hegemonię nad globalnym ruchem dżihadystowskim.

ГЛОБАЛЬНОЕ СТОЛКНОВЕНИЕ. КОНКУРЕНЦИЯ МЕЖДУ ИСЛАМСКИМ ГОСУДАРСТВОМ И АЛЬ-КАИДОЙ В ВОПРОСЕ О ГЕГЕМОНИИ НАД ДВИЖЕНИЕМ ДЖИХАДА

Резюме

Целью статьи является сравнение Исламского государства и Аль-Каиды, определение объединяющих сходств и разделяющих различий между этими двумя организациями. Главной исследовательской гипотезой является предпосылка, что Исламское государство отличается от Аль-Каиды прежде всего тем, что приоритетной целью организации является создание исламского государства, основанного на принципах шариата. Данная предпосылка является частью стратегии, разработанной покойным духовным лидером группы – Абу Мусаба аз Заркави. Несмотря на то, что окончательная стратегическая цель Аль-Каиды в настоящее время совпадает с деятельностью Исламского государства, методы действий Аль-Каиды, разработанные под руководством Осамы Бин-Ладена, концентрируются на дестабилизации Запада и поддержке мусульманских освободительных движений. В свою очередь, Исламское государство концентрируется на ликвидации апостатических режимов в арабском мире и установлении халифата. В настоящее время это несходство перспектив лидеров обеих террористических организаций, несмотря на множество сходных моментов в идеологических вопросах, привело к конкуренции обеих группировок в борьбе за гегемонию над глобальным движением джихада.

Krzysztof Garczewski

ISLAM IN THE GERMAN SOCIO-POLITICAL DISCOURSE

INTRODUCTION

Approximately 4 million Muslims live now in the Federal Republic of Germany, which is equivalent to 5 per cent of the population of this country. With the increase in the number of immigrants, the political and socio-cultural landscape of the Federal Republic of Germany changes, which leads to many lively discussions on this topic. In the contemporary German social-political discourse on Islam a positive message about the role of this religion and its followers dominates. At the same time the fear of Islamic radicalism grows in German society, which is conditioned by both internal and external factors. The aim of the author is the answer to the question about the place and role of Islam and its followers in the contemporary discourse which takes place in Germany.

The subject of the discourse is Islam and its followers in the Federal Republic of Germany. For the purposes of this analysis, the following are regarded as the main actors of this discourse: politicians (including the president, members of the federal government and the land governments, other representatives of political parties); Muslim organisations in Germany (including the Central Council of Muslims in Germany and the Islamic Council of Germany); other religious organisations (Catholic, Evangelical, Jewish); society, including recently created social movements (including anti-Islam Pegida); scholars and experts; the media (in particular German public television and radio stations, newspapers, opinion weeklies, magazines); courts (including the Federal Constitutional Court decisions).

The vast majority of Muslims live today in western federal states. The majority of people professing this religion reside in North Rhine-Westphalia. In the east of Germany the only major concentration of the representatives of this religious group is located in Berlin.

Table 1

Muslims in German federal states

Federal state	Amount in thousand	Amount in percent
Baden-Wuerttemberg	673	6,3
Bavaria	535	4,3
Berlin	280	8,2
Brandenburg	4	0,2
Bremen	64	9,8
Hamburg	142	8,0
Hesse	418	6,9
Mecklenburg-Western Pomerania	4	0,2
Lower Saxony	251	3,2
North Rhine-Westphalia	1343	7,5
Rhineland-Palatinate	162	4,0
Saarland	32	3,1
Saxony	28	0,7
Saxony-Anhalt	16	0,7
Schleswig-Holstein	85	3,0
Thuringia	8	0,4

Source: Dürfen wir vorstellen: Deutschlands Muslime. *Zeit-Online* [Online] 29 January 2015. Available at: <http://www.zeit.de/gesellschaft/2015-01/islam-muslime-in-deutschland> [Accessed: 20 March 2015].

Nearly three-quarters of Muslims living in Germany are Sunni (74 percent). Other religious groups include Alevis (12.7 percent), Shiites (7.1 percent) Ahmadis (1.7 percent) Ibadis (0.3 percent), others (4 percent)¹.

¹ See Dürfen wir vorstellen: Deutschlands Muslime. *Zeit-Online* [Online] 29 January 2015. Available at: <http://www.zeit.de/gesellschaft/2015-01/islam-muslime-in-deutschland> [Accessed: 20 March 2015].

Germans have managed to achieve certain successes in the policy of multiculturalism (Multikulti), which is exemplified by the fact that also German Muslims increasingly successfully play the role of social and political leaders in this country. However, the German model of multiculturalism implemented for many years, in many ways still does not seem to stand the test in that country, which is one of the most serious challenges which politicians of the country are facing today. The policy of multiculturalism, conducted consistently and for many years in the spirit of full tolerance, leads both to measurable benefits for the German state, and to the condition in which critical opinions on selected activities of the followers of this religion appear, often interpreted as extreme at an early stage of the discussions. A serious problem of certain environments, which moderately emphasise their smaller or larger detachment from certain elements of the policy of multiculturalism, is the fact that they are often joined by people with extreme views, which results in pushing these groups to political and social margins, making it impossible to conduct a substantive discussion in mainstream politics. The result is a discrepancy between the official line of political correctness and the opinion belonging to a minor part of the population indicating also the presence of some negative phenomena related to Multikulti policy. Moreover, in recent years a growing fear of Islamic terrorism has been sensed in German society. Thwarted assassination attempts prepared in recent years by Muslim fundamentalists and the activity of a relatively small, but very active group of extreme Salafists have not overshadowed the overall picture of Muslims living on the western side the Oder.

THE DAY OF THE OPEN MOSQUE

One of the central symbols of the German policy of multiculturalism is the so-called Day of the Open Mosque organised once a year (*Tag der offenen Moschee*, TOM). Islamic religious communities in Germany were the initiator of this project, taking place in the Federal Republic of Germany since 1997. It is no accident that TOM is organised annually on 3 October, that is on the Day of German Unity national holiday, commemorating the reunification of the German states made in 1990. More than 1,000 mosques take part in TOM, that is more than a third of Muslim shrines in Germany. Among other events, mosque sightseeing, lectures, exhibitions and discussions about Islam are organised on this day. TOM enjoys considerable popularity in Germany and every year attracts more than 100,000 people, mostly not professing

Islam. Since 2007 TOM has been carried out under the direction of the Coordination Council of Muslims in Germany (*Koordinationsrat der Muslime in Deutschland*, KRM). Since that time TOM has been organised each year under one common motto for all participating mosques. For example, in 2007 the slogan was: ‘Mosques – bridges for the common future’ (*Moscheen – Brücken für eine gemeinsame Zukunft*)². The KRM itself was established during the German Conference on Islam organised in 2007 (*Deutsche Islam Konferenz*, DIK), initiated by Wolfgang Schäuble³. Four influential German Islamic organisations are part of the KRM existing since 2007: the Turkish-Islamic Union for Religious Affairs (*Türkisch-Islamische Union der Anstalt für Religion*, DITIB), the Islamic Council of the Federal Republic of Germany (*der Islamrat für die Bundesrepublik Deutschland*, IRD), the Central Council of Muslims in Germany (*der Zentralrat der Muslime in Deutschland*, ZMD) and the Association of Islamic Cultural Centres (*der Verband der Islamischen Kulturzentren*, VIKZ)⁴.

MEDIA ABOUT ISLAM

An important role in the promotion of ‘multicultural values’ is also played by the German media. For example, in April 2007 a German regional public broadcaster *Südwestrundfunk* (SWR) began to emit an approximately 6-minute program entitled ‘The Islamic word’ (*Islamisches Wort*), which since then has been broadcast on the online edition of this radio every first Friday of the month. Three months later, ZDF started broadcasting a program devoted to Islam on its website. A broadcast entitled ‘Forum on Friday’ (*Forum am Freitag*) is also broadcast on ZDF news channel at 8 p.m.⁵. And in March 2015 a German public radio station *Deutschlandfunk* started broadcasting

² <http://tagderoffenenmoschee.de/index.php> [Accessed: 20 March 2015].

³ Paluszek, A. 2012. Niemiecka Konferencja ds. Islamu w kontekście podmiotowości politycznej muzułmanów. [German Conference on Islam in the context of political subjectivity of Muslims.] In: Widy-Behiesse, M. ed. *Islam w Europie. Bogactwo różnorodności czy źródło konfliktów?* [Islam in Europe. The richness of diversity or a source of conflict?] Warszawa, p. 263.

⁴ <http://www.koordinationsrat.de/> [Accessed: 20 March 2015].

⁵ Read about German radio and television programs on Islam in Topçu, C. 2009. *Sendungen von Muslimen in Deutschland*, 12 January 2009. Available at: <http://www.deutsche-islam-konferenz.de/DIK/DE/Magazin/MedienPolitik/MuslimischeSendungen/muslimische-sendungen-node.html> [Accessed: 20 March 2015].

a series of programmes aimed to familiarise listeners with the Koran. In the weekly Friday program entitled ‘The Koran explains’ (*Koran erklärt*), individual passages of the Koran are presented⁶.

MUSLIMS IN GERMAN POLITICS

Muslims living in Germany are also visible in the world of politics. Cem Özdemir is one of the most recognisable German politicians professing Islam. In 1994 he was the first Turk and a Muslim, who was elected to the Bundestag. And in 2008 he became chairman of Alliance 90/the Greens. This fact was interpreted as an example of successful integration and a symbol of the success of the German policy of multiculturalism⁷. C. Özdemir also described himself as a ‘secular Muslim’⁸. In 1994 Leyla Onur, who has Turkish roots, became a member of the Bundestag (Social Democratic Party of Germany, SPD). Between 1989–1994 she was a member of the European Parliament⁹. In turn, Aygül Özkan (Christian Democratic Union, CDU) was the minister for social affairs, women, family, health and integration in Lower Saxony in 2010–2013¹⁰. Another example is Aydan Özoguz (SPD), who in December 2013 became the plenipotentiary of the Federal Government for immigration, refugees and integration (*Beauftragter der Bundesregierung für Migration, Flüchtlinge und Integration*)¹¹.

⁶ *Sendereihe „Koran erklärt“* „Das ist kein religionswissenschaftliches Seminar“. [Online] 6 March 2015. Available at: http://www.deutschlandfunk.de/sendereihe-koran-erklaert-das-ist-kein.886.de.html?dram:article_id=313445 [Accessed: 20 March 2015]. See also Die Sure der Woche. *Frankfurter Allgemeine Zeitung* [Online] 13 March 2015. Available at: <http://www.faz.net/aktuell/feuilleton/medien/im-deutschlandfunk-wird-woechentlich-eine-koran-sure-erklaert-13479533.html> [Accessed: 20 March 2015].

⁷ See *Porträt Cem Özdemir*. Available at: <http://www.deutsche-islam-konferenz.de/DIK/DE/Magazin/MedienPolitik/Oezdemir/oezdemir-node.html> [Accessed: 20 March 2015].

⁸ See *Eben nicht Gustav oder Eberhardt. Cem Özdemir – Schwabe türkischer Abstammung – über antimuslimische Stereotype, Thilo Sarrazin als Gesprächspartner und das Aufrumpeln nach dem Sturz*. Available at: http://www.oezdemir.de/files/Bilder/Artikel/Pressearchiv/2010_03_interview_strassenfeger_ausgabe_maerz.pdf [Accessed: 20 March 2015]

⁹ http://webarchiv.bundestag.de/archive/2007/0206/mdb/mdb14/bio/O/onur_le0.html [Accessed: 20 March 2015].

¹⁰ <http://www.aygueloekzan.de/person/lebenslauf/> [Accessed: 20 March 2015].

¹¹ http://www.bundestag.de/bundestag/abgeordnete18/biografien/O/oezoguz_aydan/258824 [Accessed: 20 March 2015].

IS ISLAM PART OF GERMANY?

The emotional political and social debate on Islam and the German policy of multiculturalism really flared up in August 2010 after the publication of a book by Thilo Sarrazin entitled *Germany is doing away with itself: How we are exposing our country to risk*¹². The controversial publication containing very uncomplimentary opinions about Muslims has become one of the biggest bestsellers on the German book market. By May 2012 it was bought about 1.5 million people. Several weeks after the release of T. Sarrazin's book, the words uttered by the then President of Germany Christian Wulff started another discussion in Germany. The Christian Democrat politician, delivering a speech on 3 October 2010, on the occasion of the twentieth anniversary of the reunification of Germany, assured, among other things, that 'Islam is part of Germany'. This statement became an impetus for an intensive debate on the contemporary role and place of Islam in Germany. In January 2015 Angela Merkel acted similarly after the meeting in Berlin with Prime Minister of Turkey Ahmet Davutoglu. German Chancellor assured at the time of her full support for the integration of immigrants in the Federal Republic of Germany. She also drew attention to the need for more intensive dialogue between followers of different religions¹³. However, the words uttered by Ch. Wulff or A. Merkel clearly divided German society. It is evidenced, for instance, by the survey conducted by the German public television ZDF in January 2015.

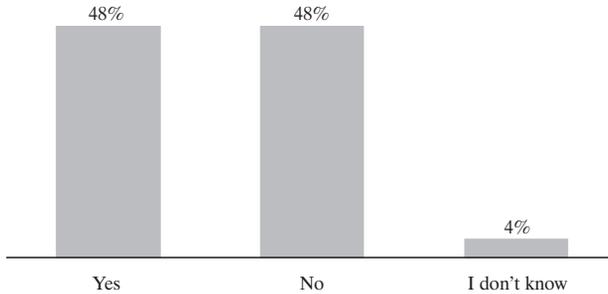
This survey, which was conducted a week after the attacks of Islamic terrorists on the French editors of the weekly *Charlie Hebdo*, also shows that the largest number of people who do not share the opinion that Islam is part of Germany are found among supporters of the Eurosceptic Alternative for Germany (AfD), a similar opinion is shared by the majority of potential voters of the leftist *DieLinke* group. At the other extreme are supporters of Alliance 90/the Greens which is co-chaired by Muslim C. Özdemir. The voters of the Christian Democratic Union / Christian Social Union (CDU / CSU) are most divided on the matter. Nearly 40 percent of supporters of the SPD and the liberal Free Democratic Party (FDP) do not share Merkel's opinion.

¹² Sarrazin, T. 2010. *Deutschland schafft sich ab: Wie wir unser Land aufs Spiel setzen*. München.

¹³ Michalak, A. 2015. Merkel: Islam należy do Niemiec. [Merkel: Islam belongs to Germany.] *Rzeczpospolita* [Online] 12 January 2015. Available at: <http://www.rp.pl/artykul/28,1170760-Merkel--Islam-nalezy-do-Niemiec.html?referer=redpol> [Accessed: 20 March 2015].

Chart 1

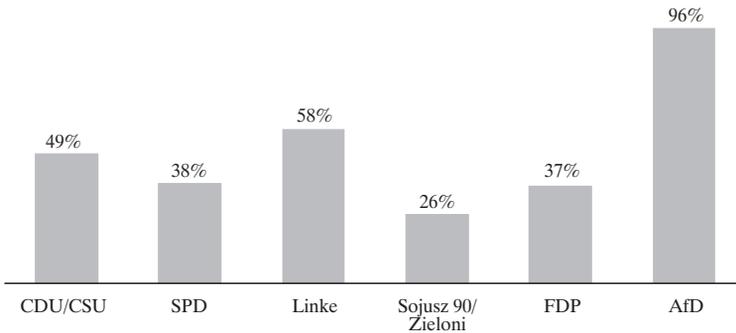
Do you share Merkel’s statement that ‘Islam is part of Germany’?



Source: ZDF Politbarometer 16 January 2015. Available at: <http://www.zdf.de/ZDFmediathek/beitrag/video/2322902/Islam-hier-Deutschland-gespalten-> [Accessed: 20 March 2015].

Chart 2

Do you agree with Merkel’s opinion that ‘Islam is part of Germany’?
– Answers of supporters of various political parties



Source: ZDF Politbarometer 16 January 2015. Available at: <http://www.zdf.de/ZDFmediathek/beitrag/video/2322902/Islam-hier-Deutschland-gespalten-> [Accessed: 20 March 2015].

ISLAMIC HEADSCARVES DIVIDE GERMANY

The German debate about Islam also applies to the issue of headscarves worn by Muslim women living in the country. In March 2015 the Federal Constitutional Court (FTK) examined a complaint by a Muslim teacher and a school pedagogue for a ban on wearing headscarves in public schools in the state of North Rhine-Westphalia. The FTK concluded that it is incompatible with the German Basic Law. The Court also questioned a record on

favourable treatment of Christian and Western cultural and education values (*christliche und abendländische Bildungs – und Kulturwerte*) contained in the provincial educational law (*Schulgesetz*). According to the FTK, such a statement is discriminatory for the followers of other religions. The above decision, which referred directly to the laws in force in North Rhine-Westphalia, obliges other federal states to adapt their legislative solutions to this decision¹⁴. This decision was welcome, among others, by leaders of Germany's leading Islamic organisations – Nurhan Soykan, Secretary General of the Central Council of Muslims in Germany¹⁵ or Ali Kızılkaya, Chairman of the Islamic Council in Germany¹⁶.

It should be noted that in 2003, the FTK stipulated that the decision on a ban on wearing headscarves by Muslims in schools could be made at the land level by the parliaments of individual German federal states. After this ruling in 2004–2005 the ban on the wearing headscarves by teachers in schools was introduced in eight German states, located mainly in the western part of Germany. This law began to be binding in Baden-Württemberg (in 2004), Bavaria (2004), Berlin (2005), Bremen (2005), Hesse (2004), Lower Saxony (2004), North Rhine-Westphalia (2004) and in Saarland (2004). Activists of the CDU in Rhineland-Palatinate and Schleswig-Holstein and the German People's Union (DVU) in Brandenburg also opted for the introduction of similar bans, however the parliaments of these federal states did not give their consent¹⁷.

Thus, the consent to wearing headscarves by Muslim teachers in schools was in force primarily in the eastern lands (Brandenburg, Mecklenburg-Western Pomerania, Saxony, Saxony-Anhalt, Thuringia). The ban was

¹⁴ Sm, PAP, Dotkliwa ingerencja w wolność wyznania. Zakaz noszenia chust w niemieckich szkołach jest niekonstytucyjny. [Severe interference in freedom of religion. The ban on headscarves in German schools is unconstitutional.] *Tok FM* [Online] 13 March 2015. Available at: http://www.tokfm.pl/Tokfm/1,102433,17564920,Federalny_trybunal_konstytucyjny_Zakaz_noszenia_chust.html [Accessed: 20 March 2015]; *GekipptesKopftuchverbot: WelcheBundesländerjetztihreGesetzeprüfenmüssen. Spiegel Online* [Online] 13 March 2015. Available at: <http://www.spiegel.de/schulspiegel/wissen/kopftuch-verbot-diese-bundeslaender-muessen-ihre-gesetze-pruefen-a-1023333.html> [Accessed: 20 March 2015].

¹⁵ *ZMD begrüßt die Aufhebung des Kopftuchverbotes für Lehrerinnen*. 13 March 2015. Available at: <http://zentralrat.de/26212.php> [Accessed: 20 March 2015].

¹⁶ *Islamrat begrüßt die Entscheidung des Bundesverfassungsgerichtes zum Kopftuchverbot*. 13 March 2015. Available at: <http://islamrat.de/islamrat-begruesst-die-entscheidung-des-bundesverfassungsgerichtes-zum-kopftuchverbot/> [Accessed: 20 March 2015].

¹⁷ *Ibidem*.

maintained, in turn, in the majority of western lands (with the exception of Hamburg and North Rhine-Westphalia and Schleswig-Holstein as mentioned earlier)¹⁸.

MUSLIMS AND CHANGES IN GERMAN LAW

For many years Muslim organisations operating in Germany have demanded granting them more rights in social and cultural life of Germany. At the end of December 2014 Prime Minister of Lower Saxony, Stephan Weil (SPD), announced signing of an agreement with Islamic organisations operating in this federal state granting them more rights than ever before. The Social Democratic politician decided, among others, to introduce in this state a day off work in a period of one of Islamic religious holidays. Hamburg was the first federal state which entered into a separate agreement with representatives of the Muslim community in Germany. In November 2012 the land authorities granted Muslims a lot of new privileges guaranteeing, among others, the promotion of Islam in public schools. The authorities also agreed to build more mosques in the land and bury the dead without coffins. Under this agreement, Muslims themselves were able to choose three days which were to be legislated as free from work, they themselves were also to decide curriculum related to Islam in college, and also received the possibility to choose teachers of Islam in the city's schools. In turn, Muslims living in Hamburg were to commit themselves, among others, to abide by German law, to recognise the principle of gender equality and tolerance. Bremen authorities also entered into a separate agreement with Muslim organisations¹⁹.

In turn, in June 2013 Hesse became the first German land which granted the Muslim community the status of a public-law corporation. It was granted to *Ahmadija* which has approximately 35 thousand members, which thus gained rights similar to Christian and Jewish organisations²⁰.

¹⁸ *Ibidem*.

¹⁹ Coellen, B. 2014. Ustawowe święto religijne muzułmanów w Dolnej Saksonii? [Statutory religious holidays of Muslims in Lower Saxony?] *Deutsche Welle* [Online] 28 December 2014. Available at: <http://www.dw.de/ustawowe-%C5%9Bwi%C4%99to-religijne-muzu%C5%82man%C3%B3w-w-dolnej-saksonii/a-18154146> [Accessed: 20 March 2015].

²⁰ See Jendroszczyk P. 2013. Islam zdobywa Niemcy [Islam wins Germany.] *Rzeczpospolita* [Online] 14 June 2013. Available at: <http://www.rp.pl/artykul/28,1019496-Islam-zdobywa-Niemcy.html?referer=redpol> [Accessed: 20 March 2015].

ISLAMIC FUNDAMENTALISM AS A CHALLENGE FOR THE GERMAN STATE

The German state promoting for many years the open and tolerant policy of multiculturalism at the same time carries out intensive activities to neutralise radical Islamic groups operating in the Federal Republic of Germany. Only after the American events of 2001, did Germany really realise what kind of threats Islamic fundamentalism brings also to their country. Before the attacks on 11 September 2001 it was Germany where numerous cells of Islamic terrorists were located, and in Hamburg Mohammed Atta with his associates made plans for the attack on the WTC and the Pentagon²¹. As Józef M. Fiszer noted: 'Terrorism, which has been getting stronger since the beginning of the 21st century, takes on very dangerous forms for the contemporary world and raises a growing concern among political elites, people of science, culture and journalists. Dominated by extremist Islamic fundamentalism, it leads downright to the clash of civilisations and cultures, and thus to deep divisions and conflicts among states and nations'²².

Over the last several years, the German services have already thwarted at least several serious assassination attempts by Islamic terrorists. According to the German Federal Criminal Police Office (*Bundeskriminalamt*, BKA) from 2000 to mid 2015 there were twelve unsuccessful assassination attempts by Islamic terrorists in the country²³. Such a situation occurred, among others, in Bremen. The anti-terrorism alert was announced in the city on 28 February 2015 when the police armed with machine guns appeared in the city centre²⁴. Furthermore, on 10 December 2012 at the railway station in Bonn in one of the backpacks a powerful explosive device was found, which had not been

²¹ See Hreczuk, A. 2011. Nieliczni, ale groźni. [Few, but dangerous.] *Polityka* [Online] 12 October 2011. Available at: <http://www.polityka.pl/tygodnikpolityka/swiat/1519770,1,niemcy-na-celowniku-fundamentalistow-islamskich.read> [Accessed: 20 March 2015].

²² Fiszer, J.M. 2012. Terroryzm jako zagrożenie dla współczesnych stosunków międzynarodowych. [Terrorism as a threat to contemporary international relations.] *Mysł Ekonomiczna i Polityczna*, no. 3/2012, p. 157.

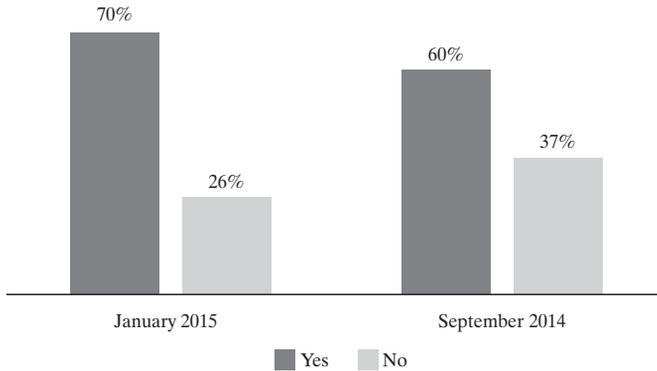
²³ Kev/AFP/dpa/Reuters, Sicherheitsbehörden: Deutschland entging zwölf islamistischen Anschlägen. *Spiegel-Online* [Online] 7 July 2015. Available at: <http://www.spiegel.de/politik/deutschland/bka-deutschland-entging-zwoelf-islamistischen-anschlaegen-a-1042514.html> [Accessed: 20 July 2015].

²⁴ Diehl, J., Siemens, A. 2015. *Terrorangst in Bremen: „Alle Register gezogen“*. *Spiegel-Online* [Online] 1 March 2015. Available at: <http://www.spiegel.de/politik/deutschland/bremen-entwarnung-nach-angst-vor-islamistischem-anschlag-a-1021196.html> [Accessed: 20 March 2015].

detonated. The trial of the Islamic extremists, suspects in this case, who were also accused of attempted assassination of Marcus Beisichtaw, right-wing Pro-NRW politician, in March 2013, began in Düsseldorf in September 2014²⁵. The situation in Bonn was similar to that of 2006 when due to a design flaw of bombs planted in regional trains in Rhineland it was possible to avoid the explosion of these charges. According to Piotr Madajczyk: ‘German authorities have not worked out effective methods of combating radical Islamic movements and their propaganda impact on some young Muslims, also with German citizenship. Some of them set off to take part in jihad. Opposition to this is even more difficult because in Germany, where insufficient attention has been given to integration for years, a structural system “producing” terrorists has been created’²⁶. Moreover, the surveys conducted by ZDF in 2014 and in 2015 show that the majority of German society also expresses fear of attacks of Islamic radicals.

Chart 3

Are you afraid of terrorist attacks of Islamists in the near future?



Source: ZDF Politbarometer 16 January 2015. Available at: <http://www.zdf.de/ZDFmediathek/beitrag/video/2322902/Islam-hier-Deutschland-gespalten-> [Accessed: 20 March 2015].

²⁵ Jarecka, A. 2014. Düsseldorf. Proces przeciwko domniemanym islamskim zamachowcom. [Düsseldorf. The trial of alleged Islamic terrorists.] *Deutsche Welle* [Online] 8 September 2014. Available at: <http://www.dw.de/d%C3%BCsseldorf-proces-przeciwko-domniemanym-islamskim-zamachowcom/a-17908692> [Accessed: 20 March 2015].

²⁶ Madajczyk, P. 2015. *Między fundamentalizmem a asymilacją. Muzułmanie w Niemczech.* [Between fundamentalism and assimilation. Muslims in Germany.] Warszawa, p. 237.

In September 2014 Germany, as the first country in Europe, issued a formal ban on activities in favour of the so-called Islamic State (IS). The decision on this matter was issued by Thomas de Maizière, Federal Minister of Internal Affairs. Referring to the threat to public safety it was forbidden, among others, to use of any symbols referring to this organisation, including the black flag of the IS radicals²⁷.

A big problem for the German services responsible for national security is the activity of Salafists, suspected of carrying out, starting from 2014, the recruitment of German citizens for the IS²⁸. The Salafists come from an orthodox faction of Islam. According to the Federal Office for the Protection of the Constitution (*Bundesamt für Verfassungsschutz*) in October 2014 in Germany there were approximately 6,300 representatives of this trend, mainly in North Rhine-Westphalia, where there is also the largest Muslim community in Germany. Their number, however, dramatically increases and it has tripled in the last few years²⁹. At the beginning of 2015 in Germany a trial of 25-year-old Polish woman living in Bonn began. The Muslim convert professing Salafism was accused of supporting terrorists under the banner of the Islamic State³⁰. Six months later she was found guilty³¹. In Rhineland loud discussions were caused by the appearance of the so-called 'Islamic

²⁷ Coellen, B. 2014. Niemcy wprowadzają zakaz działalności IS. [Germany prohibits the activities of the IS.] *Deutsche Welle* [Online] 12 September 2014. Available at: <http://www.dw.de/niemcy-wprowadzaj%C4%85-zakaz-dzia%C5%82alno%C5%9Bcis/a-17917765> [Accessed: 20 March 2015].

²⁸ See more on this topic in Jarecka, A. 2014. Krótka droga do dżihadu. Salafici w Niemczech rekrutują nowych bojowników. [A short path to jihad. Salafists in Germany recruit new fighters.] *Deutsche Welle* [Online] 12 September 2014. Available at: <http://www.dw.de/kr%C3%B3tka-droga-do-d%C5%BCihadu-salafici-w-niemczech-rekrutuj%C4%85-nowych-bojownik%C3%B3w/a-17915683> [Accessed: 20 March 2015].

²⁹ Hans-Georg Maaßen, President of the Office estimated then that at the end of 2014 there will be about 7,000 Salafists in Germany. See *stk/dpa/AFP. Extremisten in Deutschland: Verfassungsschutz rechnet mit 7000 Salafisten. Spiegel Online* [Online] 25 October 2014. Available at: <http://www.spiegel.de/politik/deutschland/verfassungsschutz-rechnet-mit-7000-salafisten-in-deutschland-a-999212.html> [Accessed: 20 March 2015].

³⁰ Wieliński, B. T. 2015. Dżihad Karoliny. Polka oskarżona o wspieranie terrorystów staje przed niemieckim sądem. [Karolina's jihad. A Polish woman accused of supporting terrorists stands before a German court.] *Wyborcza.pl* [Online] 21 January 2015. Available at: http://wyborcza.pl/1,75477,17286238,Dzihad_Karoliny_Polka_oskarzona_o_wspieranie_terrorystow.html [Accessed: 20 March 2015].

³¹ See mil, PAP, Niemcy. 26-letnia Karolina R. skazana za wspieranie Państwa Islamskiego. Prawie 4 lata więzienia. [Germany. 26-year-old Karolina R. convicted of supporting the Islamic State. Almost 4 years in prison.] *Gazeta.pl* [Online] 24 June 2015.

moral police', urging residents to behave in accordance with the principles of Sharia, in the summer of 2014 on the streets of Wuppertal³². Aiman Mazyek, chairman of the Central Council of Muslims in Germany distanced himself from those events. 'This group of hooligans does not speak on our behalf (...). These people abuse our faith for their own purposes. Their conspicuous and pointless action is detrimental to all Muslims in Germany' – he argued in an interview for *Tagesspiegel am Sonntag*³³.

In January 2015 after the assassination of Paris editors of the satirical weekly *Charlie Hebdo* by Islamic extremists, in which 12 people were killed, another emotional debate on Muslims took place in Germany³⁴. On 13 January 2015 on the initiative of the Central Council of Muslims a manifestation entailed 'To stand together – to show your face' (*Zusammenstehen – Gesicht zeigen*) was organised in Berlin at the Brandenburg Gate, which was attended by representatives of many churches, representing, among others, Muslims, Catholics, Protestants and Jews. Prominent political activists, including Chancellor Angela Merkel and President Joachim Gauck, were also present.

IS ISLAMISATION A DANGER FOR GERMANY AND EUROPE?

Another discourse on the role of Islam in Germany also flared up after the creation of a movement called 'Patriotic Europeans against the Islamisation of the West' (*Patriotische Europäer gegen die Islamisierung des Abendlandes*, Pegida) in that country in autumn 2014. Pegida was founded in Dresden, eastern Germany. Starting from 20 October 2014 its supporters

Available at: http://wiadomosci.gazeta.pl/wiadomosci/1,114871,18221816,Niemcy__26_letnia_Karolina_R_skazana_za_wspieranie.html [Accessed 30 June 2015].

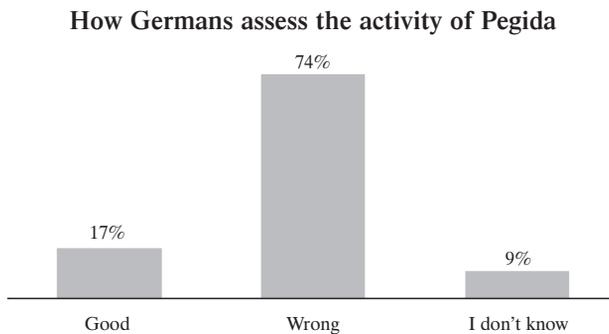
³² Stasik, E. 2014. Niemcy: Szariat w Wuppertalu. Samozwańcza muzułmańska policja patroluje miasto. [Germany: Sharia in Wuppertal. The self-proclaimed Muslim police patrol the city.] *Deutsche Welle* [Online] 05 September 2014. Available at: <http://www.dw.de/niemcy-szariat-w-wuppertalu-samozwa%C5%84cza-muzu%C5%82ma%C5%84ska-policja-patroluje-miasto/a-17904984> [Accessed: 20 March 2015].

³³ Cited in Pawlak, A. 2014. „Nie” dla islamskiej policji obyczajowej. ['No' to the Islamic moral police.] *Deutsche Welle* [Online] 7 September 2014. Available at: <http://www.dw.de/nie-dla-islamskiej-policji-obyczajowej/a-17906666> [Accessed: 20 March 2015].

³⁴ The attack on the editor of *Charlie Hebdo* took place on 7 January 2015. Among other persons, known cartoonists of the editor were killed then. Previously, the weekly had published, among others, Muhammad's caricatures. Journalists of *Charlie Hebdo* also presented representatives of other religions, including Catholics and Jews, in a satirical manner. They also did not spare leading politicians.

decided to organise weekly marches in the city, held on every subsequent Monday. In December 2014 Pegida was officially registered and since then it has operated as an association (*Verein*). It has also published its 19-point program, demanding, among others, changes in German policy towards Muslim immigrants. In time, similar marches were also organised in other German cities, including Leipzig, Berlin, Cologne and Munich. On the other hand, the opponents of this movement prepared counter-demonstrations, which mostly had many more participants than those organised by Pegida. In Cologne, in response to the demonstrations of supporters Pegida, among others, the lighting of the famous cathedral in the city was switched off, while in Berlin to protest against this movement the illumination of the Brandenburg Gate was turned off³⁵. The vast majority of German society did not express the approval for the activity of this movement.

Chart 4



Source: ZDF Politbarometer 16 January 2015. Available at: <http://www.zdf.de/ZDFmedia-thek/beitrag/video/2322902/Islam-hier-Deutschland-gespalten-> [Accessed: 20 March 2015].

The largest demonstration of supporters of Pegida took place on 12 January 2015, that is a few days after the attack of Islamic terrorists on the editorial office of the French weekly *Charlie Hebdo*. According to the organisers around 40,000 people gathered then in Dresden³⁶. Previously the weekly demonstrations had attracted from a few to several thousand

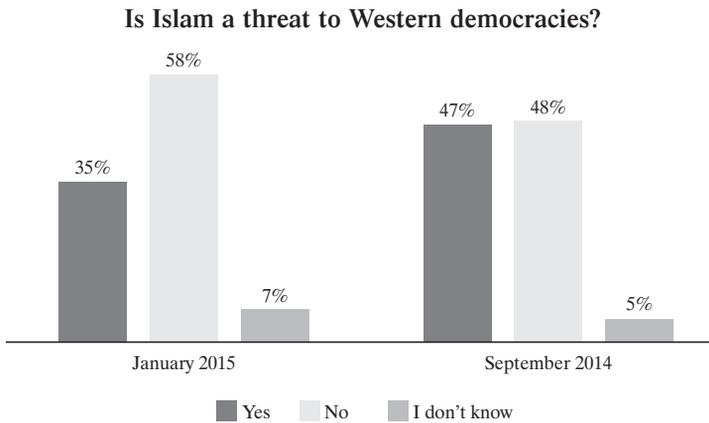
³⁵ See bart, Rekordowo liczna manifestacja antyislamska w Dreźnie. Maszerowało 20 tys.. [Record-breaking number of participants of the anti-Islamic manifestation in Dresden. 20 thousand marched.] *Wyborcza.pl* [Online] 12 January 2015. Available at: http://wyborcza.pl/1,75477,17246469,Rekordowo_liczna_manifestacja_antyislamska_w_Dreznie_.html [Accessed: 20 March 2015].

³⁶ According to local journalists, the number of demonstrating supporters of Pegida was nearly two times lower. See *ibidem*.

people. Fearing attacks, however, Pegida cancelled the next demonstration planned for 19 January³⁷. At the beginning the organisation was led by Lutz Bachmann. However, in late January 2015, after the newspaper *Bild* published a photo on which the leader of Pegida was posing as Adolf Hitler, L. Bachmann stepped down³⁸. However, a month later in a secret vote he was re-elected to the board of Pegida³⁹.

The activities of the anti-Islamic movement have been widely criticised by the vast majority of German politicians, representatives of the leading media and many social organisations. Germany, however, is clearly divided as to whether Islam threatens democratic systems of Western Europe. According to the ZDF opinion polls, which were carried out in September 2012 and in January 2015 the majority of the citizens of this country did not see such a threat. Moreover, the number of people who assess Islam negatively was at that time clearly reduced (from 47 percent in 2012 to 35 percent in 2015).

Chart 5



Source: ZDF Politbarometer 16 January 2015. Available at: <http://www.zdf.de/ZDFmedia-thek/beitrag/video/2322902/Islam-hier-Deutschland-gespalten-> [Accessed: 20 March 2015].

³⁷ Pegida sagt Kundgebung wegen Morddrohung ab. *Die Zeit* [Online] 18 January 2015. Available at: <http://www.zeit.de/gesellschaft/zeitgeschehen/2015-01/dresden-pegida-demonstration-montag-abgesagt> [Accessed: 20 March 2015].

³⁸ kospa, Szeł niemieckiego ruchu antyislamskiego zrezygnował. Przez zdjęcie „na Hitlera“. [The head of the German anti-Islamic movement resigned. Because of a photo ‘as Hitler’.] *Wyborcza.pl* [Online] 21 January 2015. Available at: <http://wyborcza.pl/1,75477,17291829.html> [Accessed: 20 March 2015].

³⁹ Zeit Online, dpa, sk, Lutz Bachmann wieder im Vorstand von Pegida. *Die Zeit* [Online] 23 February 2015. Available at: <http://www.zeit.de/gesellschaft/zeitgeschehen/2015-02/pegida-lutz-bachmann-zurueck-im-vorstand> [Accessed: 20 March 2015].

However, the survey conducted in a similar period (2012 and 2014) by the Bertelsmann Foundation gave different results. Most respondents negatively assessed the role of Islam in Germany, and the number of people who see a threat in this religion increased during this time (from 53 percent in 2012 to 57 percent in 2014). In addition, an increasing number of Germans saw the contradiction between Islam and Western values.

The results of the two polls, considered representative, show how Germans' moods can vary due to functioning in a multicultural society among media reports on Islamic fanaticism, right-wing extremism and politically correct mainstream.

The anti-Islamic sentiments and the activity of Pegida meant that leaders of the greatest German political parties unequivocally distanced themselves from this movement. In turn, Alternative for Germany (AfD), an Eurosceptic party founded in the spring of 2013, can be included to the supporters of Pegida. According to the polls the vast majority of the electorate of this party shares the slogans of Pegida. A positive opinion on the activities of this organisation was also expressed by representatives of the extreme right, but they are on the margins of the German political life. In March 2015 Pegida boasted of having nearly 160,000 'online' followers on its profile on the social network site Facebook⁴⁰. In turn, on 13 April 2015, among other persons, Geert Wilders took part in Pegida's Dresden demonstration⁴¹.

Supporters of Pegida also negatively assessed Germany's acceptance of new immigrants from Arab countries, at the same time opposing the opening of new centres for refugees. The last several years in Germany have also witnessed a significant increase in the number of attacks on buildings in which centres of type were to be located. These incidents occurred both in the east and in the west of the country, including in Bavaria⁴², Saxony-Anhalt⁴³ and

⁴⁰ *Ibidem*.

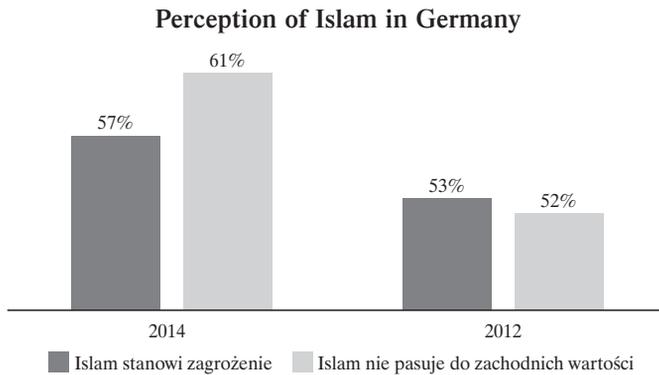
⁴¹ *Ibidem*.

⁴² Pawlak, A. 2014. Niemcy: w Bawarii spłonęły trzy budynki przewidziane na schronisko dla uchodźców. [Germany: three buildings planned for shelter for refugees burned down in Bavaria.] *Deutsche Welle* [Online] 12 December 2014. Available at: <http://www.dw.com/pl/niemcy-w-bawarii-sp%C5%82on%C4%99%C5%82y-trzy-budynki-przewidziane-na-schronisko-dla-uchod%C5%BAc%C3%B3w/a-18126307> [Accessed: 20 July 2015].

⁴³ Stasik, E. 2015. Niemcy: Podpalone schronisko dla uchodźców w Troeglit. [Germany: fire set to a shelter for refugees in Troeglit.] *Deutsche Welle* [Online] 4 April 2015. Available at: <http://www.dw.com/pl/niemcy-podpalone-schronisko-dla-uchod%C5%BAc%C3%B3w-w-troeglit/a-18361467> [Accessed: 20 July 2015].

Saxony⁴⁴. According to the BKA, in 2012 24 such cases motivated by the activities of the extreme right were recorded, in the following year as many as 58, in 2014 as many as 162⁴⁵. In 2014 about 200 thousand people applied for asylum in Germany. In the following year even a double number of such people is anticipated because only in the first half 2015 179 thousand subsequent immigrants applied for asylum in this country. They came, among others, from Syria, Eritrea, Afghanistan, as well as from the Balkan countries⁴⁶.

Chart 6



Source: Bertelsmann-Studie. Ablehnung des Islam wächst. *Die Welt* [Online] 8 January 2015. Available at: <http://www.welt.de/politik/deutschland/article136137605/Ablehnung-des-Islam-in-Deutschland-waechst.html> [Accessed: 20 March 2015].

OTHER OPPONENTS OF ISLAM

In Germany, there are also other environments which have a negative attitude towards Muslims. For example, in January 2007 the Central Council of Ex-Muslims (*Der Zentralrat der Ex-Muslime*) was founded in Cologne,

⁴⁴ Jarecka, A. 2015. Niemcy: zamach na ośrodek dla uchodźców w Miśni. [Germany: an attack on a refugee center in Meissen.] *Deutsche Welle* [Online] 29 June 2015. Available at: <http://www.dw.com/pl/niemcy-zamach-na-o%C5%9Brodek-dla-uchod%C5%BAc%C3%B3w-w-mi%C5%9Bni/a-18547070> [Accessed: 20 July 2015].

⁴⁵ See Scheld, C. 2015. Angriffe auf Flüchtlingsheime 2014. 162 Mal Tröglitz. *Tagesschau.de* [Online] 8 April 2015. Available at: <https://www.tagesschau.de/inland/fremdenfeindliche-uebergrieffe-101.html> [Accessed: 20 July 2015].

⁴⁶ See Coellen, B. 2015. Rekordowa liczba nielegalnych imigrantów w RFN. [A record number of illegal immigrants in Germany.] *Deutsche Welle* [Online] 14 July 2015. Available at: <http://www.dw.com/pl/rekordowa-liczba-nielegalnych-imigrant%C3%B3w-w-rfn/a-18583981> [Accessed: 20 July 2015].

associating mainly people who have abandoned professing this religion⁴⁷. Mina Ahadi, Iranian, became the Chairperson; she is an activist fighting for respect for human rights, including in particular women's rights, and belongs to the Worker-Communist Party of Iran in-exile. In January 2015 M. Ahadi spoke with understanding about people participating in demonstrations of Pegida, however, detaching herself from the organisers of these demonstrations. At the same time she criticised appearing in Germany slogans hostile to immigrants. She also rejected the possibility of dialogue with both 'racist' environments and 'Islamists'⁴⁸.

CONCLUSION

The contemporary German socio-political discourse concerning Islam is dominated by positive slogans and opinions on this religion and its followers, supported by numerous examples of successful integration of parts of Muslim communities in the society of the FRG. Discussions conducted on this topic are, however, often permeated with political correctness. This situation results partially from historical conditions. The vast majority of German politicians and journalists enforces the idea of Germany which is absolutely tolerant and open to representatives of other religions, which, according to this conception, is to leave the door wide open to representatives of other nationalities and religions. Thus, Germany wants to prove that it is totally free from any xenophobic attitudes. As a result, the fear of the 'return of nationalist sentiments' often evokes negative reactions to the criticism of Islam and activity of some radical Muslims. The discrepancy between the official mainstream of political correctness and moods of certain groups of society increasingly leads to tensions which are visible both in the social and political spheres, the latest example of which is the emotional debate on the activity of Pegida.

In Germany there is also an intense debate on whether Islam and its followers do not affect the socio-political processes taking place in that country. The cited words of Ch. Wulff that 'Islam is part of Germany', repeated at the beginning of 2015 by Chancellor Merkel, do not find unequivocal support

⁴⁷ <http://exmuslime.com/> [Accessed: 20 July 2015].

⁴⁸ *Video: Zentralrat der Ex-Muslime: Sorgen der Pegida-Anhänger ernst nehmen.* [Online] 26 January 2015. Available at: <http://www.daserste.de/information/politik-weltgeschehen/morgenmagazin/videos/zentralrat-der-ex-muslime-sorgen-der-pegida-anhaenger-ernst-nehmen-100.html> [Accessed: 20 July 2015].

of the German public which remains clearly divided on this issue, which is shown by opinion polls held on the subject.

Religious tensions associated with the stay of the increasing number of Muslims in Germany will be gaining momentum. Moreover, the radicalisation of moods in this area is influenced also by the increasingly complicated situation in the countries of North Africa and the Middle East, connected with the activities of the so-called Islamic State. As a result, with the inflow of a growing number of immigrants to Europe, including to the territory of the Federal Republic of Germany, representatives of extreme environments, gathered around radical Salafists, or far-right groups located on the opposite extreme begin to express their opinions. The fight against Islamic extremism is also one of the biggest challenges for the German services responsible for national security. All these elements are not conducive to a substantive and emotion-free discussion about Muslims.

REFERENCES

- bart, Rekordowo liczna manifestacja antyislamska w Dreźnie. Maszerowało 20 tys. [Record-breaking number of participants of the anti-Islamic manifestation in Dresden. 20 thousand marched.] *Wyborcza.pl* [Online] 12 January 2015. Available at: http://wyborcza.pl/1,75477,17246469,Rekordowo_liczna_manifestacja_antyislamska_w_Dreznie_.html [Accessed: 20 March 2015].
- Bertelsmann-Studie. Ablehnung des Islam wächst. *Die Welt* [Online] 8 January 2015. Available at: <http://www.welt.de/politik/deutschland/article136137605/Ablehnung-des-Islam-in-Deutschland-waechst.html> [Accessed: 20 March 2015].
- Coellen, B. 2014. Niemcy wprowadzają zakaz działalności IS. [Germany prohibits the activities of the IS.] *Deutsche Welle* [Online] 12 September 2014. Available at: <http://www.dw.de/niemcy-wprowadzaj%C4%85-zakaz-dzia%C5%82alno%C5%9Bci-is/a-17917765> [Accessed: 20 March 2015].
- Coellen, B. 2015. Rekordowa liczba nielegalnych imigrantów w RFN. [A record number of illegal immigrants in Germany.] *Deutsche Welle* [Online] 14 July 2015. Available at: <http://www.dw.com/pl/rekordowa-liczba-nielegalnych-imigrant%C3%B3w-w-rfn/a-18583981> [Accessed: 20 July 2015].
- Coellen, B. 2014. Ustawowe święto religijne muzułmanów w Dolnej Saksonii? [Statutory religious holidays of Muslims in Lower Saxony?] *Deutsche Welle* [Online] 28 December 2014. Available at: <http://www.dw.de/ustawo->

- we-%C5%9Bwi%C4%99to-religijne-muzu%C5%82man%C3%B3w-w-dolnej-saksonii/a-18154146 [Accessed: 20 March 2015].
- Diehl, J., Siemens, A. 2015. *Terrorangst in Bremen: „Alle Register gezogen“*. *Spiegel-Online* [Online] 1 March 2015. Available at: <http://www.spiegel.de/politik/deutschland/bremen-entwarnung-nach-angst-vor-islamistischem-anschlag-a-1021196.html> [Accessed: 20 March 2015].
- Die Sure der Woche. *Frankfurter Allgemeine Zeitung* [Online] 13 March 2015. Available at: <http://www.faz.net/aktuell/feuilleton/medien/im-deutschlandfunk-wird-woechentlich-eine-koran-sure-erklaert-13479533.html> [Accessed: 20 March 2015].
- Dürfen wir vorstellen: Deutschlands Muslime. *Zeit-Online* [Online] 29 January 2015. Available at: <http://www.zeit.de/gesellschaft/2015-01/islam-muslime-in-deutschland> [Accessed: 20 March 2015].
- Eben nicht Gustav oder Eberhardt. Cem Özdemir – Schwabe türkischer Abstammung – über antimuslimische Stereotype, Thilo Sarrazin als Gesprächspartner und das Aufrappeln nach dem Sturz*. Available at: http://www.oezdemir.de/files/Bilder/Artikel/Pressearchiv/2010_03_interview_strassenfeger_ausgabe_maerz.pdf [Accessed: 20 March 2015].
- Fischer, J. M. 2012. Terrorism jako zagrożenie dla współczesnych stosunków międzynarodowych. [Terrorism as a threat to contemporary international relations.] *Myśl Ekonomiczna i Polityczna*, no. 3/2012.
- Gekipptes Kopftuchverbot: Welche Bundesländerjetztihre Gesetzeprüfenmüssen*. *Spiegel Online* [Online] 13 March 2015. Available at: <http://www.spiegel.de/schulspiegel/wissen/kopftuch-verbot-diese-bundeslaender-muessen-ihre-gesetze-pruefen-a-1023333.html> [Accessed: 20 March 2015].
- Hreczuk, A. 2011. Nieliczni, ale groźni. [Few, but dangerous.] *Polityka* [Online] 12 October 2011. Available at: <http://www.polityka.pl/tygodnikpolityka/swiat/1519770,1,niemcy-na-celowniku-fundamentalistow-islamskich.read> [Accessed: 20 March 2015].
- <http://exmuslime.com/> [Accessed: 20 July 2015].
- <http://tagderoffenenmoschee.de/index.php> [Accessed: 20 March 2015].
- http://webarchiv.bundestag.de/archive/2007/0206/mdb/mdb14/bio/O/onur_le0.html [Accessed: 20 March 2015].
- <http://www.aygueloezkan.de/person/lebenslauf/> [Accessed: 20 March 2015].
- http://www.bundestag.de/bundestag/abgeordnete18/biografien/O/oezoguz_aydan/258824 [Accessed: 20 March 2015].
- <https://www.facebook.com/pages/PEGIDA/790669100971515?ref=bookmarks> [Accessed: 20 March 2015].
- <http://www.koordinationsrat.de/> [Accessed: 20 March 2015].

- Islamrat begrüßt die Entscheidung des Bundesverfassungsgerichtes zum Kopftuchverbot.* 13 March 2015. Available at: <http://islamrat.de/islamrat-begruesst-die-entscheidung-des-bundesverfassungsgerichtes-zum-kopftuchverbot/> [Accessed: 20 March 2015].
- Jarecka, A. 2014. Düsseldorf. Proces przeciwko domniemanym islamskim zamachowcom. [Düsseldorf. The trial of alleged Islamic terrorists.] *Deutsche Welle* [Online] 8 September 2014. Available at: <http://www.dw.de/d%C3%BCsseldorf-proces-przeciwko-domniemanym-islamskim-zamachowcom/a-17908692> [Accessed: 20 March 2015].
- Jarecka, A. 2014. Krótka droga do dżihadu. Salafici w Niemczech rekrutują nowych bojowników. [A short path to jihad. Salafists in Germany recruit new fighters.] *Deutsche Welle* [Online] 12 September 2014. Available at: <http://www.dw.de/kr%C3%B3tka-droga-do-d%C5%BCihadu-salafici-w-niemczech-rekrutuj%C4%85-nowych-bojownik%C3%B3w/a-17915683> [Accessed: 20 March 2015].
- Jarecka, A. 2015. Niemcy: zamach na ośrodek dla uchodźców w Miśni. [Germany: an attack on a refugee center in Meissen.] *Deutsche Welle* [Online] 29 June 2015. Available at: <http://www.dw.com/pl/niemcy-zamach-na-o%C5%9Brodek-dla-uchod%C5%BAc%C3%B3w-w-mi%C5%9Bni/a-18547070> [Accessed: 20 July 2015].
- Jendroszczyk P. 2013. Islam zdobywa Niemcy [Islam wins Germany.] *Rzeczpospolita* [Online] 14 June 2013. Available at: <http://www.rp.pl/artyku-1/28,1019496-Islam-zdobywa-Niemcy.html?referer=redpol> [Accessed: 20 March 2015].
- Kev/AFP/dpa/Reuters, Sicherheitsbehörden: Deutschland entging zwölf islamistischen Anschlägen. *Spiegel-Online* [Online] 7 July 2015. Available at: <http://www.spiegel.de/politik/deutschland/bka-deutschland-entging-zwoelf-islamistischen-anschlaegen-a-1042514.html> [Accessed: 20 July 2015].
- kospa, Szef niemieckiego ruchu antyislamskiego zrezygnował. Przez zdjęcie “na Hitlera”. [The head of the German anti-Islamic movement resigned. Because of a photo ‘as Hitler’.] *Wyborcza.pl* [Online] 21 January 2015. Available at: <http://wyborcza.pl/1,75477,17291829.html> [Accessed: 20 March 2015].
- Madajczyk, P. 2015. *Między fundamentalizmem a asymilacją. Muzułmanie w Niemczech.* [Between fundamentalism and assimilation. Muslims in Germany.] Warszawa
- Michalak, A. 2015. Merkel: Islam należy do Niemiec [Merkel: Islam belongs to Germany.] *Rzeczpospolita* [Online] 12 January 2015. Available at: <http://>

- www.rp.pl/artykul/28,1170760-Merkel--Islam-nalezy-do-Niemiec.html?referer=redpol [Accessed: 20 March 2015].
- mil, PAP, Niemcy. 26-letnia Karolina R. skazana za wspieranie Państwa Islamskiego. Prawie 4 lata więzienia. [Germany. 26-year-old Karolina R. convicted of supporting the Islamic State. Almost 4 years in prison.] *Gazeta.pl* [Online] 24 June 2015. Available at: http://wiadomosci.gazeta.pl/wiadomosci/1,114871,18221816,Niemcy__26_letnia_Karolina_R__skazana_za_wspieranie.html [Accessed 30 June 2015].
- Paluszek, A. 2012. Niemiecka Konferencja ds. Islamu w kontekście podmiotowości politycznej muzułmanów. [German Conference on Islam in the context of political subjectivity of Muslims.] In: Widy-Behiesse, M. ed. *Islam w Europie. Bogactwo różnorodności czy źródło konfliktów?* [Islam in Europe. The richness of diversity or a source of conflict?] Warszawa.
- Pawlak, A. 2014. „Nie” dla islamskiej policji obyczajowej. [‘No’ to the Islamic moral police.] *Deutsche Welle* [Online] 7 September 2014. Available at: <http://www.dw.de/nie-dla-islamskiej-policji-obyczajowej/a-17906666> [Accessed: 20 March 2015].
- Pawlak, A. 2014. Niemcy: w Bawarii spłonęły trzy budynki przewidziane na schronisko dla uchodźców. [Germany: three buildings planned for shelter for refugees burned down in Bavaria.] *Deutsche Welle* [Online] 12 December 2014. Available at: <http://www.dw.com/pl/niemcy-w-bawarii-sp%C5%82-on%C4%99%C5%82y-trzy-budynki-przewidziane-na-schronisko-dla-uchod%C5%BAc%C3%B3w/a-18126307> [Accessed: 20 July 2015].
- Pegida sagt Kundgebung wegen Morddrohung ab. *Die Zeit* [Online] 18 January 2015. Available at: <http://www.zeit.de/gesellschaft/zeitgeschehen/2015-01/dresden-pegida-demonstration-montag-abgesagt> [Accessed: 20 March 2015].
- Porträt Cem Özdemir*. Available at: <http://www.deutsche-islam-konferenz.de/DIK/DE/Magazin/MedienPolitik/Oezdemir/oezdemir-node.html> [Accessed: 20 March 2015].
- Sarrazin, T. 2010. *Deutschland schafft sich ab: Wie wir unser Land aufs Spiel setzen*. München.
- Scheld, C. 2015. Angriffe auf Flüchtlingsheime 2014. 162 Mal Tröglitz. *Tageschau.de* [Online] 8 April 2015. Available at: <https://www.tagesschau.de/inland/fremdenfeindliche-uebergriffe-101.html> [Accessed: 20 July 2015].
- Sendereihe “Koran erklärt” “Das ist kein religionswissenschaftliches Seminar”. [Online] 6 March 2015. Available at: http://www.deutschlandfunk.de/sendereihe-koran-erklaert-das-ist-kein.886.de.html?dram:article_id=313445 [Accessed: 20 March 2015].

- Sm, PAP, Dotkliwa ingerencja w wolność wyznania. Zakaz noszenia chust w niemieckich szkołach jest niekonstytucyjny. [Severe interference in freedom of religion. The ban on headscarves in German schools is unconstitutional.] *Tok FM* [Online] 13 March 2015. Available at: http://www.tokfm.pl/Tokfm/1,102433,17564920,Federalny_trybunal_konstytucyjny__Zakaz_noszenia_chust.html [Accessed: 20 March 2015].
- Stasik, E. 2015. Niemcy: Podpalone schronisko dla uchodźców w Troeglitz. [Germany: fire set to a shelter for refugees in Troeglitz.] *Deutsche Welle* [Online] 4 April 2015. Available at: <http://www.dw.com/pl/niemcy-podpalone-schronisko-dla-uchod%C5%BAC%C3%B3w-w-troeglitz/a-18361467> [Accessed: 20 July 2015].
- Stasik, E. 2014. Niemcy: Szariat w Wuppertalu. Samozwańcza muzułmańska policja patroluje miasto. [Germany: Sharia in Wuppertal. The self-proclaimed Muslim police patrol the city.] *Deutsche Welle* [Online] 5 September 2014. Available at: <http://www.dw.de/niemcy-szariat-w-wuppertalu-samozwa%C5%84cza-muzu%C5%82ma%C5%84ska-policja-patroluje-miast-o/a-17904984> [Accessed: 20 March 2015].
- stk/dpa/AFP. Extremisten in Deutschland: Verfassungsschutz rechnet mit 7000 Salafisten. *Spiegel Online* [Online] 25 October 2014. Available at: <http://www.spiegel.de/politik/deutschland/verfassungsschutz-rechnet-mit-7000-salafisten-in-deutschland-a-999212.html> [Accessed: 20 March 2015].
- Topçu, C. 2009. *Sendungen von Muslimen in Deutschland*. 12 January 2009. Available at: <http://www.deutsche-islam-konferenz.de/DIK/DE/Magazin/MedienPolitik/MuslimischeSendungen/muslimische-sendungen-node.html> [Accessed: 20 March 2015].
- Video: *Zentralrat der Ex-Muslime: Sorgen der Pegida-Anhänger ernst nehmen*. [Online] 26 January 2015. Available at: <http://www.daserste.de/information/politik-weltgeschehen/morgenmagazin/videos/zentralrat-der-ex-muslime-sorgen-der-pegida-anhaenger-ernst-nehmen-100.html> [Accessed: 20 July 2015].
- Wieliński, B.T. 2015. Dżihad Karoliny. Polka oskarżona o wspieranie terrorystów staje przed niemieckim sądem. [Karolina's Jihad. A Polish woman accused of supporting terrorists stands before a German court.] *Wyborcza.pl* [Online] 21 January 2015. Available at: http://wyborcza.pl/1,75477,17286238,Dzihad_Karoliny__Polka_oskarzona_o_wspieranie_terrorystow.html [Accessed: 20 March 2015].
- ZDF *Politbarometer*. 16 January 2015. Available at: <http://www.zdf.de/ZDF-mediathek/beitrag/video/2322902/Islam-hier-Deutschland-gespalten-> [Accessed: 20 March 2015].

Zeit Online, dpa, sk, Lutz Bachmann wieder im Vorstand von Pegida. *Die Zeit* [Online] 23 February 2015. Available at: <http://www.zeit.de/gesellschaft/zeitgeschehen/2015-02/pegida-lutz-bachmann-zurueck-im-vorstand> [Accessed: 20 March 2015].

ZMD begrüßt die Aufhebung des Kopftuchverbotes für Lehrerinnen. 13 March 2015. Available at: <http://zentralrat.de/26212.php> [Accessed: 20 March 2015].

ISLAM IN THE GERMAN SOCIO-POLITICAL DISCOURSE

Summary

The author of this article reflects on the contemporary role and place of Islam in the discourse of the Federal Republic of Germany. Among the actors of this discourse in the text we will find politicians and Muslim organisations, representatives of other religions, the German media and courts. The analysis concerns selected events related to the policy of multiculturalism in this country, for example, the annually organised Day of the Open Mosque. The article indicates both the positive and negative aspects of the life of Muslims in Germany. Activities of the German state aiming at the fight with Islamic fundamentalism, including against the extreme Salafist group, were presented. The text also analyses the attitude of German society towards Islam and its followers. Moreover, the article addresses the issues related to the activities of the anti-Islamic movement Pegida, which was founded in Dresden in 2014. Its activities have caused a lively debate both within Germany as well as in other European countries.

ISLAM W NIEMIECKIM DYSKURSIE SPOŁECZNO-POLITYCZNYM

Streszczenie

Autor niniejszego artykułu zastanawia się nad współczesną rolą i miejscem islamu w dyskursie Republiki Federalnej Niemiec. Wśród podmiotów tego dyskursu znajdziemy w tekście m.in. polityków, organizacje zrzeszające muzułmanów, przedstawicieli innych religii, niemieckie media oraz sądy.

Analizie poddano wybrane wydarzenia odnoszące się do polityki wielokulturowości w tym państwie, np. organizowane corocznie tzw. Dni Otwartego Meczetu. W artykule wskazano zarówno na pozytywne, jak i negatywne aspekty związane z życiem muzułmanów w Niemczech. Zostały również przedstawione działania niemieckiego państwa na rzecz walki z islamskim fundamentalizmem, w tym wobec skrajnej grupy salafitów. W tekście analizowano ponadto postawę niemieckiego społeczeństwa wobec islamu i jego wyznawców. Poruszono też tematykę związaną z działaniami antyislamskiego ruchu Pegida, który powstał w Dreźnie w 2014 r. Jego aktywność wywołała ożywione dyskusje zarówno w samych Niemczech, jak również w innych europejskich państwach.

ИСЛАМ В НЕМЕЦКОМ ОБЩЕСТВЕННО-ПОЛИТИЧЕСКОМ ДИСКУРСЕ

Резюме

Автор настоящей статьи размышляет над ролью и местом ислама в настоящее время в дискурсе Федеративной Республики Германии. Среди субъектов данного дискурса в тексте можно найти, в частности, имена политиков, примеры мусульманских организаций, представителей других религий, немецких средств массовой информации и судов. Анализу подвергнуты отдельные события, связанные с политикой мультикультурализма в этом государстве, например, ежегодно организованные так называемые Дни открытой мечети. Статья рассматривает как позитивные, так и негативные аспекты, связанные с жизнью мусульман в Германии. Представлена также деятельность немецкого государства, связанная с борьбой против исламского фундаментализма, в том числе против махровой группы салафитов. В тексте имеет место также анализ позиции немецкого общества в отношении ислама и его приверженцев. Кроме того, затронута тематика, связанная с деятельностью антиисламского движения ПЕГИДА, сформированного в Дрездене в 1914 году. Его активность вызвала оживлённую дискуссию как в самой Германии, так и в остальных европейских государствах.

Adam Rogala-Lewicki

SECURITY SERVICES AFTER THE TERRORIST
ATTACKS IN THE US AND EUROPE.
PATRIOT ACT VERSUS THE RETENTION
DIRECTIVE, OR THE LEGITIMISATION
OF ABUSES IN THE SPHERE OF PRIVACY
IN DEMOCRATIC STATES: A COMPARATIVE STUDY

Institutionally identified power using information products of its own services, in contrast to citizen, has historically had more available resources to obtain information from the surrounding. With the advancement of technology, individuals and consequently society have got emancipated enough to actively participate in the exchange of information and co-creation of information reality. Public and private sectors (with the dominance of the former or the latter depending on the period and the economic and state model of the country concerned¹) have jointly generated a model of a global, digital, social regime, based on constant exchange of information.

Tools and institutions created on the basis of the order of state agencies or specialised private entities for the implementation of public tasks have been a driving force in the development of civilisation, every time inaugurating their application in the special use sphere and then, after the depreciation period, moving to the civilian everyday use space². Modern technological, scientific or medical solutions can illustrate it. The Internet, which dates back

¹ See more in Kołodko, G. 2013. *Wędrujący świat. [Wandering Word.]* Warszawa; Kołodko, G. 2013. *Dokąd zmierza świat. Ekonomia polityczna przyszłości. [Where the world is heading. The political economy of the future.]* Warszawa.

² For example, advanced systems which are widely used in automotive serial production (e.g. ESP – Electronic Stability Program, or ABS – Anti-Lock Braking System) were initially introduced only in military and racing vehicles.

to the end of the 60s of the 20th century and is connected with the creation of the so-called ARPANET, was created as a result of the work of the American research organisation RAND Corporation looking for solutions to maintain leadership in the conditions of nuclear war³.

In the public sphere technologically advanced systems for maintaining information advantage, and consequently also political superiority (in external terms – over international competition, in internal terms – over the private sector) remain under strict protection. The acceleration of technologisation processes and communication ‘networking’, and with it of social interaction, resulted in the change of the social, economic and political paradigm of the civilisational space. Professor Damir Črnčec classified this change by dividing the mentioned space in terms of time and subject. The specification is below (Chart 1).

Changing environmental conditions in broad terms, in the context of the competition for political influence, had to result in an even more refined form of reaction of the public sector. The need to anticipate threats necessitated the development and implementation of new technological solutions allowing state agencies to maintain and expand their information assets. For example, the US Echelon system designed with the participation of Great Britain, Canada, Australia and New Zealand is, *de facto*, a global eavesdropping tool tacitly accepted by the international community. The system was created under the so-called *AUSCANNZUKUS* agreement and is managed by the American National Security Agency, NSA. Elements of the Echelon system are installed in various parts of the world and equipped with technical devices to eavesdrop and intercept information transmitted through telecommunication channels. The architecture of the structure is programmed to collect and

³ The first ideas to create an independent computer network crystallised in the 60s. Their culmination was the creation of ARPANET in the United States. A pioneering connection between computers in ARPANET took place exactly on 21 November 1969. From 1978 all devices equipped with modems could transmit and share data over telephone lines using the function *Bulletin Board Services* (BBS). On 1 January 1983 TCP/IP protocols were used in ARPANET. This moment is considered to be the beginning of the Internet. The first internationally joined network connected the United States, the United Kingdom and Norway. See more on this topic in Rothert, A. 2004. *Technologia i demokracja*. [Technology and Democracy.] In: Adamowski, J. ed. *Demokracja a nowe środki komunikacji społecznej*. [Democracy and new means of social communication.] Warszawa, pp. 37–53; Bendyk, E. 2011. *Świat w pajęczynie*. [The world in a spider’s web.] *Niezbędnik Inteligenta, Cywilizacja 2.0 Świat po rewolucji informatycznej*. [The Intelligent’s essentials, Civilisation 2.0 the World after the information revolution.] *Polityka*, Special edition, no. 8, pp. 15–17.

analyze data transfers. Any electromagnetic beam of information transferred anywhere in the world (as a fax, e-mail or phone call) can be intercepted. All intercepted data go to the headquarters in Fort Meade in the US, where they are then selected, categorised and compressed in algorithmic, linguistic and thematic terms. The platform processes and collects billions of electronic communications per day. It is estimated that at the beginning of the 20th century the system was able to intercept approximately 3 billion electronic information transfers per 24 hours⁴.

Chart 1

The paradigm of the civilisational change

	COLD WAR PERIOD		21 st CENTURY
Technological change	Gradual	<input type="checkbox"/>	Very fast
Geopolitical environment	Familiar	<input type="checkbox"/>	Unpredictable/dynamic
Budget/people	Ample	<input type="checkbox"/>	Limited
Organisational structure	Hierarchical	<input type="checkbox"/>	Flattened, liquid, flexible
Non-core functions	Internal	<input type="checkbox"/>	Outsourcing
Work environment	dedicated	<input type="checkbox"/>	Virtual, network
Employee mobility	30 years	<input type="checkbox"/>	3–5 years
Risk taking	Avoidance	<input type="checkbox"/>	Management
Environmental awareness	Low	<input type="checkbox"/>	Growing
Personnel security	Narrow	<input type="checkbox"/>	Expanded
Cooperation	Incidental	<input type="checkbox"/>	Necessary

Source: Črnčec, D. 2009. A new intelligence paradigm and the European Union. *Journal of Criminal Justice and Security*, no. 1, p.152.

In 2013 the information that the same agency also uses other tools for electronic surveillance on a mass scale leaked to the public space. Edward Snowden, a former agent of the Central Intelligence Agency, CIA (cooperating with the company Booz Allen Hamilton – a subcontractor of NSA), having the access clause to top secret information, decided to become a so-called whistleblower, that is a denouncer. He grabbed international attention by revealing thousands of classified documents. The most interesting of them unmasked a spy program called PRISM⁵, whose name does not appear to be

⁴ European Parliament. 2001. *Temporary Committee on the ECHELON Interception System: Report on the existence of a global system for the interception of private and commercial communications (ECHELON interception system)*, [2001/2098 (INI)], 11 July 2001.

⁵ In May 2013 Edward Snowden met reporters Glenn Greenwald and Laura Poitras in Hong Kong and revealed some of the most top secret documents protected by the US

an acronym but a code name of its own. The disclosed materials reveal that PRISM is a telecommunications platform for data acquisition and handling launched in 2007 by the US NSA and the UK Government Communications Headquarters (GCHQ)⁶. The program handles information supplied by commercial entities cooperating with the agency, including, among other, such eminencies of the Internet industry as Microsoft, Yahoo Inc., Google, Facebook, AVM Software (the administrator of Paltalk), YouTube, Skype, AOL, and Apple Inc. These companies have committed themselves to sharing data stored on servers, disks, file transfers, those transmitted through the so-called Internet telephony (VoIP), video conferencing, chats, all the information collected on social networking sites and logins. PRISM operates on the basis of the so-called categorizing keywords. When the required phrase is found, the 'record' automatically goes 'to the desk' of the agent supervising the program.

For those interested in the functioning of special services this type of media reports are not surprising. The cell responsible for the information security of the USA, the above mentioned National Security Agency, the task of which is to intercept information relevant for the interests of the state by means of all possible channels (radio communications, telephone, computer), in fact, has been permanently spying on its own citizens for years. Already in the 60s it came to light that it had all recordings of telephone conversations in the USA. Even US President Harry S. Truman's regulation from 1952 bringing the NSA into life was top secret. Even today the statute of the Agency is secret, due to which an American citizen does not know to what extent it interferes in his private life⁷. Similarly, other agencies in democratic

intelligence services. The information provided by Snowden was published by American *the Washington Post* on 6 June 2013 and British *the Guardian* on 7 June 2013.

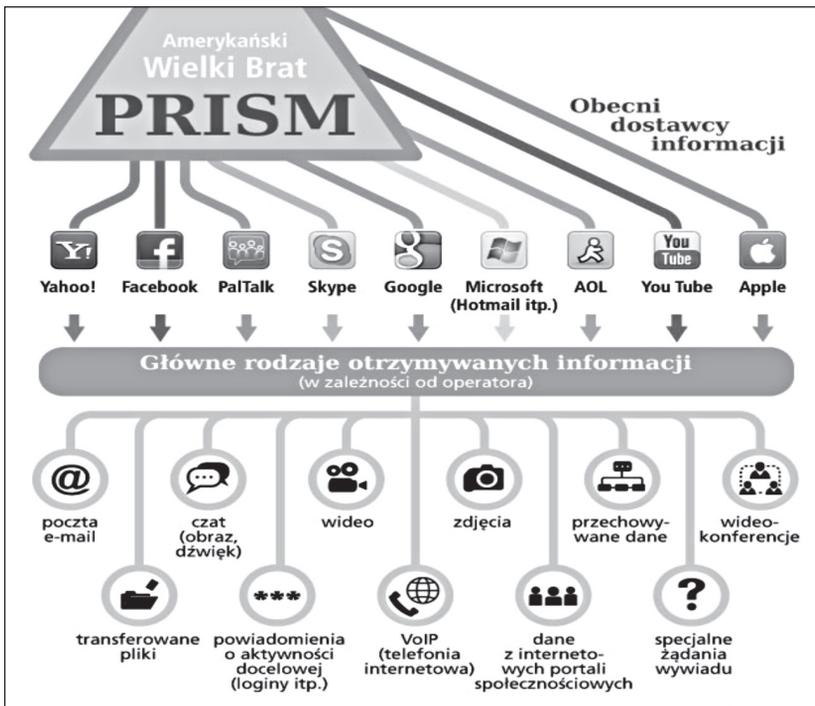
⁶ In the case of special services of the USA and the UK we can speak not only about the long-term, historically established close cooperation but even about the intelligence community. See Podolski, A. 2004. *Europejska współpraca wywiadowcza – brakujące ogniwo europejskiej polityki zagranicznej i bezpieczeństwa?* [European intelligence cooperation – a missing link of European foreign and security policy?] Warszawa: Centrum Stosunków Międzynarodowych, Raporty i Analizy no. 10, p. 1.

⁷ For many years, NSA employees and their family members when asked about the place of work were not authorised to use the name of the employer. The obligatory response was the employment in the US Department of Defence (DoD). Although today this ban is no longer applicable, the agency employees are bound by a number of restrictions. For instance, they are obliged to use help of only these dentists who are approved by the NSA protection bureau. Moreover, they have to inform about the people they enter into relations with or about every foreign trip. Such forms of security

legal states, which nominally strictly respect human rights, have taken care of their information work comfort. The motto – know everything, take care of the information advantage – guides all intelligence agencies⁸.

Chart 2

Probable PRISM system architecture



Source: Koziej, S. Obywatele są bezbronni wobec zagrożeń takich jak PRISM. [Citizens are defenceless in the face of threats such as PRISM.] *Polska Agencja Prasowa* [Online]. Available at: http://wiadomosci.wp.pl/kat,1342,title,Stanislaw-Koziej-obywatele-sa-bezbronni-wobec-zagrozen-takich-jak-PRISM,wid,15741432,wiadomosc.html?ticaid=1127d3&_tictsn=5; [Accessed: 7 July 2014].

and secrecy have led to the fact that over time the agency has acquired a grotesque acronyms – No Such Agency.

⁸ It is enough to mention, among others, Secret Service (former MI5), Government Communications Headquarters (GCHQ), Defence Intelligence Service (DIS) in the UK, *Bundesamt für Verfassungsschutz* (BfV) – (The Federal Office for the Protection of the Constitution), *Bundesnachrichtendienst* – BND (The Federal Intelligence Service) in Germany, *Direction Centrale du Renseignement Interieur* – DCRI (Central Directorate of Internal Intelligence), former *Direction de la Surveillance du Territoire* (Directorate of Territorial Surveillance) and *Direction Centrale des Renseignements Généraux* (Central Directorate of General Intelligence) in France.

In the US the legal basis for such a significant invasion of privacy is, among others, section 702 of the Foreign Intelligence Surveillance Act of 1978. The provisions were designed for obtaining intelligence information from abroad. According to the Act, intelligence activities cannot be used to intentionally target any U.S. citizen, any other U.S. person, or anyone located within the United States. In fact, the act legalises all ‘eavesdropping’ activities of the services. Although the activities carried out under Section 702 are subject to control by the United States Foreign Intelligence Surveillance Court, the executive and the Congress of the United States – there is common general acquiescence to abuse. The knowledge which the services have is, in fact, very dangerous also for these authorities, for which these services work and which nominally control their activities. The power that comes from this knowledge allows the services to actively participate in the so-called political games. Sabotaging decisions of the organs of power, curving vectors of political reality in order to achieve their own interests (often private ones) is not uncommon. The perspective of the amount of different, often competing services, completes the picture of the situation⁹.

⁹ In the presence of a number of special service institutions in the country, there is the problem of their rivalry and coordination of their activities. For instance, in the USA the service system consists of the following organisations: CIA (Central Intelligence Agency), DIA (Defence Intelligence Agency), NSA (National Security Agency), FBI (Federal Bureau of Investigation), AFOSI (Air Force Office of Special Investigations), NCIS (Naval Criminal Investigative Service), CGIS (Coast Guard Investigative Service), USACIC (United States Army Criminal Investigation Command), as well as offices dealing with intelligence in the Departments of Defense, State, State Security and various institutions at the state level (not counting private intelligence agencies). In Poland currently the following services operate: AW (the Foreign Intelligence Agency), ABW (the Internal Security Agency), SWW (Military Intelligence Service), CBA (the Central Anti-Corruption Bureau), CBŚ (the Central Investigation Bureau), as well as the information offices of the Police, State Border Service, Military Police, Customs Service and other. See Davis, P. H. J. 2010. Intelligence and the machinery of government: conceptualizing the intelligence community. *Public Policy and Administration*. no. 25 (29); Flanagan, S. J. 1985. Managing the Intelligence Community. *International Security*. vol. 10, no. 1, pp. 58–95; Omand, D. 2010. Creating intelligence communities. *Public Policy and Administration*. no. 25 (99); Rogala-Lewicki, A. *Czy polskie służby specjalne potrzebują formuły Intelligence Community*. [Do Polish special services need formulas of Intelligence Community?] Forum Studiów i Analiz Politycznych im. Maurycyego Mochnackiego. [ISSN 2082-7997] Available at: http://www.fsap.pl/index.php?option=com_content&view=article&id=21%3Aczy-polskie-suby-specjalne-potrzebuj-formuy-intelligence-community&catid=7%3Acomments&Itemid=9&lang=pl [Accessed: 7 May 2014].

The realities outlined above do not interfere with the rules on access to public information and protection of personal data which are binding in these countries and which are the foundation of free democracies¹⁰. While the Foreign Intelligence Surveillance Act (signed by President Carter) opened the normative door to legalizing surveillance ajar, the US legislation adopted after the terrorist attacks on the World Trade Centre and the Pentagon on 11 September 2001, opened it wide. Already on 26 October 2001¹¹ the Congress enacted¹² Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001, that is the so-called Patriot Act, which increased the powers of all state

¹⁰ Currently almost 100 countries around the world have laws guaranteeing access to public information (freedom of information legislation). The first act was adopted in Sweden in 1766 (Sweden's Freedom of the Press Act of 1766) and it is the oldest example of this type of legislatives. Scandinavian countries are considered to be the cradle of transparency of public space. In the USA the Freedom of Information Act (FOIA) was introduced by the administration of President Lyndon B. Johnson and entered into force w1967. Transparency in the US also is supported by other laws: The Privacy Act of 1974, Electronic Freedom of Information Act of 1996, The Intelligence Authorisation Act of 2002, OPEN Government Act of 2007, Wall Street Reform Act of 2010. On the territory of the European Union, issues of access to information at the disposal of bodies are regulated by: Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (Official Journal L 145 of 31.05.2001) and Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information (Official Journal L 345 of 31.12.2003).

¹¹ Critics of the Act point out that such a quick adoption of the Patriot Act was only possible if the document that counts 132 pages had been already prepared. Many commentators of political life in the United States pointed out that in the act in a draft version had been lying frozen on the legislative desk waiting for the right time justifying voting on it. Even worse shadow fell on the act after the release of the controversial film *Fahrenheit 9/11* by Michael Moore. It turned out that none of the senators had made an attempt to read the act before the vote. In one of the scenes in the film congressman John Conyers unscrupulously explains that parliamentarians do not read most of the adopted acts. He justifies it with the fact that otherwise the legislative path would extend dramatically over time. Director Michael Moore, to visualise the banality of the forms of law adoption in the United States, which may result in serious consequences, decided to inform citizens in a mocking form about the content of the Patriot Act. Namely, he hired an ice cream selling vehicle from which with the help of a megaphone he read the contents of the Patriot Act to the residents of Washington (including passing congressmen and senators).

¹² The act was passed by the lower house (Congress) by 357 votes to 66 and in the Senate by 98 to 1 and was supported by both the Republican Party and the Democrats. The only senator who voted against the entry into force of the act was Russ Feingold.

institutions caring for public order and safety. The attacks were not only a shock for the public, but turned out to be a surprise also for services. The humiliation of these formations forced the US legislature to verify the powers and tools at its disposal¹³. The events of 11 September and the necessity to combat terrorism became the clause justifying the expansion of the range of surveillance tools. The service felt political patronage liberating them from the constraints of democratic oversight and control.

PATRIOT ACT

Since its entry into force the act has been the subject of criticism. It contains many extremely controversial provisions, dangerous from the point of view of preserving the right to privacy. John A.E. Vervaele, professor of penal-fiscal and economic law at the University of Utrecht and professor of European criminal law at the Europa College in Bruges, identified three areas of change that the patriotic act legalised. 'First of all, it has to be emphasised that the Patriot Act has considerably expanded the regular powers of investigation, especially in the field of electronic and digital surveillance, while at the same time it has weakened judicial control. Secondly, the Patriot Act has ensured that FISA security criminal law can be used on a much wider scale. Before the Patriot Act, a primary purpose standard had to be met. FISA was only allowed for primary foreign intelligence purposes. The Patriot Act has made it sufficient that the purpose is significant. It is allowed to pursue investigative purposes, as long as a significant purpose of the surveillance is to obtain foreign intelligence information. Thirdly, the Patriot Act has opened up the flow of information from the LEC to the IC and vice versa by breaking down the existing legal dividing wall'¹⁴.

The author uses abbreviations: LEC, IC, FISA having in mind respectively – Law Enforcement Communities, Intelligence Communities and the aforementioned Foreign Intelligence Surveillance Act of 1978. In the Anglo-Saxon terminology the first term combines all the investigative authorities taking care of public order and security with the exception of special services

¹³ Cf. Desai, U., Crow, M.M. 1983. Failures of power and intelligence: use of scientific-technical information in government decision making. *Administration & Society* no. 15 (185).

¹⁴ Vervaele, J.A.E. 2005. Terrorism and information sharing between the intelligence and law enforcement communities in the US and the Netherlands: emergency criminal law. *Utrecht Law Review* 2005, vol. 1, no 1, p. 8.

to which the second term applies. The third abbreviation is both the name of the legal act and in the operation language it is a synonym of electronic surveillance.

Before the entry into force of the Patriot Act, operational control in the area of communication was entrenched with restrictions¹⁵, the investigation sector was separated from intelligence by an information barrier. The systemic difference between Law Enforcement Communities and Intelligence Communities, implicitly between law enforcement and intelligence and counterintelligence, lay in the realm of the matter of realised tasks. Intelligence in the first place is more interested in detecting threats to the regime and the essential interests of the state, while the police performs its criminal and preventive function. In short, in the world of law enforcement there is less politics and more everyday crime detection, while in the world of services there is just as much everyday threat detection, but mostly of the political colour. The historical dividing line ran along a changing path. In authoritarian systems, the police has been an armed wing of the political authority and a guarantor of its survival. John A.E. Vervaele presents a historical outline. 'Nevertheless, the historical distinction has to be viewed in perspective, as both the intelligence services and the police services are not ancient institutions and furthermore their relatively young existence has been politically marked. The turbulent political developments explain the differences in the relationship between intelligence and police services in the US and Europe. In Europe, the experience with the totalitarian regimes and their political police forces in Nazi Germany, in Russia, etc. has greatly influenced the organisation after WW II. The intelligence services went back to being separate organisations with their own statute'¹⁶.

While the above-described structural distinction on the European continent is already fixed, in the United States the matter is not so clear-cut. The evolution of the security system in this country has led to a situation where

¹⁵ Legal protection of citizens against surveillance in the American system was introduced by the High Court on the basis of the fourth amendment to the Constitution and the enforcement clause. In the case *Katz v. United States* the court decided that a warrant is required for eavesdropping, unless it is a matter of national security. In the case of *Berger v. New York* the court found that the warrant authorizing wiretapping must specify precisely the objective, method and duration. Conditions for obtaining a warrant are strictly defined in the regulations, and services in order to get one must show the so-called probable cause which proves that committing or an intention to commit a crime is probable.

¹⁶ Vervaele, J.A.E. *op. cit.*, p. 4.

most of the institutions belonging either to the realm of Law Enforcement Communities, or Intelligence Communities in fact operate partly in one and the other. It was President Roosevelt who decided to extend the competence of the US Federal Bureau of Investigation (FBI) from the classic police to federal-police and federal-intelligence. Later the same formation was retrofitted with the possibility of action in the case of tasks, the effects of which go beyond the country's borders. This meant, in fact, the entry into the space previously reserved exclusively for the Central Intelligence Agency which has been established exactly for this purpose. Paradoxically, this task interchangeability does not mean perfect cooperation. In the framework of one state there are different procedures and methods of operation. It is obvious that the space of Intelligence Community is much more susceptible to the direct executive regulation coming from the president (including the less formal ones).

The difference between the European and American model settles on the way of transferring and using information. Different standards apply to the information to be used for national security purposes (e.g. in connection with counter-terrorism) and information used in the criminal procedure¹⁷. Before the entry into force of the Patriot Act, the transfer of information from the Intelligence Communities to the realm of Law Enforcement Communities took place on the basis of the so-called minimisation procedure which restricted the use of the information to the necessary degree. 'Minimisation aims to limit the acquisition, retention and dissemination of information concerning US citizens as much as possible. Only where such information is really crucial may it be stored. It is used only in the case of criminal offences which have been committed, are being committed or may be committed. are exempted from minimisation. (...) A classic component of minimisation is the information-screening wall. An official from the Department of Justice screens the FISA intelligence and only selects the parts that are relevant as evidence'¹⁸. Even when a piece of information leaked from one organisation to another, it was most often formatted in such a way that it was not possible to freely associate it with another plot, in another case. Additional restrictions were the result of a memorandum of 1995 of the then Attorney General

¹⁷ The American nomenclature order distinguishes intelligence not only in the meaning of intelligence agencies, but also in the sense of activity that goes beyond the understanding of information. Intelligence is therefore something beyond, more sophisticated than information. See Freeman, O. 1999. Competitor intelligence: information or intelligence? *Business Information Review*, no. 16 (71).

¹⁸ Vervaele, J.A.E. *op. cit.*, p. 6.

Janet Reno, which specified ‘the procedures for contacts between the FBI and the Criminal Division concerning foreign intelligence and foreign counterintelligence investigations’¹⁹. Already the first paragraphs banned any direct exchange of information between Intelligence Communities and Law Enforcement Communities without the participation of the Assistant Attorney General for the Criminal Division. This person was a kind of interface connecting the two divisions, although sometimes they held offices in the same building.

Given how far the intelligence and investigation divisions were from each other from the communications point of view, and how long the coordination procedure was, the American model of information exchange went through a real revolution with the enactment of the Patriot Act. The Patriot Act enforced a reorganisation in the approach to the information management in the entire security system. The blame for ineffective prevention and consequently the occurrence of the terrorist attacks fell to the services. Intelligence had full details about the terrorists, but was unable to transfer them to the right place at the right time. The dysfunction resulting from the need to use every time the intermediation of another cell paralyzed the exchange of information between Law Enforcement Communities and Intelligence Communities. The aim of the Act was to cross this wall.²⁰ It turned out that the Act, extending general competences of American security organs, ‘by the way’ legalised uncontrolled surveillance. It also increased funding (a fund for financing the fight against terrorism was established) and substantially extended the scope of the operation of the National Electronic Crime Task Force Initiative²¹.

The authors of the law began raising the operational powers by trying to define the boundaries of terrorist activity. Firstly, a whole list of new

¹⁹ *Memorandum of Attorney General (Janet Reno) to Assistant Attorney General, Criminal Division Director, FBI Counsel for Intelligence Policy United States Attorneys*. 19 June 1995. Available at: http://epic.org/privacy/terrorism/fisa/ag_1995_mem.html [Accessed: 21 January 2015].

²⁰ The Patriot Act in addition to the standards explicitly assigned to the new law contained provisions which amended, among others, the Foreign Intelligence Surveillance Act of 1978 (FISA), the Electronic Communications Privacy Act of 1986 (ECPA), the Money Laundering Control Act of 1986, the Bank Secrecy Act (BSA), as well as the Immigration and Nationality Act (INA) of 1965.

²¹ See section 105 of the Patriot Act. The Director of the United States Secret Service shall take appropriate actions to develop a national network of electronic crime task forces for the purpose of preventing, detecting, and investigating various forms of electronic crimes, including potential terrorist attacks against critical infrastructure and financial payment systems.

offences was added to the existing catalogue of terrorist acts²². Secondly, it introduced a very broad category of domestic terrorism crimes. In addition to the actions of ‘mass destruction, killings and kidnappings’ which then became domestic terrorism, activities dangerous to ‘human life and the civilian population’ were also considered a terrorist act. A state authority determines whether a given activity is actually dangerous. The final catalogue

²² See the following sections of the Patriot Act: 32 destruction of aircraft facilities, 37 violence at international airports), 81 arson within special maritime and territorial jurisdiction, 175, 175b biological weapons, 229 chemical weapons, subsections (a), (b), (c), (d) and section 351 congressional, cabinet, and Supreme Court assassination and kidnapping, 831 nuclear materials, 842(m)(n) plastic explosives, 844(f)(2)(3) arson and bombing of Government property risking or causing death), 844(i) arson and bombing of property used in interstate commerce, 930(c) killing or attempted killing during an attack on a Federal facility with a dangerous weapon, 956(a)(1) conspiracy to murder, kidnap, or maim persons abroad, 1030(a)(1) protection of computers, 1030(a)(5)(A)(i) resulting in damage as defined in 1030(a)(5)(B)(ii) through (v) (relating to protection of computers), 1114 (relating to killing or attempted killing of officers and employees of the United States), 1116 (relating to murder or manslaughter of foreign officials, official guests, or internationally protected persons), 1203 (relating to hostage taking), 1362 (relating to destruction of communication lines, stations, or systems), 1363 (relating to injury to buildings or property within special maritime and territorial jurisdiction of the United States), 1366(a) (relating to destruction of an energy facility), 1751(a), (b), (c), or (d) (relating to Presidential and Presidential staff assassination and kidnapping), 1992 (relating to wrecking trains), 1993 (relating to terrorist attacks and other acts of violence against mass transportation systems), 2155 (relating to destruction of national defense materials, premises, or utilities), 2280 (relating to violence against maritime navigation), 2281 (relating to violence against maritime fixed platforms), 2332 (relating to certain homicides and other violence against United States nationals occurring outside of the United States), 2332a (relating to use of weapons of mass destruction), 2332b (relating to acts of terrorism transcending national boundaries), 2339 (relating to harboring terrorists), 2339A (relating to providing material support to terrorists), 2339B (relating to providing material support to terrorist organisations), or 2340A (relating to torture) of this title; (ii) section 236 (relating to sabotage of nuclear facilities or fuel) of the Atomic Energy Act of 1954 (42 U.S.C. 2284); or (iii) section 46502 (relating to aircraft piracy), the second sentence of section 46504 (relating to assault on a flight crew with a dangerous weapon), section 46505(b)(3) or (c) (relating to explosive or incendiary devices, or endangerment of human life by means of weapons, on aircraft), section 46506 if homicide or attempted homicide is involved (relating to application of certain criminal laws to acts on aircraft), or section 60123(b) (relating to destruction of interstate gas or hazardous liquid pipeline facility) of title 49. See *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism – USA Patriot Act, H. R. 3162*, (Public Law 107-56). Available at: <http://epic.org/privacy/terrorism/hr3162.html> [Accessed: 9 March 2015].

of forbidden acts, the commitment of which identifies the perpetrator as a terrorist is impressive. The intention is easy to understand. The broader the index of terrorist acts, the greater the freedom of services' work. They can immediately proceed in an extraordinary way, provided for terrorist threats²³. The most controversial legal norms allowed the surveillance of persons connected with terrorist activities. Even a slightest suspicion of carrying out such an activity is sufficient to start the process of clandestine surveillance. The most dangerous turned out to be three operating methods: blank search and detention warrants (sneak and peek and library records), secret surveillance of persons not registered in the US and not affiliated to international organisations (a lone wolf), and the so-called roving wiretaps²⁴.

The first of the mentioned methods (sections 213 and 215 of the Act) allows to obtain any materials relevant to the investigation even if they are not 'connected' with the suspects. This provision is contrary to the established concepts of legal search and seizure which require the demonstration of a reasonable suspicion or probable cause of the relationship of one to the other. Presentation of the detention order of a specific thing (on the basis of the issued National Security Letter, NSL²⁵ to the person concerned was regulated in the so-called flexible standard, that is giving such an order within an unspecified period of time. This specific mode of postponing the formal disclosure of surveillance may last for years due to the possibility of extending the period of the order validity²⁶.

²³ New sanctions and penalties were also introduced. For example, for the crime of bringing the threat to mass transport means the penalty of 20 years imprisonment was provided if the mass transportation vehicle was empty, and life imprisonment if the mass transportation vehicle was carrying a passenger. See *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism – USA Patriot Act, H. R. 3162* (Public Law 107-56). Available at: <http://epic.org/privacy/terrorism/hr3162.html> [Accessed: 9 March 2015].

²⁴ See *Reform the Patriot Act*. Available at: <https://www.aclu.org/reform-patriot-act> [Accessed: 1 March 2015].

²⁵ According to the Department of Justice on the average tens of thousands of National Security Letters (NSL), allowing for reading e-mails, eavesdropping conversations, viewing bank statements without a court order are issued each year for anti-terrorist investigations often in the case of people who have already been cleared of the charges.

²⁶ The formula of 'sneak and peek' was questioned by Judge Ann Aiken in the judgment of 26 September 2007 in the process of Brandon Mayfield unjustly arrested and imprisoned, whose incriminating evidence had been obtained by means of this method. The court ruled that this formula of gaining information about citizens is inconsistent with the Fourth Amendment to the US Constitution.

The second method (section 6001) also goes far beyond the framework of institutions legally recognised in democratic countries, because it unifies the possibility of clandestine surveillance of foreigners who are not accused of any charges, that is of persons over whom no US institutions have any legal sovereignty. Defenders of this approach assert that it is directed only to the so-called lone wolves, that is people engaged in one of the deadliest forms of terrorism.

The third type of covert acquisition of information (roving wiretaps), as described in Section 206 of the Act, results in the possibility of issuing permits for carrying out operational activities without specifying their scope (without indication of a person or object in the order) – which is a construction unprecedented in any state of law. Traditional warrants must always indicate the reason for conducting discreet surveillance and identify the object or the subject of surveillance. The roving wiretapping allows services to continue operations without the need to obtain new (updated) warrants, when ‘the target’ changes and uses a variety of tools of information transfer. The Department of Justice protects this solution, claiming that terrorists bypass traditional eavesdropping by constantly changing locations and devices by means of which they communicate.

All operating methods can be used in the absence of an individually defined target – which is a denial of legally conducted criminal proceedings. Services may be allowed to do so only on the basis of probable evidence of the occurrence of a specific threat (e.g. related to the specific environment of people) who, according to the body, are relevant for anti-terrorist proceedings. A service may see these traces (patterns) everywhere and in everyone. Opponents, not without a reason, see this as an insult to the Fourth Amendment to the US Constitution²⁷.

Moreover, section 203 of the Act introduced legislation amending the investigation procedure and removed barriers to the flow of information between intelligence Communities and Law Enforcement Communities. ‘Any investigative or law enforcement officer, or attorney for the Government, who by any means authorised by this chapter, has obtained knowledge of the contents of any wire, oral, or electronic communication, or evidence

²⁷ The Fourth Amendment of the U.S. Constitution provides the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. See the U.S. Constitution Available at: <http://libr.sejm.gov.pl/bibl/> [Accessed: 9 September 2014].

derived therefrom, may disclose such contents to any other Federal law enforcement, intelligence, or counterintelligence unit²⁸. A possibility of free transfer of information by investigating authorities to special services was introduced, including information obtained covertly. All of this without any authorisation or court supervision. Section 504 of the Act in the same way regulated the issues of information flow in the opposite direction, i.e. from special services to investigating authorities. The reigns of the new provisions completely disposed of the procedural information wall (screening wall). 'FISA surveillance means may be freely used for a law enforcement purpose. The former dichotomy between the IC and the LEC is history'²⁹. The regulations allow for the almost wholesale collection of information on suspects – and that is regardless of their citizenship. The Patriot Act also provides for a necessity to disclose various types of information transmitted through electronic channels. Operators are obliged to provide data not only about the name of the recipient, his/her address, phone records, telephone number, duration of the service, but also the length of calls, the type of services used, IP address, method of payment, account and a bank card number. You can see the unlimited field for misuse.

The most far-reaching provisions of the Patriot Act, legalizing the most invasive operating methods, were supposed to be in force periodically until the extinguishment of the terrorist threat. The temporary period was introduced for sections 206, 215 and 6001 of the Act (sneak and peek, library records, roving John Doe wiretap, lone wolf). Meanwhile, in July 2005, the Senate passed a draft of the re-authorizing act USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005, which not only modified the most controversial provisions, maintaining other in force, but has also introduced new solutions. However, President George W. Bush signed a version of the law proposed by Congress of 2 March 2006 USA PATRIOT Act Additional Reauthorizing Amendments Act of 2006. On 25 February 2010, in response to the re-expiring period of validity, the Congress passed the extension of the most controversial operational solutions, despite the ongoing discussion on

²⁸ Section 203 of the Patriot Act, H. R. 3162, (Public Law 107-56). Available at: <http://epic.org/privacy/terrorism/hr3162.html> [Accessed: 9 September 2014]. See also point (d) of section 203 Foreign Intelligence Information. (It shall be lawful for foreign intelligence or counterintelligence or foreign intelligence information obtained as part of a criminal investigation to be disclosed to any Federal law enforcement, intelligence, protective, immigration, national defense, or national security official in order to assist the official receiving that information in the performance of his official duties).

²⁹ Vervaele, J.A.E. *op. cit.*, p. 11.

their amendments. President Barack Obama signed the prolongation twice, the last, four-year one on 26 May 2011 (the number of votes in the House of Representatives 250 to 153 and in the Senate 72 to 23). The Patriot Act was supposed to be a response to attacks by equipping security forces with the tools to conduct battles during the war. That is why, the Act provided the solutions which are unsuitable for peacetime. Meanwhile, two years after its adoption, a new draft, prepared by Attorney General John Ashcroft, was ready, which, *nomen omen*, provided even more far-reaching competencies. The solutions were so controversial that work on the project was classified. After their content was revealed to the public they were completely frozen³⁰.

DATA RETENTION

The problem of breaking the rules of privacy protection is a global problem plaguing countries with various political regimes. Poland is also not an exception in this group. A report prepared by the Commission on Human

³⁰ At the beginning of 2003 copy of a draft law prepared by the administration of President George W. Bush leaked to the US media. It was to go a step further in relation to the solutions binding under the Patriot Act. The draft, called the Domestic Security Enhancement Act of 2003, was quickly hailed as the 'second Patriot Act' or 'the son of the Patriot Act'. 10 divisions of the Department of Justice took part in the work on the draft. The draft itself provided solutions such as: (a) the removal of injunctions regarding spying on domestic entities by federal agencies, (b) obtaining authorisation by the Federal Bureau of Investigation to conduct external investigations based on intelligence information without obtaining court approval, (c) the creation of a DNA database of suspected terrorists, (d) the prohibition of any public disclosure of the names of tracked terrorists, including those who have been arrested, (e) exemption from civil liability for individuals and companies which voluntarily provide information to investigative agencies, (f) criminalisation of the civil use of encryption in communication, (g) the reversal of the burden of proof to refuse bail for persons accused of crimes related to terrorism, in such a way that persons accused of terrorism would be required to demonstrate reasons why they should be released on bail, (h) the expansion of the list of crimes subject to death penalty, (i) the exemption of the Environmental Protection Agency from the obligation to disclose the data on emergency situations related to chemical plants, (j) the introduction of the possibility of the granted citizenship revocation and deportation of US citizens providing support to terrorist groups. Available at: <http://www-tc.pbs.org/now/politics/patriot2-hi.pdf>; http://www.prisonplanet.com/analysis_newsom_021003_patriot.html, <http://www.pbs.org/now/politics/lewis.html>, http://www.sourcewatch.org/index.php/Patriot_Act_II [Accessed: 2 March 2015].

Rights at the Polish Bar Council, published in spring 2011, reveals that the police, security services and other government investigative cells reach for the private data of citizens often without any external supervision, including in particular judicial control. Statistical data expose the truth about officers who routinely take unfair advantage of the privileges. On the basis of the report it can be concluded that monitoring and recording of conversations ‘for obvious reasons, in the vast majority of cases happens without the knowledge and consent of the intercepted persons. For this reason, in spite of the prior judicial supervision of the application of this measure, they have no opportunity to influence the decision on its application or present their arguments. The monitoring and recording of telephone conversations must be subject to particular restrictions in the course of criminal proceedings. (...) In the doctrine there are frequent voices acknowledging that the existing measures of supervision of law enforcement authorities are insufficient in this regard’³¹. Governmental acts containing operational competencies exclude the obligation to obtain a court approval for acquiring retention data, i.e. the data referred to in Art. 180c and 180d of the Act of 16 July 2004 – The Telecommunications Law³², and identifying the beneficiary of postal services and pertaining to the circumstances of postal services or using these services.

The greatest controversy accompanies the regulations on access to phone records. The content of the legal standards applicable to the retention, storage and transmission of telecommunications data to services is particularly unfavourable from the point of view of privacy protection and remains the subject of the greatest concern. According to data from the European Commission, in 2010 Polish services applied more than a million times to telecom operators for the data of their customers (phone records), which places Poland at the top of the rankings³³. In early 2011 the press announced these data in an alarming tone. ‘Poland is the EU leader in obtaining our

³¹ *Retencja danych: troska o bezpieczeństwo czy inwigilacja obywateli* – Raport Komisji Praw Człowieka przy Naczelnej Radzie Adwokackiej. [The report of the Commission on Human Rights at the Polish Bar Council. *Data retention: concern for security or surveillance of citizens.*] Available at: <http://archiwum.adwokatura.pl/?p=3566> [Accessed: 4 April 2014].

³² Journal of Laws No. 171, item 1800, as amended.

³³ See Siedlecka, E. KE: Za dużo podglądacie. [The EC: you are spying too much.] *Gazeta Wyborcza* [Online] Available at: http://wyborcza.pl/1,75478,9453157,KE_Za_duzo_podgladacie.html [Accessed: 15 August 2014]. In the middle of 2012 the period of keeping the retention data was shortened to one year. See more in Bazański, Ł. Retencja danych oraz nowe obowiązki ISP w zakresie danych osobowych. [Data retention and new responsibilities of ISPs in the field of personal data.] [Online]

data from telephone operators by services, the police and the judiciary. (...) Annually, without any control they collected phone records, subscriber data and data on the movement of phone owners (BTS) 1 million 60 thousand times. That means 27.5 thousand checks per one thousand of adult Poles. The Czech Republic, second in the rating, had 10 checks. Great Britain and France – approximately 8.5, Germany – 0.2 per one thousand inhabitants (35 times fewer than in Poland)³⁴.

In European law, in fact, we are dealing with a gap. Services take a shortcut and instead of submitting a reasoned application to the courts for permission to install wiretapping, turn to telecommunications providers asking for data. They concern such a long period and are so suggestive that they are able to create a psychological and economic portrait of the given person.³⁵ ‘Gaining information about with whom and at what time we talked

Available at: <http://www.kike.pl/2013/02/28/retencja-danych-oraz-nowe-obowiazki-isp-w-zakresie-danych-osobowych/> [Accessed: 4 March 2015].

³⁴ Siedlecka, E. 2011. Służby zdradzają, jak często sięgały po bilingi. [Services reveal how often they reached for phone records.] *Gazeta Wyborcza* [Online] 10 February 2011, p. 6. Available at: http://wyborcza.pl/1,75478,9081579,Sluzby_zdradzaja_jak_czesto_siegaly_po_billingi.html#ixzz1TgKmikgS, [Accessed: 15 August 2014]. The then Secretary of the College for Special Services – Jacek Cichoński – gathered information on the amount of covertly collected data and their types. Although, among others, the police with the Central Investigation Bureau did not provide statistics, after analyzing the others, it turned out that the prosecutor’s office, courts and police amount for 56% of total checks. The Border Guard (15% of all checks), the Internal Security Agency (13% of all checks), Military Counter-intelligence (11%), the Central Anticorruption Bureau (4%) and fiscal intelligence (1%). Cf. Siedlecka, E. 2011. Kogo można podsłuchać. [Who can be eavesdropped.] *Gazeta Wyborcza* 15 March 2011, p. 7; Siedlecka, E. 2011. Służby zdradzają, jak często sięgały po bilingi. [Services reveal how often they reached for phone records.] *Gazeta Wyborcza* 10 February 2011, p. 6; Nisztor, P. Polacy pod kontrolą służb. [Poles under the control of the services.] *Rzeczpospolita*, no. 116 (8932), p. 1.

³⁵ The irregularities in this field have repeatedly been the subject of interest of the Ombudsman, whose interests concentrate on all violations of fundamental rights and freedoms. In this situation, the activities of police and special forces caused the danger of tearing the integrity of the right to privacy, and within it, the right to freedom and secrecy of communication. In his letter to the Prime Minister dated 1 April 2008 (Letter, RPO-578577-II / 08 / PS), the Ombudsman pointed out that the problem of operational activity of authorised bodies, including in particular special services, remains under his constant observation. The Ombudsman’s interest in the question of operational control, understood as a covert activity of controlling the contents of correspondence, contents of parcels, obtaining and recording the content of telephone conversations and other information transmitted via telecommunications networks,

is the same invasion of privacy as wiretapping. Sometimes it is even more serious. Are we undergoing a psychiatric treatment? Do we have a lover? Do we visit certain places? Access to telecommunications data facilitates answers to such questions'. As Mikołaj Pietrzak, Chairman of the Commission on Human Rights at the Polish Bar Council, notes 'the problem is that while services have to obtain the consent of the court to use wiretapping, they have access to phone records at their sole discretion'³⁶. It should be noted that the issue of data retention does not pertain only to phone records because it concerns also 'all the information necessary to determine who, where, when, with whom and how got connected or tried to connect by telephone. In this way not only the phone number is identified but also the time of the call, a relay station, within the range of which both the caller and the recipient were, which allows to determine the location of the person'³⁷.

The Act of Telecommunications Law provides that the operator and provider of telecommunications services are obliged at their own expense to: (1) retain and store data generated or processed in a communications network for 24 months, (2) make the data available to authorised entities, including the court and the public prosecutor and (3) protect the data from accidental or unlawful destruction, loss or alteration, unauthorised or unlawful storage, processing³⁸. The above retention obligation covers data necessary to identify the network termination, the terminal device, the end user initiating the connection and the recipient of the call, as well as to identify the date, time of the call, its duration, type of connection, and the location of the telecommunications terminal³⁹.

results from the ease of crossing of boundaries of acceptability of state interference in the sphere of citizen's rights and freedoms by a public authority.

³⁶ *Retencja danych: troska o bezpieczeństwo czy inwigilacja obywateli* – Raport Komisji Praw Człowieka przy Naczelnej Radzie Adwokackiej. [The report of the Commission on Human Rights at the Polish Bar Council. *Data retention: concern for security or surveillance of citizens.*] Available at: <http://archiwum.adwokatura.pl/?p=3566> [Accessed: 1 June 2014], p. 7.

³⁷ *Retencja danych: troska o bezpieczeństwo czy inwigilacja obywateli* – Raport Komisji Praw Człowieka przy Naczelnej Radzie Adwokackiej. [The report of the Commission on Human Rights at the Polish Bar Council. *Data retention: concern for security or surveillance of citizens.*] Available at: <http://archiwum.adwokatura.pl/?p=3566> [Accessed: 1 June 2014], p. 4.

³⁸ Art. 180a of the Act of 16 July 2004 – *Telecommunications Law*. (Journal of Laws of 2004, No. 171, item 1800).

³⁹ Art. 180c of the Act of 16 July 2004 – *Telecommunications Law*. (Journal of Laws of 2004, No. 171, item 1800).

Authorised services, courts and the prosecutor's office were granted an exemption from telecommunications secrecy and protection of data of end users. The contents of Art. 180d of the Act implies easy access of these entities to the data: (1) concerning the user, (2) concerning transmission, which include data processed for the purpose of transmitting messages in telecommunication networks or charging fees for telecommunications services, including location data indicating the geographic position of the device of the end user, (3) going beyond the data necessary for the transmission of a communication or issuing of an invoice, (4) attempts to establish communication between the terminations of the network, including data on unsuccessful attempts which have been matched but not answered by the end user or the interrupted connections⁴⁰.

The scope of information which will eventually go to the desk of the officers – applicants include data such as: the surname and names, parents' names, the place and date of birth, the address of permanent residence, the national identification number – in the case of a Polish citizen, the name, series and number of identification documents, and in the case of a foreigner who is not a citizen of a Member State or the Swiss Confederation – the number of the passport or the residence permit. Officers also have information which is contained in the contract for the provision of telecommunication services and in other documents processed by the operator. It concerns, in particular, a list of subscriptions of the users or the network terminations⁴¹, the tax identification number (NIP), the number of the bank account or the credit card, mailing address of the user if different from the address of permanent residence, and e-mail address and contact telephone numbers⁴².

The public has repeatedly drawn attention to the abuses associated with the acquisition of information by services in Poland. A report prepared after the press news shows that no one is in control of 'checks' carried out by services. The lack of supervision and reporting in this area applies to all services, including the prosecutor's offices and courts. Currently, only the amended Act on the Police in Art. 19 paragraph 22 obliges the Attorney General to prepare annual reports for the Parliament on the amount of operational techniques applied by the police.

⁴⁰ Art. 159 paragraph 1 point 1 and point 3–5 of the Act of 16 July 2004 – *Telecommunications Law*. (Journal of Laws of 2004, No. 171, item 1800).

⁴¹ Art. 179 paragraph 9 of the Act of 16 July 2004 – *Telecommunications Law*. (Journal of Laws of 2004, No. 171, item 1800).

⁴² Art. 161 of the Act of 16 July 2004 – *Telecommunications Law*. (Journal of Laws of 2004, No. 171, item 1800).

The right of access to retention information is a result and a derivative of the obligation which was imposed on the Polish legislator by the so-called Retention Directive⁴³, which was adopted under the pressure of international events. The wave of terrorism which swept, among others, through Europe (bombings in Madrid and London) and the USA (the attacks on the WTC and the Pentagon) became an excuse for strengthening the security department. The aim was to impose common standards in the Member States⁴⁴.

It should be noted that the standards contained in the retention directive did not enter into force in all European Union countries. In several countries the provisions of the Directive have been questioned as violating the universal right to privacy. The Constitutional Court of Romania (8 October 2009), the Federal Constitutional Court in Germany (March 2, 2010)⁴⁵, the Constitutional Court of the Czech Republic (31 March 2011)

⁴³ *Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC* (OJ L 105, 13.4.2006.)

⁴⁴ The European legislator has acted on the assumption that there is a need to acquire at least the following information about citizens of the Union (requiring it from the Member States): (a) data necessary to identify the source of a communication, (b) data necessary to identify the destination of a communication, (c) data necessary to identify the date, time and duration of a communication, (d) data necessary to identify the type of communication, (e) data necessary to identify users' communication equipment or what purports to be their equipment, (f) data necessary to identify the location of mobile communication equipment. *Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC* (OJ L 105, 13.4.2006.)

⁴⁵ The main theses – which are the articulation of the charges against the directive – from the judgment of the Federal Constitutional Court in Germany: (a) unjustified, six-month storage of data on telecommunication connections by a private provider, (b) lack of careful, transparent and accurate standards of data protection, rules for using them and their legal protection, (c) absence of a precise indication of purposes the data can be used for, (d) the need for the creation of a regulation which would provide a clear and particularly high standard of their safety, (e) access to the data must be consistent with the principle of proportionality, (f) the use of the data should be permitted only in cases of particular importance. See *Retencja danych: troska o bezpieczeństwo czy inwigilacja obywateli* – Raport Komisji Praw Człowieka przy Naczelnej Radzie Adwokackiej. [The report of the Commission on Human Rights at the Polish Bar Council. *Data retention: concern for security or surveillance of citizens.*] Available at: <http://archiwum.adwokatura.pl/?p=3566> [Accessed: 4 April 2014], pp. 7–8.

unanimously ruled the inconsistency of laws implementing the Directive with the constitutions of these states.

Certain doubts were also reported by the European Court of Human Rights, which although recognises and recommends the distinction between information gained by wiretapping and this from phone records, also stresses that there are situations in which the latter can in a more considerable way interfere with the protection of privacy. 'On the basis of Art. 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms, the ECHR stated that by its very nature a phone record must be distinguished from wiretapping, which is undesirable and illegal in a democratic society unless there is a valid reason for it. But the use of data resulting from a phone record may, in certain circumstances, constitute a violation of Art. 8 of the Convention. Phone bill data contain information especially about dialled numbers, which are an integral component of telephone communications. As a result, the disclosure of this information to the police without the consent of the subscriber also constitutes intrusion in the rights guaranteed by Article 8. Meanwhile, in laws governing the powers of services the legislature provided a much lower standard of protection for data obtained from phone records in the course of operational activities than by means of wiretapping'⁴⁶. The same European Court of Human Rights in its judgment of 30 July 1998 stated that 'control of a phone line is interference by public authorities in the right to respect for private life and correspondence. It does not matter that it involved only the use of a system registering calls from a particular telephone. Therefore, in this case, as in the case of wiretapping, legislation should include safeguards that will prevent abuses of power'⁴⁷.

The European Data Protection Supervisor (EDPS) also criticised the formula of data retention. On 31 May 2011 EDPS issued an opinion⁴⁸ in which he indicates that the Retention Directive does not meet the minimum standards on the right to privacy and protection of personal data. 'The EDPS repeatedly expressed doubts about the justification for retaining data

⁴⁶ Constitutional Court's judgment of 20 June 2005, K 4/04 OTK-A 2005/6/64, Lex 155534. Cf. ECHR judgment of 2 August 1984 in the case *Malone v. the United Kingdom*, application no. 8691/79.

⁴⁷ The case *Valenzuela Contreras v. Spain*, application no. 27671/95. See Constitutional Court's judgment of 20 June 2005, K 4/04 OTK-A 2005/6/64, Lex 155534.

⁴⁸ European Data Protection Supervisor. *Opinion of the European Data Protection Supervisor on the Evaluation report from the Commission to the Council and the European Parliament on the Data Retention Directive (Directive 2006/24/EC)*, EDPS/11/6, Brussels, 31 May 2011.

on such a scale in light of the rights to privacy and data protection. The EDPS reminded about the need to justify whether the retention is necessary and proportionate. The EDPS concluded that the directive violates the guarantees of protection of personal data and privacy for the following reasons: (1) maintaining the obligation of data retention is not sufficiently justified by the Directive, (2) data retention could have been regulated in a way which is far less intrusive to the right to privacy, (3) the Directive leaves too big margin of freedom for Member States in the field of data processing, as well as does not determine who and to what extent is to be able to access the data⁴⁹.

The provisions of the Directive were sharply criticised by the non-governmental sector publishing the so-called ‘shadow report’. The authors from the Digital Civil Rights in Europe Foundation pointed out that ‘European citizens have paid dearly both in terms of a reduction in the right to privacy and also in the chaos and lawless treatment of personal data. Europe’s hard won credibility for defending fundamental rights has also suffered. The directive turned out to be a failure on every level: fundamental rights of the Europeans were threatened, it failed to harmonise data retention rules, in addition, these losses were not necessary in the fight against crime’⁵⁰.

In response to the avalanche of protests, the European Commission decided to publish its own evaluation report. Report from the Commission to the Council and the European Parliament – Evaluation report on the Data Retention Directive (Directive 2006/24/EC) was released on 18 April 2011. At the very beginning, it is stressed that data retention has become an extremely important tool to ensure security. The authors of the report recognise, however, risks arising from the possibility of abuse of the information. The directive was designed to make it easier for the authorities to investigate, detect and prosecute serious crimes. Meanwhile, some national

⁴⁹ Europejski Inspektor Danych Osobowych o dyrektywie retencyjnej. [The European Data Protection Supervisor on the Data Retention Directive] Available at: <http://www.europapraw.org/news/europejski-inspektor-danych-osobowych-o-dyrektywie-retencyjnej> [Accessed: 7 May 2014].

⁵⁰ „Nic nie zyskaliśmy, a straciliśmy prywatność” – Komisja Europejska ocenia dyrektywę o retencji danych, my oceniamy Komisję... i sytuację w Polsce. [‘We have not gained anything, and lost privacy’ – the European Commission evaluates the Directive on data retention, we assess the Commission ... and the situation in Poland.] [Online] Available at: <http://panoptykon.org/wiadomosc/nic-nie-zyskalismy-stracilismy-prywatnosc-komisja-europejska-ocenia-dyrektywe-o-retencji-d> [Accessed: 21 August 2014].

legislators, as highlighted in the report, used the circumstances related to the implementation of the EU act to increase the detection of all types of wrong-doing and forbidden acts. Differences between countries are evident. ‘Ten Member States (Bulgaria, Estonia, Ireland, Greece, Spain, Lithuania, Luxembourg, Hungary, Netherlands, Finland) have defined the possibility of using data retention in the case of serious, enumerated crimes while eight Member States (Belgium, Denmark, France, Italy, Latvia, Poland, Slovakia, Slovenia) of all crimes. The legislation of four Member States (Cyprus, Malta, Portugal, United Kingdom) refers to “serious crime” or “serious offence” without defining it⁵¹.

The report draws attention to the fact that the majority of EU countries have introduced into their legal order provisions going far beyond the goals which the Directive obliged them to achieve. National bodies which do not provide adequate protection have obtained access to the data. All Member States have provided access for police services and prosecutors. Six countries have included the tax authorities and three border police. Regarding the aspect of prior authorisation for access to the data, national laws vary considerably. ‘One Member State allows other public authorities to access the data if they are authorised for specific purposes under secondary legislation. Eleven Member States require judicial authorisation for each request for access to retained data. In only three Member States prior judicial authorisation is required. Four other Member States require authorisation from a senior authority but not a judge. In two Member States, the only condition appears to be that the request is made writing⁵². This means that in the case of some national authorities the only safeguard is the requirement of the written form of the request. Needless to say, in such a situation it is difficult to achieve the appropriate proportionality and restraint.

Capturing the actual amount of information collected by security and public order services (law enforcement authorities) is impossible. Some light can shed by data on the number of inquiries/requests for information retention. It is worth noting that only nineteen states (out of twenty-seven) provided their statistics. Based on the data from the years 2008–2009, it is estimated that on average telecom operators receive 2 million requests per year. Differences in individual countries should be noted. The scope ranges

⁵¹ *Report from the Commission to the Council and the European Parliament – Evaluation Report on the Data Retention Directive (Directive 2006/24/EC)*, 3 COM(2011) 225 final, Brussels 18.4.2011, p. 6.

⁵² *Ibidem*, p. 9.

from approximately 100 requests on Cyprus to more than 1 million in Poland. There is no precise data on initiated criminal proceedings, allegations, indictments, final judgments – the actual effects of this instrument of obtaining evidence. In the report of the Commission one can only find a general remark that the mechanism has become a valuable weapon to prevent, detect and combat crime. ‘Member States generally reported data retention to be at least valuable, and in some cases indispensable for preventing and combating crime, including the protection of victims. Retained traffic data have proven necessary in contacting witnesses to an incident who would not otherwise have been identified’⁵³. However, the authors of the document are not able to answer the question to what extent the collected data actually contribute to improving security in Europe⁵⁴. The wording related to general usefulness cannot be satisfactory in the face of such a substantial interference in the space of legally protected privacy.

To sum up, only in 2010 data on the connections and location of an average European were recorded every six minutes. Various services generated approximately 2.5 million requests on the basis of which they received information allowing them to create a psychological portrait of each person. It can therefore be assumed that in 2008–2011 approximately 10 million requests were submitted. Each was probably related to a case that covered at least a few people. There are requests thanks to which officers receive detailed information about dozens of people. Assuming conservatively that on the basis of one request it is possible to create an economic and psychological image of three people it gives a total of approximately 30 million citizens. The scale for potential abuse is enormous.

⁵³ *Report from the Commission to the Council and the European Parliament – Evaluation Report on the Data Retention Directive (Directive 2006/24/EC)*, 3 COM(2011) 225 final, Brussels 18.4.2011, p. 23.

⁵⁴ In the conclusions the authors of the report formulate recommendations for the future. In order to make data retention more transparent and less controversial, legislation at the national level should be standardised, in particular as regards the application of the principle of proportionality. See *Report from the Commission to the Council and the European Parliament – Evaluation Report on the Data Retention Directive (Directive 2006/24/EC)*, 3 COM (2011) 225 final, Brussels 18.4.2011, pp. 30–33.

EPILOGUE

Caring for safety and order is the primary responsibility of the state sector⁵⁵. Some point that it is primary in relation to all the others. Abraham Maslow places safety just after physiological needs but before the need for belonging, respect and self-realisation in his hierarchy of needs. Without having a sense of security it is difficult to realise others, e.g. social or economic needs. States are responsible for identifying, anticipating and eliminating threats. However, the modern world is characterised by the occurrence of increasingly sophisticated forms. At the same time social relations are less and less straightforward. Particularly in information and network societies. Various activities overlap, creating tension. The scope of protection of the right to privacy intersects with the scope of the right to enjoy the sense of security. The question of establishing a hierarchy of values arises. While in an authoritarian state a political superior can set and can move freely the line between the privileges, in free societies the process of demarcation of the border with the participation of actors of the public scene lasts incessantly. Violence and suddenness of terrorist attacks not only exposed general carelessness of public authorities, but above all became a pretext for granting unprecedented privileges to the security sphere. However, while the deprivation of terrorists of the right to privacy is justified and socially acceptable, this general attack on privacy creates dissonance which is difficult to accept. There is a reasonable suspicion that maintaining a healthy balance between democratic values has got out of control. Certainly, efforts should be made to ensure that the state adheres to the principle of restraint in the “collection” of data and does not relativise the general ‘ultimate need’ clause. Moderation seems to be here an attribute which imposes discipline. However, the fight against terrorism has become an excuse for extending competences. States, regardless of whether they are a cradle of democracy and human rights

⁵⁵ Security is often expressed using the following criteria: subjective (individual, local, national, international and global), objective (military, political, economic, ecological, cultural and social), spatial (domestic, local, sub-regional, regional), importance (state, sense, process, purpose, value, need, structure, organisation), ingredients (negative – focused on survival, positive – focused on freedom of development), and the area of the organisation (internal and external). See more in Brzeziński, M. 2009. Rodzaje bezpieczeństwa państwa. [Types of state security.] In: Sulowski, S., Brzeziński, M. eds. *Bezpieczeństwo wewnętrzne państwa. [The internal security of the state.]* Warszawa, p. 34. Cf. Korzeniowski, L.F. 2012. *Podstawy nauk o bezpieczeństwie. Zarządzanie bezpieczeństwem. [Fundamentals of sciences about security. Security management.]* Warszawa, p. 99–143.

or an oasis of authoritarian lawlessness, when it comes to information, always show a natural tendency to expand the methods of obtaining it – often using clandestine methods. Christopher Andrew identified three main reasons for maintaining the cult of secrecy: (1) historical events of assigning too much weight to all public actions, (2) secrecy obsession, (3) finally, international law prohibiting the interception of diplomatic correspondence⁵⁶.

Services of democratic states must not be treated as institutions acting to the detriment of citizens. The case, however, concerns a method of using information⁵⁷. An explicit obligation of providing public authorities with relevant information by the citizens, or vice versa, an order imposing an obligation on state authorities to search for data, contain legalistic instructions in them. The state can require from its citizens only such kinds of information (and in any case no other) which are described in a normative act of general application. In this regard, the acquisition method and the subjective nature of the data themselves cannot be inconsistent with (at least) the regulations about personal data protection. The model of law-making *ex definitione* eliminates cases of overt acquisition of information about citizens which would violate the relevant standards. While the boundaries of overt methods are, firstly, inscribed in the natural everyday life, secondly – are clearly prescribed by law, thirdly – do not raise serious controversy, confidential methods leave a free space for abuse, misinterpretation and instrumental use. And secret ways should be somewhat on the carpet and provided with a greater degree of care and supervision⁵⁸.

⁵⁶ See more in Andrew, Ch. 1977. Whitehall, Washington and the intelligence services. *International Affairs*, vol. 53, no. 3, pp. 390–404. Secrecy translates into an operational model of the entity, including the characteristics of the conditions of confidential activity in the organisation. Cf. Dufresne, R.L., Offstein, E.H. 2008. On the virtues of secrecy in organisations. *Journal of Management Inquiry*, no. 17 (102); Little, L. 2008. Privacy, trust, and identity issues for ubiquitous computing. *Social Science Computer Review*, no. 26.

⁵⁷ Cf. Siemiątkowski, Z. 2009. *Wywiad a władza. Wywiad cywilny w systemie sprawowania władzy politycznej PRL*. [Intelligence and power. Civilian intelligence in the system of exercising political power of the PRP.] Warszawa; Smith, M. J. 2000. Intelligence and the core executive. *Public Policy and Administration*, no 25.

⁵⁸ William E. Colby, a long-time chief of the CIA, presented an excellent analysis of the compatibility of the covert space in a free society. Colby believes that hidden and overt spheres cannot be treated as a dichotomy in a democratic country because both of them (exposure, secrecy) are necessary for a truly free society. Without secrecy democracy would not be able to function (e.g. secret votes cast in elections, the relationship doctor-patient, lawyer-client). Colby, W.E. 1976. Intelligence secrecy and security in a free society. *International Security*, vol. 1, no. 2, pp. 3–14; Cf. Thompson, E.P. 1979.

The future looks interesting in this context. While in the US we should expect the prolongation of the validity of relevant provisions of the Patriot Act (especially in the context of the fight against the Islamic State), in Europe things are not so clear-cut. There are visible differences between the American and European models. It is true that solutions infringing the previously solidly protected privacy were implemented on the old continent. However, this interference is not so blatant. The disproportions most probably result from the position, interests and socio-political traditions. The United States profess the concept of a strong state – the guardian of the world order. It is in the US where access to weapons is universal and patriotism is often identified with the military aspect. Europe seems to be a place with a more restrained socio-political culture. The EU is committed to represent the interests of many states-economies with various traditions and values. A more pragmatic legal system dominates here, with a highly extended regime of protection of human rights (with a strong influence of the Scandinavian countries with a long tradition of privacy), with supranational judiciary in the form of the European Court of Human Rights and the European Court of Justice. It was in Europe where three national constitutional courts (Germany, the Czech Republic and Romania) adjudicated the contradiction of the provisions of the Retention Directive with the internal legal order (creating an interesting constitutional case – breaking so far widely accepted principle of the primacy of European law established by ECJ⁵⁹ judicature). On 8 April 2014 the European Union Court of Justice, in joined cases C-293/12 and C-594/12

The secret state. *Race Class*, no. 20 (219). Cf. Garson, G. D. 2006. Securing the virtual state: recent developments in privacy and security. *Social Science Computer Review*, no. 24 (489). Cf. Gadzheva, M. 2007. Privacy in the age of transparency. *Social Science Computer Review*, no. 26 (60).

⁵⁹ The rules of: (a) the autonomous legal order, (b) the primacy of Community law, (c) the direct application of Community law were precisely defined by the jurisprudence of the European Court of Justice, which expressed them, among others, in the following cases *Van Gend & Loos*, *Flaminio Costa v. ENEL*, *ERTA*, *Defrenne Cassis de Dijon*, *Von Colson and Kamann*, *Marleasing*, *Foster*, or *Francovich*. In the case of the Federal Constitutional Court of the Federal Republic of Germany it was not the first time that the precedence of Community law over national one was questioned. In the case of *Kloppenburg* the Court admitted the precedence, but at the same time stipulated that it is not automatic and cannot go too far in German constitutional law. See more on this topic in Jeneralczyk-Sobierajska, A. ed. 1998. *Wzajemne relacje prawa międzynarodowego, wspólnotowego oraz prawa krajowego. Hierarchia norm oraz stosowanie prawa przez sądy. [Mutual relations of international, Community and domestic law. The hierarchy of standards and application of law by courts.]* Łódź: Instytut Europejski.

Digital Rights Ireland Ltd. and C-594/12 Kärntner Landesregierung and others, ruled that the Retention Directive was invalid.⁶⁰ Preventive collection of data on all telecommunications connections without judicial review was considered disproportionate infringement of civil rights and liberties⁶¹. The Court confirmed reservations reported not only the NGO community but also by national courts finding that the provisions of the Directive exceed the principle of proportionality guaranteed in Art. 7, 8 and 52, paragraph. 1 of the Charter of Fundamental Rights of the European Union.⁶² The judgment was issued pursuant to Art. 267 of the TFEU, which means that it was binding only for the national court which had asked for the preliminary ruling. However, it should provide a sufficient basis to take action unifying judicature for any other national court (such a position was expressed, for example, in the judgment of the ECJ of 13 May 1981 in case C-66/80 International Chemical Corporation). If the court declares that an act adopted by the organisational unit operating within the European Union is invalid, it is required to take the

⁶⁰ The Retention Directive was also previously subject to control by the Court of Justice of the European Union. In Case C-301/06 Ireland v. Parliament and Council (CJEU judgment of 10 February 2009) the Court examined the correctness of the legal basis, not referring, however, to the issue of the compatibility of the directive with fundamental rights. See *Evaluation report on the Data Retention Directive (Directive 2006/24/EC)*, Brussels 18 April 2011. COM (2011) 225 final, p. 20 ff.

⁶¹ According to the Court, the directive did not provide sufficient guarantees for limiting the invasion of privacy. Among other things, the scope of the directive covered all individuals without restrictions or exceptions (e.g. depending on the purpose). There was no guarantee that national bodies could use the obtained data solely for purposes justifying the regulation. Moreover, it did not provide procedures for access to the data covered by retention, including prior judicial or administrative review. See Co oznacza dla nas wyrok ETS w sprawie retencji danych. [What the ECJ judgment on data retention means for us.] [Online] Available at: <https://wprawoautor-skie.wordpress.com/2014/04/09/retencja-danych-wyrok-ets/> [Accessed: 5 March 2015]; Cios dla Wielkiego Brata w UE. Dyrektywa retencyjna jest nieważna – wyrok ETS. [A blow for Big Brother in the EU. Retention Directive is invalid – ECJ judgment.] [Online] Available at: http://di.com.pl/news/49732,0,Cios_dla_Wielkiego_Brata_w_UE_Dyrektywa_retencyjna_jest_niewazna_-_wyrok_ETS.html [Accessed: 5 March 2015]; Dyrektywa retencyjna jest nieważna – wyrok TSUE. [The Retention Directive is invalid – the judgment of the ECJ.] [Online] Available at: <http://www.europapraw.org/news/dyrektywa-retencyjna-jest-niewazna-wyrok-trybunalu-sprawiedliwosci-unii-europejskiej> [Accessed: 5 March 2015].

⁶² *Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, Protocols, Annexes, Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon*. Official Journal of the European Union, C 83, 30 March 2010.

necessary measures to comply with the judgment of the Court of Justice of the European Union (art. 266 of the TFEU). In connection with the fact that the Court did not limit the temporal effects of the judgment, the judgment in the case of Digital Rights takes *ex tunc* effect, i.e. with retroactive effect from the date of entry into force of the relevant legal act.

Although this decision is of fundamental importance, and Peter Hustinx, the European Data Protection Supervisor, found that this is the end of the validity ‘of most privacy infringing law ever adopted in the European Union’, the annulment of the directive, as a rule, did not affect directly the nullity of national legislation implementing it. Its annulment can result only from the activity of the national legislature – on its own initiative or as a result of the judgment of the national constitutional courts. This was the basis of the Polish Constitutional Court judgment. In the case no. K 23/11, of 30 July 2014, the Constitutional Court examined the constitutionality of regulations implementing the Retention Directive in Poland. The Constitutional Tribunal (full bench) adjudicated, among others, that provisions empowering the Police, the Border Guard, Tax Audit, the Military Police, the Internal Security Agency, the Foreign Intelligence Agency and the Central Anti-Corruption Bureau to obtain data covered by the telecommunications secret were inconsistent with Articles 47 and 49 in conjunction with Article 31(3) of the Constitution as they do not provide for independent supervision over granting access to communications data referred to in Article 180c and 180d of the Act of 16 July 2004 – Telecommunications Law⁶³. In the oral explanation of

⁶³ In its judgment of 30 July 2014, the Constitutional Tribunal adjudicated that: (1) Article 19(1)(8) of the Act of 6 April 1990 on the Police, Article 9e(1)(7) of the Act of 12 October 1990 on the Border Guard, Article 36c(1)(5) of the Act of 28 September 1991 on Tax Audit, Article 31(1)(17) of the Act of 24 August 2001 on the Military Police and military authorities responsible for maintaining order and discipline – construed as concerning offences specified in the Polish penal law which were prosecuted on the basis of ratified international agreements upon consent expressed by statute, were consistent with Article 2, Article 47 and Article 49 in conjunction with Article 31(3) of the Constitution of the Republic of Poland as well as Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms, done at Rome on 4 November 1950, as amended by Protocols No. 3, 5 and 8 as well as supplemented by Protocol No. 2, (2) Article 27(1), in conjunction with Article 5(1)(2)(b), of the Act of 24 May 2002 on the Internal Security Agency and the Foreign Intelligence Agency was inconsistent with Article 2, Article 47 and Article 49 in conjunction with Article 31(3) of the Constitution, (3) Article 20c(1) of the Act on the Police, Article 10b(1) of the Act on the Border Guard, Article 36b(1)(1) of the Act on Tax Audit, Article 30(1) of the Act on the Military Police and military authorities responsible for maintaining order and discipline, Article 28(1)(1) of the Act on the Internal Security Agency and

the verdict it was emphasised that ‘every person has the right to protection against external monitoring of his personal activity, in every dimension – both in the real and in the virtual world’⁶⁴. The judge pointed to the need to provide guarantees for the freedom and anonymity of individuals, especially in the era of the development of new technologies. The court adjudicated

the Foreign Intelligence Agency, Article 32(1)(1) of the Act on the Military Counter-Intelligence Service and the Military Intelligence Service, Article 18(1)(1) of the Act on the Central Anti-Corruption Bureau, Article 75d(1) of the Act of 27 August 2009 on the Customs Service – insofar as they did not provide for independent supervision over disclosing communications data referred to in Article 180c and Article 180d of the Act of 16 July 2004 – the *Telecommunications Law*, were inconsistent with Article 47 and Article 49 in conjunction with Article 31(3) of the Constitution, (4) Article 19 of the Act on the Police, Article 9e of the Act on the Border Guard, Article 36c of the Act on Tax Audit, Article 31 of the Act on the Military Police and military authorities responsible for maintaining order and discipline, Article 27 of the Act on the Internal Security Agency and the Foreign Intelligence Agency, Article 31 of the Act on the Military Counter-Intelligence Service and the Military Intelligence Service, Article 17 of the Act on the Central Anti-Corruption Bureau – insofar as they did not provide for a guarantee that materials which contained information that was prohibited from being evidence should be subject to immediate, witnessed and recorded destruction, in the case where the court had not lifted professional confidentiality requirement, were inconsistent with Article 42(2), Article 47, Article 49, Article 51(2) and Article 54(1) in conjunction with Article 31(3) of the Constitution, (5) Article 28 of the Act on the Internal Security Agency and the Foreign Intelligence Agency, Article 32 of the Act on the Military Counter-Intelligence Service and the Military Intelligence Service, Article 18 of the Act on the Central Anti-Corruption Bureau – insofar as they did not provide for the deletion of data that were irrelevant for the conduct of investigative proceedings, were inconsistent with Article 51(2) in conjunction with Article 31(3) of the Constitution, (6) Article 75d(5) of the Act on Customs Service, insofar as it allowed for retaining other materials than those that contained information which was relevant for proceedings in cases on tax misdemeanours or offences specified in chapter 9 of the Act of 10 September 1999 – the Penal Fiscal Code, was inconsistent with Article 51(4) of the Constitution. See Constitutional Court’s judgment of 30 July 2014, no. K 23/11. [Online] Available at: <http://trybunal.gov.pl/rozprawy/wyroki/art/7004-okreslenie-katalogu-zbieranych-informacji-o-jednostce-za-pomoca-srodkow-technicznych-w-dzialani/> [Accessed: 3 March 2014].

⁶⁴ Retencja danych – wyrok Trybunału Konstytucyjnego z 30 lipca 2014, sygn. K 23/11. [Data retention – Constitutional Court’s judgment of 30 July 2014, no. K 23/11.] [Online] Available at: <http://akrasuski.com/news/11/18/Retencja-danych-wyrok-Trybunału-Konstytucyjnego-z-30-lipca-2014-r-sygn-K-23-11.html>; Trybunał Konstytucyjny podważył część przepisów o retencji danych telekomunikacyjnych (sygn. K 23/11). [The Constitutional Court questioned some of the provisions on retention of telecommunications data (file no. K 23/11).] [Online] Available at: <http://prawo.vagla.pl/node/10103> [Accessed: 4 March 2015].

that the provisions within the scope indicated therein would cease to have effect after the lapse of eighteen months from the date of the publication of the judgment in the Journal of Laws.

The nearest future will show whether the above-described reaction characteristic of democratic legal states, as a naturally occurring force balancing unhealthy disproportions which were implemented after the terrorist attacks at the same time in the area of security and privacy, will become a the rule.

REFERENCES

- Andrew, Ch. 1977. Whitehall, Washington and the intelligence services. *International Affairs*, vol. 53, no. 3, pp. 390–404.
- Bazański, Ł. Retencja danych oraz nowe obowiązki ISP w zakresie danych osobowych. [Data retention and new responsibilities of ISPs in the field of personal data.] [Online] Available at: <http://www.kike.pl/2013/02/28/retencja-danych-oraz-nowe-obowiazki-isp-w-zakresie-danych-osobowych/> [Accessed: 4 March 2015].
- Brzeziński, M. 2009. Rodzaje bezpieczeństwa państwa. [Types of state security.] In: Sulowski, S., Brzeziński, M. eds. *Bezpieczeństwo wewnętrzne państwa*. [The internal security of the state.] Warszawa, p. 34.
- Cios dla Wielkiego Brata w UE. Dyrektywa retencyjna jest nieważna – wyrok ETS. [A blow for Big Brother in the EU. Retention Directive is invalid – ECJ judgment.] [Online] Available at: http://di.com.pl/news/49732,0,Cios_dla_Wielkiego_Brata_w_UE_Dyrektywa_retencyjna_jest_niewazna_-_wyrok_ETS.html [Accessed: 5 March 2015].
- Colby, W.E. 1976. Intelligence secrecy and security in a free society. *International Security*, vol. 1, no. 2, pp. 3–14.
- Co oznacza dla nas wyrok ETS w sprawie retencji danych. [What the ECJ judgment on data retention means for us.] [Online] Available at: <https://wprawoautorskie.wordpress.com/2014/04/09/retencja-danych-wyrok-ets/> [Accessed: 5 March 2015].
- Črnčec, D. 2009. A new intelligence paradigm and the European Union. *Journal of Criminal Justice and Security*, no. 1.
- Davis, P.H.J. 2010. Intelligence and the machinery of government: conceptualizing the intelligence community. *Public Policy and Administration*, no. 25 (29).

- Desai, U., Crow, M.M. 1983. Failures of power and intelligence: use of scientific-technical information in government decision making. *Administration & Society* no. 15 (185).
- Dufresne, R.L., Offstein, E.H. 2008. On the virtues of secrecy in organisations. *Journal of Management Inquiry*, no. 17 (102).
- Dyrektywa retencyjna jest nieważna – wyrok TSUE. [The Retention Directive is invalid – the judgment of the ECJ.] [Online] Available at: <http://www.europapraw.org/news/dyrektywa-retencyjna-jest-niewazna-wyrok-trybunalu-sprawiedliwosci-unii-europejskiej> [Accessed: 5 March 2015].
- European Parliament. 2001. Temporary Committee on the ECHELON Interception System: Report on the existence of a global system for the interception of private and commercial communications (ECHELON interception system), [2001/2098 (INI)], 11 July 2001.
- Europejski Inspektor Danych Osobowych o dyrektywie retencyjnej. [The European Data Protection Supervisor on the Data Retention Directive] Available at: <http://www.europapraw.org/news/europejski-inspektor-danych-osobowych-o-dyrektywie-retencyjnej> [Accessed: 7 May 2014].
- Flanagan, S.J. 1985. Managing the Intelligence Community. *International Security*, vol. 10, no. 1.
- Freeman, O. 1999. Competitor intelligence: information or intelligence? *Business Information Review*, no. 16 (71).
- Gadzheva, M. 2007. Privacy in the age of transparency. *Social Science Computer Review*, no. 26 (60).
- Garson, G.D. 2006. Securing the virtual state: recent developments in privacy and security. *Social Science Computer Review*, no. 24 (489).
- Kołodko, G. 2013. *Dokąd zmierza świat. Ekonomia polityczna przyszłości.* [Where the world is heading. The political economy of the future.] Warszawa.
- Kołodko, G. 2013. *Wędrujący świat.* [Wandering Word.] Warszawa.
- The USA Constitution.* Available at: <http://libr.sejm.gov.pl/bibl/> [Accessed: 9 September 2014].
- Korzeniowski, L. F. 2012. *Podstawy nauk o bezpieczeństwie. Zarządzanie bezpieczeństwem.* [Fundamentals of sciences about security. Security management.] Warszawa, p. 99–143.
- Koziej, S. Obywatele są bezbronni wobec zagrożeń takich jak PRISM. [Citizens are defenceless in the face of threats such as PRISM.] *Polska Agencja Prasowa* [Online]. Available at: http://wiadomosci.wp.pl/kat,13-42,title,Stanislaw-Koziej-obywatele-sa-bezbronni-wobec-zagrozen-takich-jak-PRISM,wid,15741432,wiadomosc.html?ticaid=1127d3&_ticrsn=5; [Accessed: 7 July 2014].

- Little, L. 2008. Privacy, trust, and identity issues for ubiquitous computing. *Social Science Computer Review*, no. 26.
- Memorandum of Attorney General (Janet Reno) to Assistant Attorney General, Criminal Division Director, FBI Counsel for Intelligence Policy United States Attorneys*. 19 June 1995 Available at: http://epic.org/privacy/terrorism/fisa/ag_1995_mem.html [Accessed: 21 January 2015].
- „Nic nie zyskałiśmy, a straciliśmy prywatność” – Komisja Europejska ocenia dyrektywę o retencji danych, my oceniamy Komisję... i sytuację w Polsce. [‘We have not gained anything, and lost privacy’ – the European Commission evaluates the Directive on data retention, we assess the Commission ... and the situation in Poland.] [Online] Available at: <http://panoptykon.org/wiadomosc/nic-nie-zyskalismy-stracilismy-prywatnosc-komisja-europejska-ocenia-dyrektywe-o-retencji-d> [Accessed: 21 August 2014].
- Nisztor, P. Polacy pod kontrolą służb. [Poles under the control of the services.] *Rzeczpospolita*, no. 116 (8932), p. 1.
- Omand, D. 2010. Creating intelligence communities. *Public Policy and Administration*. no. 25 (99).
- European Data Protection Supervisor. 2011. *Opinion of the European Data Protection Supervisor on the Evaluation report from the Commission to the Council and the European Parliament on the Data Retention Directive (Directive 2006/24/EC)*, EDPS/11/6, Brussels, 31 May 2011.
- Podolski, A. 2004. *Europejska współpraca wywiadowcza – brakujące ogniwo europejskiej polityki zagranicznej i bezpieczeństwa? [European intelligence cooperation – a missing link of European foreign and security policy?]* Warszawa: Centrum Stosunków Międzynarodowych, Raporty i Analizy no. 10, p. 1.
- Report from the Commission to the Council and the European Parliament – Evaluation Report on the Data Retention Directive (Directive 2006/24/EC)*, 3 COM(2011) 225 final, Brussels 18.4.2011, p. 23.
- Retencja danych: troska o bezpieczeństwo czy inwigilacja obywateli – Raport Komisji Praw Człowieka przy Naczelnej Radzie Adwokackiej*. [The report of the Commission on Human Rights at the Polish Bar Council. *Data retention: concern for security or surveillance of citizens.*] Available at: <http://archiwum.adwokatura.pl/?p=3566> [Accessed: 4 April 2014].
- Retencja danych – wyrok Trybunału Konstytucyjnego z 30 lipca 2014, sygn. K 23/11. [Data retention – Constitutional Court’s judgment of 30 July 2014, no. K 23/11.] [Online] Available at: <http://akrasuski.com/news/11/18/Retencja-danych-wyrok-Trybunału-Konstytucyjnego-z-30-lipca-2014-r-sygn-K-23-11.html>

- Rogala-Lewicki, A. *Czy polskie służby specjalne potrzebują formuły Intelligence Community*. [Do Polish special services need formulas of Intelligence Community?] Forum Studiów i Analiz Politycznych im. Maurycego Mochnackiego. [ISSN 2082-7997] Available at: http://www.fsap.pl/index.php?option=com_content&view=article&id=21%3Aczy-polskie-suby-specjalne-potrzebuj-formuy-intelligence-community&catid=7%3Acomm ents&Itemid=9&lang=pl, [Accessed: 7 May 2014].
- Siedlecka, E. 2011. Służby zdradzają, jak często sięgały po bilingi. [Services reveal how often they reached for phone records.] *Gazeta Wyborcza* [Online] 10 February 2011, p. 6; Available at: http://wyborcza.pl/1,75478,9081579,Sluzby_zdradzaja__jak_czesto_siegaly_po_bilingi.html#ixzz1TgKmikgS, [Accessed: 15 August 2014].
- Służby zdradzają, jak często sięgały po bilingi. [Services reveal how often they reached for phone records.] *Gazeta Wyborcza* 10 February 2011, p. 6.
- Siedlecka, E. 2011. Kogo można podsłuchać. [Who can be eavesdropped.] *Gazeta Wyborcza* 15 March 2011, p. 7.
- Siedlecka, E. KE: Za dużo podglądacie. [The EC: you are spying too much.] *Gazeta Wyborcza* [Online] Available at: http://wyborcza.pl/1,75478,9453157,KE__Za_duzo_podgladacie.html [Accessed: 15 August 2014].
- Siemiątkowski, Z. 2009. *Wywiad a władza. Wywiad cywilny w systemie sprawowania władzy politycznej PRL*. [Intelligence and power. Civilian intelligence in the system of exercising political power of the PRP.] Warszawa.
- Smith, M. J. 2000. Intelligence and the core executive. *Public Policy and Administration*, no 25.
- Staniszkis, J. 2006. *O władzy i bezsilności*. [About power and powerlessness.] Kraków.
- Staniszkis, J. 2003/4. *Władza globalizacji*. [The power of globalization.] Warszawa.
- Stawecki, T. 2005. *Rejestry publiczne. Funkcje instytucji*. [Public registers. Functions of institutions.] Warszawa.
- Stiglitz, J. 2007. *Globalizacja*. [Globalisation.] Translated by H. Simbierowicz, Warszawa.
- Thompson, E. P. 1979. The secret state. *Race Class*, no. 20 (219).
- Trybunał Konstytucyjny podważył część przepisów o retencji danych telekomunikacyjnych (sygn. K 23/11). [The Constitutional Court questioned some of the provisions on retention of telecommunications data (file no. K 23/11).] [Online] Available at: <http://prawo.vagla.pl/node/10103> [Accessed: 4 March 2015].

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism – USA Patriot Act, H. R. 3162, (Public Law 107-56). Available at: <http://epic.org/privacy/terrorism/hr3162.html> [Accessed: 9 March 2015].

Wzajemne relacje prawa międzynarodowego, wspólnotowego oraz prawa krajowego. Hierarchia norm oraz stosowanie prawa przez sądy. [Mutual relations of international, Community and domestic law. The hierarchy of standards and application of law by courts.] Łódź: Instytut Europejski.

Vervaele, J.A.E. 2005. Terrorism and information sharing between the intelligence and law enforcement communities in the US and the Netherlands: emergency criminal law. *Utrecht Law Review*, vol. 1, no 1.

SECURITY SERVICES AFTER THE TERRORIST ATTACKS IN THE US AND EUROPE. PATRIOT ACT VERSUS THE RETENTION DIRECTIVE, OR THE LEGITIMISATION OF ABUSES IN THE SPHERE OF PRIVACY IN DEMOCRATIC STATES: A COMPARATIVE STUDY

Summary

Acceleration of technologisation processes, networking of communication, and in consequences it social interactions, resulted in a shift of social, economic and political paradigm in the civilisation sphere. For the purpose of anticipation of an increasing of more and more sophisticated threats, state law enforcement and intelligence agencies developed and implemented new technologies to allow secret services not only maintain *raison d'être* but also to preserve and expand assets. And so the existence of American system *Echelon* or the revealed by Edward Snowden *PRISM* platform opened public eyes to the fact that the intelligence agencies (in particular, the US National Security Agency) are not only able to capture any tele-information signal but actually takes advantage of this privilege. Despite these attributes, due to administrative and logistical shortcomings, secret services did not avoid the embarrassment associated with effectively carried out terrorist attacks. Paradoxically, instead of diagnosing the errors within the structures, public sector responded in, previously unknown in democratic countries, increasing the competences of the security forces, *de facto* legalizing almost total surveillance. Symbolic examples are extremely controversial provisions

of the Patriot Act in the US and the EU Retention Directive. As a consequence, the fight against terrorism has become an excuse for blunt violation of standards related to privacy.

SŁUŻBY BEZPIECZEŃSTWA PO ZAMACHACH TERRORYSTYCZNYCH
W USA I EUROPIE – PATRIOT ACT VERSUS DYREKTYWA RETENCYJNA,
CZYLI LEGITYMIZOWANIE NADUŻYĆ W SFERZE PRYWATNOŚCI
W DEMOKRATYCZNYCH PAŃSTWACH PRAWA
– STUDIUM PORÓWNAWCZE

Streszczenie

Akceleracja procesów technologizacji usieciowienia komunikacji, a wraz z nią interakcji społecznych, skutkowałą zmianą paradygmatu społecznego, ekonomicznego i politycznego w przestrzeni cywilizacyjnej. Na potrzeby antycypowania coraz bardziej wyrafinowanych form zagrożeń opracowano i wdrożono nowe rozwiązania pozwalające państwowym agencjom bezpieczeństwa nie tylko utrzymywać *raison d'être* ale także zachować i poszerzać swoje aktywa. I tak amerykański system *Echelon*, czy ujawniona przez Edwarda Snowdena platforma *PRISM* uświadomiły opinii publicznej, że agencje wywiadowcze (w tym w szczególności amerykański *National Security Agency*), nie tylko są w stanie przechwycić każdy sygnał teleinformacyjny, ale faktycznie z tego przywileju korzystają. Mimo takich atrybutów, z uwagi na braki administracyjno-logistyczne, nie ustrzegły się kompromitacji związanej ze skutecznymi przeprowadzonymi atakami terrorystycznymi. Paradoksalnie zamiast szukać błędów wewnątrz struktur, sektor publiczny odpowiedział, nieznanym wcześniej w państwach demokratycznych, zwiększeniem kompetencji służb bezpieczeństwa, *de facto* legalizując niemal pełną inwigilację. Symbolicznymi przykładami są niezwykle kontrowersyjne przepisy zawarte w amerykańskiej ustawie *Patriot Act* oraz unijnej dyrektywie retencyjnej. W konsekwencji walka z terroryzmem stała się usprawiedliwieniem dla bezceremonialnego pogwałcenia norm związanych z ochroną prywatności.

СЛУЖБЫ БЕЗОПАСНОСТИ ПОСЛЕ ТЕРРОРИСТИЧЕСКИХ АТАК
В США И ЕВРОПЕ – PATRIOT ACT *VERSUS* РЕТЕНЦИОННАЯ
ДИРЕКТИВА, ИЛИ УЗАКОНИВАНИЕ ЗЛУПОТРЕБЛЕНИЙ
В СФЕРЕ ЧАСТНОЙ ЖИЗНИ В ДЕМОКРАТИЧЕСКИХ ПРАВОВЫХ
ГОСУДАРСТВАХ – СРАВНИТЕЛЬНОЕ ИССЛЕДОВАНИЕ

Резюме

Ускорение процессов технологизации сетевой связи, и, в связи с этим, интеракция социальных процессов, привела к изменению общественной, экономической и политической парадигмы в цивилизационном пространстве. С целью прогнозирования возникновения всё более изощрённых форм угроз были разработаны и внедрены новые решения, позволяющие управлениям национальной безопасности не только поддерживать *raison d'être* (смысл), но также сохранять и расширять свои активы. Таким образом, американская система *Echelon*, или раскрытая Эдвардом Сноуденом платформа *PRISMM* оповестили общественное мнение о том, что спецслужбы (в том числе и в особенности американская *National Security Agency*), не только в состоянии уловить каждый телеинформационный сигнал, но и фактически пользуются этой возможностью на практике. Несмотря на перечисленные атрибуты, по причине недоработок административно-логистического характера, службы не застраховали себя перед компрометацией, связанной с результативно проведёнными террористическими атаками. Что парадоксально, – вместо того, чтобы искать ошибки во внутренних структурах, государственный сектор отреагировал ранее несвойственным для демократических государств расширением полномочий спецслужб, *de facto* (фактически), узаконивая почти тотальный контроль. Символическими примерами являются чрезвычайно противоречивые положения, содержащиеся в американском законе *Patriot Act* (Акт патриотизма), а также в европейской ретенционной директиве. В результате борьба против терроризма стала оправданием для бесцеремонного нарушения норм, связанных с неприкосновенностью частной жизни.

Józef M. Fiszer

THE CRISIS OF THE EUROPEAN UNION OR THE CRISIS OF EUROPEAN INTEGRATION? CAUSES AND EFFECTS

INTRODUCTION

Responding to a question posed in the title of this paper it seems to me that today we are dealing with the crisis of the European Union and also with the crisis of European integration, but the crisis in the European Union, which determines the crisis of European integration, is primary and has more dangerous effects. There is no doubt that post-war European integration is an unprecedented process in the history of the modern world. Also without a precedent is the European Union which is the result of this process and which is an international organization, but it is unusual because of its objectives and functions. It is also not a state but a specific organization, integrating both states and people, combining only some of the features of the state and international organizations. It is a voluntary union of sovereign and democratic states. The Union, in contrast to classical international organizations plays legislative functions in a wide range, and they are a fundamental premise of its existence. Thus, it is similar to a state (especially federal), because it exercises public authority resulting in the legal instruments applicable indirectly and addressed not only to countries but also to individuals and legal entities. The legitimacy of the EU's sources of power arises from the founding treaties ratified by all Member States. This authority is based on delegating certain competencies of power to the Union by the states¹. Many authors, among others, David Beetham and Christopher

¹ See Kranz, J., Wyrozumska, A. 2012. Powierzenie Unii Europejskiej niektórych kompetencji a Traktat fiskalny. [Conferral of competences on the European Union and the Fiscal Stability Treaty.] *Państwo i Prawo*, no. 7, pp. 20–36. See

Lord emphasize that the issue of legitimacy of the EU's institutional system is still relevant (in play), as it concerns the constant changes in the EU, which therefore takes over new competences which have been previously performed by its Member States².

In the light of the neo-functional theory, the European Union is a self-propelling mechanism whose essence lies in the fact that each stage of its development results in the need for further steps (spillovers), that is increasing its competences (deepening of integration). This leads to constant tensions caused by the scope and pace of changes, defining national interests and understanding of democracy and sovereignty. This is primarily a political problem, and to a lesser extent, a legal one. In international relations, however, there is not and probably will not be for a long time a global parliament, courts or government. The establishment of such institutions is possible only with the treaty consent of all countries, as it indeed takes place, but only in a substantively and geographically limited scope³.

The classical analysis of the nature of the European Union demonstrates that it is a *sui generis* political entity, with a hybrid character, that is located between a confederation and federation, but in an untypical manner from the point of view of the division of competences between the national and the European (supranational) level. As long as the EU is a *sui generis* structure, we will deal with a combination of characteristics of an intergovernmental international organization, a supranational organization and a state, and the legitimacy of this structure should have a specific character, in which 'democratic legitimacy plays a leading role, but is supplemented by other sources, thanks to which the functioning of the institutional system of the EU, and the EU, could be considered legitimate'⁴.

In recent years, we have encountered more and more demands for further federalization of the European Union, which would help to overcome its

more on this topic in: Kubin, T. 2014. *Legitymizacja systemu instytucjonalnego Unii Europejskiej*. [Legitimization of the European Union institutional system.] Katowice: Wydawnictwo Uniwersytetu Śląskiego.

² See Beetham, D., Lord, Ch. 1998. *Legitimacy and the European Union*. London–New York, p. 125.

³ See Finkelstein, L.S. 1995. What is global governance. *Global Governance*, no. 1, p. 368; Lipschutz, R.D. 1997. From place to planet: local knowledge and global environmental governance. *Global governance*, no. 3, p. 83; Czaputowicz, J. 2007. *Teorie stosunków międzynarodowych. Krytyka i systematyzacja*. [Theories of international relations. Criticism and systematization.] Warszawa: Wydawnictwo Naukowe PWN, pp. 354–358.

⁴ See Kubin, T. *Legitymizacja systemu instytucjonalnego Unii Europejskiej*. [Legitimization of the European Union institutional system.] p. 18.

inertia, including the economic, social and political crisis and to strengthen Europe's position in the international arena. On the other hand, many researchers indicate that the federal system is not adequate for the reality of the EU, including the dynamisation of the European integration differentiation processes. They argue that a more useful formula for the European Union will be an empire, defined by the relationships of asymmetry between the centre and peripheries, a variable spatial structure, determined by territorial expansion and the logic of two-level identity – national (domestic) identity and the so-called civilizing mission⁵.

The financial and economic crisis and the crisis in Ukraine demonstrate clearly that the current EU system does not stand the test, and its policies – both internal and external – are not effective. The Union faces the problem of actually unlimited and unclear formal competences, and the lack of resources necessary for their implementation. EU policy makers undertake ambitious projects, such as the creation of the economic and monetary union, or common foreign and defence policy, but without regard to objective limitations or possibilities of their realization. As a result, new dividing lines appear, and the largest European Union countries and their citizens, including France and Germany, a tandem, which has been its locomotive so far, criticize the EU louder and louder and are opposed to its further extension and deepening. According to the polls, as many as 73% of Germans now believe that their country can no longer afford to be involved to a greater extent in the rescue of the euro and in the effort to build united Europe⁶. Meanwhile, it is known that without further German and French involvement in solving the EU's crises and problems, the federal 'European project' is doomed to failure. Many other Member States also look today at the federalisation of Europe with scepticism, fearing not only the loss of privileges won on the basis of existing regulations in the EU, the best example of which is the attitude of Great Britain, on the other hand, being afraid of increasing the role of the Federal Republic of Germany

⁵ See Beck, U. 2009. *Europa kosmopolityczna: społeczeństwo i polityka w drugiej nowoczesności*. [Cosmopolitan Europe: society and politics in the second modernity.] Warszawa: Wydawnictwo Naukowe SCHOLAR, Gravier, M. 2011. Empire vs. Federation: which path for Europe? *Journal of Political Power*, no. 7.

⁶ See Garczewski, K. 2015. Niemcy we współczesnych stosunkach międzynarodowych – regionalne przywództwo, globalne ambicje. [Germany in contemporary international relations – regional leadership, global ambitions.] In: Bania, R., Zdulski, K. eds. *Wyzwania i problemy współczesnych stosunków międzynarodowych*. [Challenges and problems of contemporary international relations.] Łódź: Polskie Towarzystwo Studiów Międzynarodowych, Oddział Łódzki, pp. 21–40.

in 'new', more institutionally centralized Europe⁷. Marine Le Pen, head of the National Front in France which enjoys growing public support, does not hide that she is committed to the collapse of the European Union, describing it as 'the Soviet European Union' which 'stole sovereignty' and limits the possibility of 'self-determination by national authorities'⁸.

Geopolitical tensions among Paris, London and Berlin, and between Washington and Berlin have led to turbulences in the integration processes in Europe and also contribute to the creation of euro-sceptic moods in the EU. Public opinion polls conducted by the European Commission confirm it. Since the beginning of the crisis in 2008, confidence in public authorities, both European and national ones, has been declining steadily. However, it is stronger in the case of the EU institutions (a decline of nearly 30% between 2007 and 2012; in the same period the decrease of confidence to the national authorities amounted on average to approximately 20%)⁹.

Today in the European Union we have less and less solidarity, trust, integrity and faith, as well as optimism about its prospects. Enemies of the Union today are not only Eurosceptics, but also realists who easily find arguments that all of this works badly, and so you have to take care only about your own interests. Such a selfish and demanding attitude has been long demonstrated in the EU by the United Kingdom, which has intensified under Conservative Prime Minister David Cameron, who threatens to take it out of the Union and to this end has announced a referendum in 2017. Cameron cynically uses anti-immigrant sentiments which strengthen the anti-EU and nationalist tendencies in Europe. Disastrous relations of D. Cameron with Brussels also hinder the development of common EU policy towards Moscow. After the victorious parliamentary election on 7 May 2015 and D. Cameron's spectacular success in it, the threat of Brexit, or exit of the UK from the European Union, has increased, which would strongly hit the geopolitical importance of the EU in the world and undermine its foundations¹⁰. Tony Blair, a Labour Party politician, former British Prime

⁷ *Ibidem*, p. 39.

⁸ See Grosse, T.G. 2014. W oczekiwaniu na rewolucję. [In anticipation of the revolution.] *Rzeczpospolita*, 22 August 2014, p. A11. Cf: Brexit znaczy katastrofa Z Tonym Blairem rozmawia Michał Frąk. [Brexit means disaster. Michał Frąk's interview with Tony Blair.] *Gazeta Wyborcza* 20–21 June 2015, p. 31.

⁹ *Ibidem*.

¹⁰ See Bielecki, T. 2015. Brytyjskie chmury nad Unią. [British clouds over the Union.] *Gazeta Wyborcza* 9–10 May 2015, p. 2; Czarnecki, M. 2015. Wielki sukces Camerona. [Great success of Cameron.] *Gazeta Wyborcza* 9–10 May 2015, p. 10.

Minister, believes that if this happens, it 'will be a great disaster', both for the UK and the European Union¹¹.

The aim of this article is an attempt to answer questions about the sources and effects of the crises which the EU is facing today, and which have led to the crisis in the process of European integration. At the same time I want to show strengths which the EU still has and its weaknesses which determine its position on the international arena and determine its position with regard to the events occurring in the world today, especially when it comes to the crisis in Ukraine, Islamic terrorism growing in the world and, in general, the chaos which threatens the security of Europe and inhibits the process of building a multipolar global order. These problems and Russia's attack on sovereign Ukraine, just like the USA's aggression in Iraq in 2003, have led to the breakdown of solidarity, deepening of divisions and disagreements between countries belonging to the European Union. Moreover, the relations between the EU and the United States are also loosening, which until now have been a foundation of security and transatlantic cooperation. What is happening in Ukraine is a test for the EU and NATO. It shows to what extent they are consistent and ready to cooperate and whether they can conduct common policy and speak with one voice. Unfortunately, this test is unsuccessful for the EU and NATO. We are dealing with a crisis of the European Union and NATO. Vladimir Putin does everything to circumvent the Union and talk with each country individually and he achieves diplomatic and propaganda successes here. Moscow threatens the EU and America with a new world war and thus prevents the West from giving military aid to the victims of the Russian aggression. Russia, not long ago called a 'strategic partner' of the EU, is now a strategic problem. In some important aspects it may even be called a strategic rival¹².

This article shows that the EU loses its importance as an active player in international relations and becomes a more and more passive actor on the international scene, it rather plays a supporting role. It is simply disregarded in Moscow, Beijing and Washington, and treated instrumentally by Berlin, Paris or London, that is in the capitals of countries that have the greatest impact on the process of building new multipolar global governance and its security. At the same time the EU shows indecisiveness, it does not speak with one voice in the international arena; the particularisms of Member States

¹¹ See Brexit znaczy katastrofa... [Brexit means disaster...] p. 31.

¹² See Czech, M. 2015. Kreml straszy świat wojną. [Kremlin threatens the world with a war.] *Gazeta Wyborcza* 9 March 2015, p. 10.

exacerbate, and also its other shortcomings are revealed. The EU's position in international organizations diminishes. For example, now it is not at all represented on the board of the World Bank, even as an observer, which is in contradiction with its large-scale policy of assistance directed to developing countries¹³. Therefore, the demand to grant the EU the permanent observer status at the World Bank is more and more often proposed. In the UN General Assembly the EU is currently one of 67 permanent observers. In practice, EU representatives may speak only after all interested representatives representing 192 Member States of the organization have spoken. Only in exceptional circumstances, the EU is granted the right to speak before the other observers¹⁴.

The main thesis of this article is the observation that the European Union is still in deep crisis, is still drifting, and this can cause its disaster. The crisis, or rather crises, hamper integration processes in Europe and contribute to the accumulation of anti-EU attitudes. The only hope is that the new leaders, with European Council President Donald Tusk and European Commission President Jean Claude Juncker in the foreground, will do everything to steer the EU back on the track of rapid economic, political and social development and to make it become an important pole in the multipolar world. To this end, the EU must resume the process of its widening and deepening, and enhance cooperation with NATO and the United States. It should also look for opportunities to reach an agreement with Russia, without which it is impossible to peacefully resolve the issue of Ukraine and other Eastern European countries.

1. THE EUROPEAN UNION AND THE SOURCE OF ITS CURRENT CRISES

Immersed in numerous crises, tired and being at a crossroads today, the European Union needs a new axiology, solidarity and refreshing of forgotten words, concepts and emotions, which in the past motivated the efforts to

¹³ See more on this topic in: Kołodziejczyk, K. 2013. *Stosunki Unii Europejskiej z grupą państw Afryki, Karaibów i Pacyfiku*. [Relations of the European Union with the group of African, Caribbean and Pacific states.] Warszawa: Wydawnictwo Rambler, pp. 81–96; Holland, M. 2002. *The European Union and the Third World*. New York: Palgrave.

¹⁴ See Emmerson, M., Balfour, R., Corthaut, T., Wouters, J., Kaczyński, P.M., Renard, T. 2011. *Upgrading the EU's Role as global actor*. Brussels: CEPS, p. 67; Rewizorski, M. 2015. *Agora interesów. G 20 i wylanianie się globalnego zarządzania*. [Agora of interests. G20 and the emergence of global governance.] Warszawa: Difin, p. 65.

build secure, united, democratic and wealthy Europe. It needs above all new great leaders, visionaries, able to present a captivating vision¹⁵.

It is high time to begin a serious debate about these issues in the European Union, and especially a debate on its ideology and core values. About what European identity, responsibility and solidarity are today and what they actually should be. What responsibilities it imposes on the richest and on the poorest members of the EU family. Without credible naming, reminding or rediscovery of that European identity, the Union will not be able to function normally, solve effectively its economic, social and political problems, increase, develop and modernize, and as a result of that it will come to an even greater crisis, and perhaps even disintegration. This is just what Russia, which has been supporting the anti-EU forces in Europe for years, is waiting for¹⁶.

The financial and economic crisis has also exposed many weaknesses of the European Union, and especially the powerlessness of technocratic management of EU policies and has revealed the real centres of power in the EU's complex political system, where daily activities do not always at first glance indicate the centres of making key decisions. First of all, it has revealed the weakness of the leading supranational decision-making body of European Union, namely the European Commission and the powerlessness of its President. This crisis, unprecedented in the recent history of Europe and the EU, has also shown the weakness of the intergovernmental factor and the divisions, egoism and particularism persisting in the European Union. In the majority of European countries, citizens have lost confidence in it, and the process of disintegration increases. It happens because the EU has not had charismatic leaders, visionaries or prominent politicians for a long time. It is directed by bureaucrats and party activists, detached from the people and their needs, and its political system is flawed and needs deep and not just

¹⁵ Malendowski, W. 2010. Suwerenność państw w procesie integracji europejskiej. [The sovereignty of states in the process of European integration.] *Przegląd Politologiczny*, no. 4, pp. 7–20; Smoczyński, W. 2011. Europa się chwieje. [Europe is swaying.] *Polityka* 29 June – 5 July 2011; Baczyński, J. 2011. Czy porwiemy Europę? [Will we enchant Europe?] *Polityka* 6 July – 12 July 2011.

¹⁶ Russia keeps close contacts with the extreme right in Europe, among others, with such groups as the French National Front, the Hungarian Jobbik, the Austrian FPÖ, the Greek Golden Dawn, the Belgian Vlaams Belang, the Bulgarian Ataka. Their leaders are invited to Moscow to make speeches in the Duma, give lectures at universities, for meetings with politicians at various levels. See Prus, J. 2015. Defilada mitów. [The parade of myths.] *Polityka* 6–12 May 2015, pp. 16–18.

cosmetic changes. It must change as quickly as possible. The European Union wanting to survive must evolve towards a civil and social state¹⁷.

Already at the beginning of the twenty-first century, many scholars, policymakers and journalists, and above all the representatives of various social groups warned that the traditional model of international relations is not sufficient for the recognition of the emerging and difficult to characterize global political order based largely on specialized institutions acting beyond the borders of the state. Both state as well as beyond-state actors of international relations are faced with the need to find their place in the reality that is seen as increasingly less clear and 'postmodern'¹⁸.

The processes of globalization, determining international integration today, cause that states are not able to solve many problems and develop independently. Opportunities and threats have a reciprocal cross-border nature and the role of the state inevitably changes. The loss or limitation of certain competences may, however, be compensated by new opportunities in international cooperation (international law and organizations). The requirements of democracy move thereby from the state to the dissimilar international plane. As a result, the European Union gradually becomes similar to a state, but is a separate legal entity. International institutions from the nature of things are always in some opposition (competition) in relation to national institutions. In turn, states and nations are not in danger in the European Union, because integration prevents their isolation or marginalization and contributes to the growth of their well-being and provides them with broadly understood security.

There is no doubt that after sixty years since the creation of the first Communities and twenty years since its creation, the European Union

¹⁷ See Fiszer, J.M. 2014. Czy państwo demokratyczne może być wzorem dla przyszłej Unii Europejskiej? [Can a democratic state be a model for the future development of the European Union?] *Mysł Ekonomiczna i Polityczna*, no. 1(44), pp. 101–125; Ruszkowski, J., Wojnicz L. 2013. eds. *Multi-level governance w Unii Europejskiej [Multi-Level governance in the European Union.]* Szczecin–Warszawa: Instytut Politologii i Europeistyki Uniwersytetu Szczecińskiego, Instytut Europeistyki Uniwersytetu Warszawskiego.

¹⁸ See Łoś-Nowak, T. 2011. O potrzebie rekonstrukcji przestrzeni badawczej w nauce o stosunkach międzynarodowych. Refleksje natury polityczno-normatywnej, systemowej i metaforycznej. [About the need for reconstruction of the research area in the science of international relations. Reflections of the political and normative, systemic and metaphorical nature.] *Przegląd Politologiczny*, no. 1 pp. 25–31; Pietraś, M. 2008. Hybrydowość późnowestwalskiego ładu międzynarodowego. [The hybridity of the late Westphalian international order.] In: Pietraś, M., Marzęda, K. eds. Lublin: Wydawnictwo UMCS, pp. 57–75.

needs a new vision of development and strategy of action and far-reaching modernization and democratization. Today, we must answer not only the question of whether the model of democracy in a state can be a model for the European Union and whether the Union should become a state (a superpower), but above all, we must answer the question, what should be done to make Europeans still want the Union and not to lead to its breakdown¹⁹.

All measures should be used so that the EU becomes an active player on the international stage and plays an important role in building a new international order, in which it should be one of the main pillars. To this end, the unity and cooperation of all countries belonging to the European Union, and especially the UK, the Federal Republic of Germany and France, is necessary. Further cooperation between the EU and the United States and the EU and NATO is also essential. If it is not intensified, the Euro-Atlantic system will lose its meaning and cease to be a guarantor of security of the West. In view of the current bankruptcy of Union's eastern policy, it is also necessary to develop a new form of the EU and NATO cooperation and policy towards Russia, and adopt a new, far-sighted transatlantic strategy for this country²⁰.

The battle for the future of Ukraine has destabilized the international environment in the immediate vicinity of the EU borders, and some countries for the first time since the end of the Cold War have noticed the threat of Russian aggression. It is today a worrying situation for Europeans, who endowed with several decades of peace, have already ruled out the possibility of an armed conflict on our continent. People too quickly believed in the democratic peace theory which assumed that democratic states are less likely to go to war with one another than authoritarian states. Today, in the light of various conflicts and wars which are taking place in the world, even among democratic states, this theory also appears to be false, based on idealized expectations detached from reality. Therefore, we should redefine European security and define the role of the EU's defence policy and relations with NATO and the United States. A common strategy should be adopted as quickly as possible to protect Europe and the world against the imperial ambitions of the Russian President, who wants to restore Russia's position as

¹⁹ See. Fiszer, J.M. 2014. Czy państwo demokratyczne może być wzorem dla przyszłej Unii Europejskiej? [Can a democratic state be a model for the future development of the European Union?] pp. 101–125.

²⁰ See Krzemiński, A. 2014. Niemcy na huśtawce. [Germany on a swing.] *Polityka* 30 July–5 August 2014, pp. 43–45.

a global superpower and regain influence in the post-Soviet areas, establishing the Eurasian Union for this purpose, aimed to reduce the influence of the EU and the United States in Europe and the world. Vladimir Putin has been conducting aggressive policy to rebuild the influence of the Soviet empire for a long time. He dreams of reconnecting countries which after the collapse of the Soviet Union got out of control of the Kremlin. Chechnya, Georgia, Belarus, Armenia have already been at gunpoint and now it is Ukraine. The territorial integrity of the sovereign state was violated, the principles of the UN Charter, the Helsinki Final Act and the basic principles of international law were broken. In the light of international law the connection of the Crimean Peninsula (Crimea) being a part of the Ukrainian territory to the Russian Federation must be classified as annexation, that is the illegal acquisition of a territory of another country through the use of and/or threats to use military force. The Russian Federation also violated its legal obligations to the international community²¹. In fact, the existing international order was destroyed. Baltic countries may be the next victims of his policy²². As Professor Richard Pipes, an eminent expert on Russia, writes, Putin's actions are reasonable in the context of Russian history because Russians like strong leaders, and he fills this role perfectly. In their optics, 'only Russia opposing the United States remains a great superpower. Russians may be hungry, but as long as they have a sense of superpower, everything is fine'²³.

On the other hand, given the fact that in the modern world in which firmly defined interests of countries, especially of superpowers, are decisive, they have to be taken into consideration. Even more so, as shown in this analysis, today the realistic paradigm still has large explanatory usefulness in the study of international reality, which claims that the contemporary world is changing fast and before our very eyes a new international order is being formed in which the so-called emerging powers, included in the BRIC

²¹ See more on this topic in Opinia Doradczego Komitetu Prawnego przy Ministrze Spraw Zagranicznych RP w sprawie przyłączenia Półwyspu Krymskiego do Federacji Rosyjskiej w świetle prawa międzynarodowego. [The opinion of the Legal Advisory Committee to the Minister of Foreign Affairs on the incorporation of the Crimean Peninsula to the Russian Federation in the light of international law.] *Sprawy Międzynarodowe*, no. 3/2014, pp. 121–131.

²² See Nowak, A. 2014. *Putin. Źródła imperialnej agresji*. [Putin. Sources of imperial aggression.] Warszawa: Wydawnictwo Sic!; Wójcik, Ł. 2015. *Więzień Kremla*. [The prisoner of the Kremlin.] *Polityka* 1–6 January 2015, pp. 22–24; Siła rządzi światem. Z Richardem Pipesem rozmawia Michał Potocki. [Force rules the world. Michał Potocki's review with Richard Pipes.] *Dziennik Gazeta Prawna* 20–22 March 2015, pp. A8–A9.

²³ See, *Siła rządzi światem...*, [Force rules the world...] p. A8.

group, i.e. Brazil, Russia, India and China, begin to play the main role. In contrast to the United States and the European Union, the financial and economic crisis has not significantly weakened the economic potential of the BRIC zone. Despite the noticeable collapse of major macroeconomic indicators, especially in 2008, and a slowdown of growth in the following years, these countries still represent a phenomenon unique in the world in terms of economic growth. According to experts, this trend will continue for several more decades, ultimately allowing the BRIC countries – with particular reference to China – to take the existing economic position of developed countries of the Western world because falling into an increasing spiral of debt they lose their already barely visible dominance. According to the forecasts for 2050 the list of countries with the highest GDP will look like this: China, the USA, India, Brazil, Mexico and Russia. The BRIC countries now occupy approximately 25% of the Earth, which is home to 40% of the world population and their GDP is approximately 3/5 of domestic product of the United States, but after using the purchasing power parity it already slightly exceeds it²⁴.

For over sixty years, successive generations of Europeans have been witnessing the peaceful unification of the continent. And for more than twenty five years the countries of Central and Eastern Europe, including Poland, which after World War II were on the eastern side of the Iron Curtain, have participated in this process. The beneficiaries of European integration are today all Europeans, including millions of Poles who belong to the greatest enthusiasts of the Union among European nations. Today, however, the EU is experiencing a number of difficulties, which can even be called crises: political, economic, financial, social, axiological and structural, which seriously inhibit its activity on the international forum. Recent years have also been one of the most difficult periods in the history of European integration, overshadowed by such phenomena and processes as the still insurmountable financial and economic crisis in the euro area, the bankruptcy of Greece, tensions in relations with Russia because of the situation in eastern Ukraine, the risks resulting from the unstable situation in the Mediterranean and the Near and Middle East, migration and immigrants whose number has grown since the so-called Arab Spring and the creation of the Islamic State. As

²⁴ See Mroziewicz, K. Duzi chcą być jeszcze więksi. [The big want to be even bigger.] *Polityka*, no. 38, pp. 14–17; Karpienia, M. 2013. Kryzys gospodarczy a kraje strefy BRIC [The economic crisis and the BRIC countries.] In: Bocian, A.F. ed. *Globalizacja – Polityka – Etyka*. [Globalization – Politics – Ethics.] vol. IV, Białystok: Wydawnictwo Uniwersytetu w Białymstoku, pp. 192–217.

a result of internal and international conflicts in 2014 as many as 38 million people in the world could not stay in their homes, and many of them are trying to settle in the EU. It is over 14% more than in the previous year²⁵.

The latest election to the European Parliament, which took place on 22–25 May 2014, showed that Europeans are unhappy and confused and that it is now much more difficult for them to imagine what the European Union will look like in ten years. Surveys say that more than 60% of Europeans are afraid that their children will have a worse life than they themselves²⁶. Even today in the EU we have a considerable crowd of victims, the excluded and the offended who see the reasons for the failure in the shallowness and venality of its elites and demand to cease yielding to the dictates of cosmopolitan bureaucrats and financiers. Also EU leaders are confused, almost helpless in the face of such reality. They deal with the economy on the macro scale, while people face problems at the level of everyday life. Former Chairman of the Council, Herman Van Rompuy, right after the elections to the European Parliament said that voters ‘formulated a strong message’, and therefore the Council must give ‘clear guidance’ for the future. He was echoed by European Parliament President Martin Schulz warning that politics is unable to enforce the primacy towards multinational corporations and that Member States are easily played against one another by other major players²⁷.

The Union has raised today the lack of decisive action to the status of a political creed. It has problems with making decisions. It is slow and hesitant in matters of importance, and it is pedantic and intrusive in small matters. It is passive even with regard to its own security, which infuriates the USA. The crisis in Ukraine has shown what has already been known for a long time, namely that the EU *de facto* does not have common foreign and security policy and that it is highly divided. Germany, France and Britain push their own interests within the EU and they do it in cooperation with the Russian Federation and in opposition to the international policy of the United States. Moreover, in the case of the conflict of interests, Germany and France – as shown by the practice – choose the realization of their own interests,

²⁵ According to a report published in Geneva by the Internal Migration Monitoring Centre. *Gazeta Wyborcza* 7 May 2015.

²⁶ See Mniej Europy, więcej Europy. Adam Leszczyński rozmawia z Iwanem Krastewem. [Less Europe, more Europe. Adam Leszczyński’s interview with Ivan Krastev.] *Gazeta Wyborcza* 31 May – 1 June 2014, p. 23.

²⁷ See Ostrowski, M. 2014. Koniec marzeń. [End of dreams.] *Polityka* 4–10 June 2014, pp. 58–60. See also Schulz, M. 2014. *Skrepowany OLBRZYM. Ostatnia szansa Europy.* [The chained giant. Europe’s last chance.] Warszawa: MUZA.

especially economic ones, against the interests of the EU, attempting at the same time to reinterpret their interests in accordance with the standards and values of the EU and redefine the European interest in accordance with their own economic interest²⁸.

This type of behaviour should not be allowed, because such policy is destructive and leads to the break of the Union's unity and to its disintegration. As a result, the European Union today is weak and disregarded by the United States and other powers, primarily by China and Russia. Americans complain that Europeans do not want to help them maintain peace in the world. That under their umbrella Europe has built itself a safe paradise for which it does not want to pay, that it does not respond to threats. The discussions about whether Europe has invented a new order and passed to the next level, to the next phase of political development, or if it has only benefited from half a century of living under the American shade, has continued for years. The answer remains unknown, because no one can predict how the Union will behave when faced with a great threat. Will it disintegrate then or together defeat the enemy? Only this reaction will reveal the essence of the Union and will show its true face²⁹.

The European Union still confronts the unprecedented in its history financial crisis which has turned into an economic, political and symbolic crisis – a crisis of legitimacy of authority. The crisis concerning the nature of the construction of the EU has exposed the inability to maintain economic and monetary union in its rudimentary form and highlighted the need to strengthen the coordination of economic policies of Member States and to tighten integration towards a fiscal and banking union, and hence – a political

²⁸ See Cianciara, A. 2014. Gospodarcze uwarunkowania polityki wschodniej Niemiec i Francji. [Economic determinants of the eastern policy of Germany and France.] *Mysł Ekonomiczna i Polityczna*, no. 2(45) p. 192; Wong, R., Hill, Ch. eds. 2011. *National and Foreign Policies: Towards Europeanization*. London & New York: Routledge, pp. 228–229.

²⁹ See Madej, M. 2013. Wpływ udziału w Wspólnej Polityce Bezpieczeństwa i Obrony na polską politykę bezpieczeństwa. [The impact of participation in the Common Security and Defence Policy on the Polish security policy.] In: Tereszkievicz, F. ed. *Polska w Unii Europejskiej. Bilans dekady*. [Poland in the European Union. The balance of the decade.] Warszawa: The Chancellery of the President of the Republic of Poland, pp. 244–271; Koziej, S. 2011. Potrzeba nowelizacji strategii bezpieczeństwa Unii Europejskiej. [The need for the amendment of the European Union's security strategy.] *Bezpieczeństwo Narodowe*, no. IV(20), pp. 76–84; Miszczak, K. 2007. Wspólna Polityka Zagraniczna i Bezpieczeństwa. [Common Foreign and Security Policy.] *Sprawy Międzynarodowe*, no. 4, pp. 112–119.

union. In the EU, heterogeneity increases, but also because of the crisis in the euro zone, pressures on the further transfer of powers to the EU level grow, hence the deepening of differentiation seems inevitable. At the same time the politicization of European integration grows and it ceases to be a primarily bureaucratic process. Each new step towards integration generates considerable political costs for individual Member States, which in turn means the intensification of the trend toward further differentiation of European integration and the creation of a hybrid system, which, however, should not exclude a discussions about the federal prospect³⁰.

However, the differentiation of the Union is driven not only by crises pestering it and deepening integration in the euro area, for which some Member States are not ready, but also by the need to maintain Europe's position in the multipolar world, which enforces the continuation of enlargement policy and calls for innovative forms of regional cooperation. One of them may be more flexibility in the adoption of EU rules by new members and the development of, for instance, a model of partial integration or privileged partnership for those countries which do not want or are not able in the foreseeable future to fulfil all the conditions for full membership. I mean Turkey, Ukraine and the Western Balkan countries.

2. THE FUTURE OF THE EUROPEAN UNION AND PROSPECTS FOR EUROPEAN INTEGRATION

There are different scenarios and divergent opinions on the European Union and its future, opportunities and threats among both political elites and ordinary citizens. The period of the years 2004–2014, i.e. the past decade after the EU's enlargement to the East, arouses particular controversy in the history of the EU. The countries of the 'old Union' proclaim today that the enlargement of the EU in 2004 to the East was a mistake, because it was premature and very costly for them³¹. In contrast, the 'new' EU countries of Central and Eastern Europe have grievance that in the EU they are treated

³⁰ See Leuffen, D., Rittberger, B., Schimmelfennig, F. 2013. *Differentiated integration: explaining variation in the European Union*. Houndmills Basingstoke: Palgrave Macmillan.

³¹ See Koszel, B. 2012. Mocarstwowe aspiracje Niemiec w Europie XXI wieku: realia i perspektywy (Raport z badań). [Imperial aspirations of Germany in Europe of the 21st century: realities and prospects (Research report).] *IŻ Policy Papers*, no. 6, Poznań, p. 104.

with neglect and are excessively taken advantage of by the countries of the 'old EU'. This is a result of ignorance and too exorbitant expectations which countries in Central and Eastern Europe associated with their accession to the European Union. As confirmed by research conducted by sociologists, psychologists, lawyers and political scientists, including my research, we want the Union which is strong and effective in every respect, the Union which will be a guarantor of national interests in Europe and in the world, on the other hand, we fear the EU which is 'governed by the German-French tandem' taking care of the preservation of the sovereignty of their states, and at the same time forcing other Member States to resign from it. In fact, we have today in Poland and other countries of Central and Eastern Europe two options, two views on the European Union and on the effects after ten years of membership in the EU: positive and negative, determined by political party affiliation and professed axiology. On the one hand, we accept this organization and point to the need to be included in its decision-making mainstream and stress the positive balance of membership in the EU, on the other hand, the dangers and risks associated with Brussels are shown and negative effects are exposed. Therefore, the deepening and strengthening of the EU integration is desired, or vice versa, there is a demand for its political and ideological softening, loosening, changing in such a way that it is transformed *de facto* into some non-committal association of sovereign states, guarding its borders against the inflow of immigrants³².

Joseph H. H. Weiler, a prominent intellectual, philosopher and sociologist, rightly notes that 'a subtle change has occurred in the positioning of the idea of European integration in public discourse. The political scientists of the realists school never tire telling us, that the evolution of European integration was driven by national self-interest and cold calculations of cost and benefit to its participating Member States. But in its formative years, and for a considerable while after that, the very idea of the Community was associated with a set of values which, it seems to me, could captivate the imagination, mobilize broadly based political forces, counteract the

³² See more on this topic in Fiszer, J.M. 2014. Suwerenność Polski po dziesięciu latach członkostwa w Unii Europejskiej. [Polish sovereignty after ten years of membership in the European Union.] In: Wojtaszczyk, K.A., Mizerska-Wrotkowska, M., Jakubowski, W. eds. *Polska w procesie integracji europejskiej. Dekada doświadczeń (2004–2014)*. [Poland in the European integration process. The decade of experience (2004–2014).] Warszawa: Wydział Dziennikarstwa i Nauk Politycznych Uniwersytetu Warszawskiego, pp. 29–59.

powerful even captivating, but often abused, pull of nationalism. Supporting the Community was to “Do the Right Thing”. It was a happy state in which one could believe that long term self-interest coincided with higher values. The reception by the public of the Maastricht Treaty is the writing on the wall – Could it be that the “Europe” of Maastricht is an ideal which has lost its mobilizing force? A force which has lost its mobilizing ideals? We are forced thus to face squarely the Ends of European Integration, often neglected in what seems to be the more urgent debate of Means – the instruments and mechanisms, political and economic, for achieving the specific objectives of the Treaties³³.

Thus, today we have to go back to the debate on integration ideals and objectives of the EU in the twenty-first century if it is to survive and become the foundation for future Europe and strengthen its position in the emerging new international system. Also, Pope Francis pointed this out in his speeches delivered on 24 November 2014 in the European Parliament and the European Council, praising Europe for the rank it gives to human rights and at the same time pointing out its social injustice and treating people as objects in the context of the difficulties which Europe’s economy is going through today and injustices it generates which particularly affect young people. He also spoke about the generation of the numerous unemployed, the growing populism and threats to peace in Europe and regions not distant from it. Pope Francis also recalled the Christian roots of Europe and referred to the visit of Pope John Paul II twenty-six years ago (in 1988) in the European institutions and speeches delivered then in which he demanded that Europe could breathe with both its western and eastern lungs. He added that today the EU is indeed ‘more extensive’ and has more influence, but is accompanied by the ‘impression of weary and aging Europe’. Pope Francis confirmed that the Church sees good in European integration and wants to renew integrating Europe. Great ideas which used to inspire Europe – as it seems – have lost their appeal today – Pope Francis said with concern. He also spoke with concern about egoism and indifference towards the weakest which grows in the EU and about the EU institutions losing citizens’ trust. He also mentioned that the revival is possible, but ‘common building of Europe cannot only revolve around the economy’ and ‘we cannot allow the

³³ See Weiler, J.H.H. 2007. Europa końca wieku: czy nowe szaty mają swojego cesarza? [Europe after Maastricht – Do the new clothes have an emperor?] *Nowa Europa*, I(5) pp. 18–19.

Mediterranean to become a vast cemetery' for immigrants drowning on the way to the Old Continent³⁴.

J.H.H. Weiler, cited above, is also an optimist and unlike many other Eurosceptics, as well as researchers and experts, he believes that: 'the Community is not doomed nor even fatally wounded. And its ability to rebound from crisis is part of its history. Crisis, after all, has always been the sign of its vitality, its relevance. Europe would, however, be served if current debate about its future addressed not only means but ends too'³⁵.

British historian and political scientist Timothy Garton Ash, who believes that the European Union and the whole of Europe is now in a big crisis, and not just a financial and economic crisis, belongs to these 'many other researchers and experts', taking a realistic and pessimistic position with regard to integration, the EU and its future. He writes that 'European integration has rightly been described as a project of the elites, but Europe's peoples shared these memories. When the project faltered, as it did many times, the elites' reaction was to seek some way forward, however complicated. Until the 1990s, when the custom of holding national referendums on European treaties began to spread, Europeans were seldom asked directly if they agreed with the solutions found, although they could periodically vote in or out of office the politicians responsible for finding them. Nonetheless, it is fair to say that for about 40 years, the project of European unification could rely on at least a passive consensus among most of Europe's national publics. (...) Yet that project began to go wrong soon after the fall of the Berlin Wall, as western European leaders hastily set course for a structurally flawed monetary union. While many governments, companies, and households piled up unsustainable levels of debt, young Europeans from Portugal to Estonia and from Finland to Greece came to take peace, freedom, prosperity, and social security for granted. When the bubble burst, it left many feeling bitterly disappointed and led to excruciating divergences between the experiences of different nations. Now, with the current crisis still unresolved, Europe lacks most of the motivating forces that once propelled it toward unity. Even if a shared fear of the consequences of the eurozone's collapse saves it from the

³⁴ See Bielecki, T. 2014. Europa podstarzała i przytłumiona. [Weary and aging Europe.] *Gazeta Wyborcza* 26 November 2014, p. 2; Moszyński, P. 2014. Papież chwali i gani Europę. [Pope praises and rebukes Europe.] *Gazeta Wyborcza* 26 November 2014, p. 17.

³⁵ See Weiler, J.H.H. Europa końca wieku... [Europe after Maastricht...] p. 19.

worst, Europe needs something more than fear to make it again the magnetic project it was for a half century³⁶.

But what is this ‘something more’ supposed to be, or in other words, what does the EU need today in order to last and develop in every way and play an important role in the international arena, the role of the leading actor, with the opinion of which other actors, among others, the United States and Russia will count? The answer to such a questions is not easy, but I will try to do it later in this paper. T.G. Ash promotes the idea that the European Union is closed today in a dysfunctional triangle composed of national policy, European policy and global markets, and decisions important for it are taken by leaders of Member States, on the basis of striking a bargain behind closed doors in Brussels, who take into account not good and the future of the whole Union, but only politics and the media in their own countries. In addition, he finds the reasons for the weaknesses and shortcomings of today’s EU in the fact that *de facto* there is still no truly European policy, and no broad European public sphere³⁷.

In order to survive and be able to continue to develop, the European Union, needs not only a banking and fiscal union, but it urgently needs a political union and strengthening of solidarity among its citizens, on which it will be able to lean, as well as a certain amount of European patriotism, which is still not there, instead there are fast growing frustration, selfishness, national and ethnic particularism and deeper and deeper divisions between the East and the West, the North and the South. In this context we can agree with T.G. Ash’s thesis that ‘(...) the deepest problem of the European project is the problem of success. Over the last decade, European peoples with historical complexes about being consigned to the periphery of Europe felt themselves to be at last entering the core. Eastern Europeans joined the EU. Southern Europeans thought they were flourishing in the eurozone. In Athens, Lisbon, and Madrid, there was a sense of a levelling up of European societies, of a new, not merely formal equality among nations. Now that illusion has been shattered’³⁸.

Today, many experts and scholars worry about the future of European integration and the European Union and propose various ways to rescue them. I would like to draw attention here to recent dissertations of the

³⁶ See Ash, T.G. 2012. Kryzys Europy. Czyli jak Unia powstała i dlaczego się rozpada. [The crisis of Europe. How the Union came together and why it’s falling apart.] *Przegląd Polityczny*, no. 115/116, pp. 10–11.

³⁷ *Ibidem*, p. 15.

³⁸ *Ibidem*, pp. 18–19.

next three distinguished experts on EU issues: Claus Offe, Jan Zielonka and Giandomenico Majone, which are part of the intellectual debate on the future of European integration and the European Union. They propose a broader and systemic view of the necessary EU reforms going beyond proposals for cosmetic changes of an institutional nature, which are now dominant in the public discourse³⁹. In their opinion, today it is necessary to change the method of integration in Europe. At the same time it does not concern only cosmetic changes in the functioning of the institutional system, such as combining the functions of President of the Council and the European Commission or greater control of the European Parliament over the Commission, but it is about a systemic change of the operating logic of integration processes in the direction of making them more flexible. 'Less integration', or making it more flexible and a better adaptation to the interests of individual countries and the needs of their citizens, could mean the end of the European Union in its current form, but it will not mean the end of European integration. The considerations of these three authors refer *de facto* to the sources and the legitimacy of European integration in the future. And thus, C. Offe puts emphasis on the problem of implementation of the post-crisis strategies and mobilizing citizens in favour of the European project (legitimacy at the output) and J. Zielonka and G. Majone focus on restoring the output legitimacy of the integration project, that is the reform carried out in such a way that its actions (effects) are effective, and the benefits outweigh the costs, and thus are visible and obvious to the public. In my opinion, the philosophy of the EU operation and the way politicians think about it need to be changed. The EU should be for citizens and not for politicians who are to blame for its mistakes and shortcomings.

The financial and economic crisis of the years 2008–2014 has revealed not only weaknesses, but has also deepened all the deficits and irregularities in the functioning of the EU project, and has shown that neo-liberal democracy today is experiencing a serious crisis. Seven years have passed since its explosion and still no one has been bold enough to proclaim the definitive

³⁹ See Offe, C. 2015. *Europe entrapped*. Cambridge: Polity Press; Zielonka, J. 2014. *Is the EU doomed?* Cambridge: Polity Press; Majone, G. 2014. *Rethinking the Union of Europe post-crisis: has integration gone too far?* Cambridge: Cambridge University Press; Cianciara, A.K. 2015. Alternatywne wizje integracji europejskiej: rozważania na kanwie najnowszych prac Offe, C., Zielonki, J. i Majone, G. [Alternative visions of European integration: reflections on the canvas of the latest works of Offe, C. Zielonka, J. and Majone, G.] *Biuletyn Analiz i Opinii*, no. 02/2015, Warszawa: ISP PAN, pp. 1–10.

end of the turbulences. It raises the question, what has been changed during these seven years in response to the crisis? It seems that most has been made in the area of supervision, where, among others, macro-prudential supervision bodies have been established (unfortunately in Poland still not yet) and there has been a flood of regulations, called a regulatory tsunami. One of them is the target economic and monetary union, the idea of which is even greater integration of the euro area countries. This project, at the current stage of implementation, however, does not solve all the problems of the euro area, which is still seen primarily through the prism of a single currency, and actions of the European Central Bank (ECB). And the situation of individual economies of Euroland is very diverse, which significantly hampers single monetary policy, good for all countries of the euro zone. Thus, the euro area is still more a political than an economic project. There are many other issues to be solved for the EU to be able to function effectively in the future. Another question arises here whether another crisis is possible. Many economists say yes, but no one really knows when it will break out and where. It cannot be excluded that we will live in a time of perpetual crisis which will take on different faces, and not necessarily dramatically affect the lives of all citizens of the world. It should be also remembered that the worlds of politics and economy, including financial markets, create a system of connected vessels. And it is on this plane that a new strategic vision for the EU should be developed⁴⁰.

Even today in the EU we have a considerable crowd of victims, the excluded and the offended who see the reasons for the failure in the shallowness and venality of political elites and demand to cease yielding to the dictates of cosmopolitan bureaucrats and financiers. Also, what seems very strange, EU leaders are confused, helpless in the face of problems which hinder the efficient functioning of the EU and conducting effective internal and external policies. It was evidenced, among other things, by the election to the European Parliament, which took place on 22–25 May 2014⁴¹ and the crisis in Ukraine and the Russian-Ukrainian war⁴².

⁴⁰ See Zaleska, M. 2015. Kryzysowe przemyślenia. [Crisis reflections.] *Dziennik Gazeta Prawna* 11 March 2015, p. A14.

⁴¹ See Ostrowski, M. 2014. Koniec marzeń. [End of dreams.] *Polityka* 4–10 June 2014, pp. 58–60; Schulz, M. 2014. *Skrepowany OLBRYM. Ostatnia szansa Europy* [The chained giant. Europe's last chance.] Warszawa: MUZA, p. 41.

⁴² See more in Madej, M. 2013. *Wpływ udziału w wspólnej polityce bezpieczeństwa i obrony na polską politykę bezpieczeństwa*. [The impact of participation in the common security and defence policy on the Polish security policy.] In: Tereszkiwicz, F. ed. *Polska w Unii*

Decisions about pulling Ukraine into EU's sphere of influence and condemning and 'penalizing' Russia for wanting to prevent this are crucial in the EU policy. On 21 March 2014 the EU and Ukraine signed in Brussels the political part of the Association Agreement. It was a symbolic gesture of support for the EU's eastern neighbour and the interim government in Kiev at a difficult time for Ukraine (after the loss of Crimea). Then, to avoid bankruptcy of Ukraine, the new government received economic support from the EU, the United States and the International Monetary Fund. Several weeks after the election of Petro Poroshenko for the new President of Ukraine, on 27 June 2014, the EU and Ukraine signed the trade part of the Association Agreement. Incidentally, this agreement does not provide for Ukraine's membership in the European Union, which I think is a serious mistake. The EU failed to offer considerable financial help to Ukraine, whereas Russia came forward with such a proposal. Only after the power in Kiev had been taken by the political opposition, and therefore supporters of Ukraine's integration with the EU and Russia's pressure supporting the separation of Crimea had increased, did Brussels present the new government in Kiev an offer of aid amounting to approximately 11 billion EUR. The European Union, consisting of 28 countries, with often divergent interests, was not able to quickly impose sanctions on Russia, and agreed on more severe restrictions only at the end of July 2014. What is important, they do not concern the refusal on gas imports from Russia or previously concluded contracts in other areas, and some Member States of the Union – as I have already written – criticized the policy of sanctions against Russia, among others, Hungary and Slovakia. The situation revealed deep divisions within the EU into countries which strongly support the imposition of sanctions on Russia, inter alia, Poland, Lithuania, Latvia, Estonia and countries which, guided by practical considerations, approached the sanctions cautiously and carefully, inter alia, above-mentioned Hungary and Slovakia, as well as Germany, Spain, Finland and France. The greatest propagators of anti-Russian sanctions are Poland and Lithuania, which got almost hysterical and frighten the world with the World War Three⁴³. Lithuanian President

Europejskiej. Bilans dekady. [Poland in the European Union. The balance of the decade.] Warszawa: The Chancellery of the President of the Republic of Poland, pp. 244–271; Koziej, S. 2011. Potrzeba nowelizacji strategii bezpieczeństwa Unii Europejskiej. [The need for the amendment of the European Union's security strategy.] *Bezpieczeństwo Narodowe*, no. IV (20), pp. 76–84.

⁴³ See Rosja musi zaatakować Polskę jeśli chce odbudować imperium. [Russia must attack Poland if it wants to rebuild the empire.] *Newsweek Polska* [Online] 18 Feb-

Dalia Grybauskaitė said that ‘attacking Ukraine, Russia is in a state of war against Europe’⁴⁴. Lithuania has also released a special guide which describes what action should be taken in the event of a state of war between Russia and Lithuania. On the other hand, President Bronisław Komorowski on 1 March 2014 stated that: ‘After President Vladimir Putin’s application to the Russian upper house for the consent to the possible use of military force throughout Ukraine, this matter has become extremely dramatic. (...) We may feel threatened by the potential use of Russian armed forces on the territory of Ukraine adjacent to Poland’⁴⁵. What is more, for the first time in history Poland asked the North Atlantic Treaty Organization to convene an urgent meeting of the NATO Council, invoking Article 4 of the Washington Treaty. Under this Article, any member may request a meeting of the NATO Council, if it recognizes that the territorial integrity, political independence, or independence of a member of the Alliance are at risk.

I think that Poland is too actively involved in events in Ukraine, exposing itself to Russia’s retaliation, particularly severe for Polish agriculture. It results from the fundamental assumptions of Polish foreign policy which treats strengthening of Ukraine’s independence and its Western foreign policy course as one of the fundamental guarantees that Russia will not return to imperial policy. Russia is treated in Poland as a major threat to national security, and the consequence of this policy is the repulsion of Russia from Europe, fencing it with a buffer belt in the form of pro-Western countries on the eastern border. This is a modern implementation of the ‘Jagiellonian idea’ and of the old concept of Juliusz Miroszewski and Jerzy Giedroyc, put together. That is why, Poland is in favour of democratization of Ukraine and enabling it to join the EU and NATO⁴⁶.

Meanwhile, the aggression of Russia against Ukraine has revealed the complete failure of the above calculations, and in general the failure of the EU’s eastern policy, and particularly its policy towards Russia. Since its inception, the EU has worked hard in relations with Russia to realize its basic objectives: to involve Russia into ever closer relations with Europe,

ruary 2015. Available at: <http://polska.newsweek.pl/wojna-naukrainie-rosja-musi-zaatakowac-polske-twierdzi-byly-minister.artykuł,357321,I.html>

⁴⁴ See Robinson, W.B., Evans, S.J. 2014. Russia ‘practically’ at war with Europe, says Lithuanian president as Ukraine accuses Putin’s of flattening border town. *The Daily Mail* 30 August 2014.

⁴⁵ See [Online] Available at: <http://www.prezydent.pl/aktualnosci/wydarzenia/art,2822,polska-wystapila-o-zwolania-rady-polnocnoatlantyckiej.html>

⁴⁶ *Ibidem*, pp. 20–23.

so that the created interdependencies lead to changes in Russia and to its convergence with the EU. The war with Ukraine has shown that Russia has been able to reverse this relationship. But the EU and its major powers have not been able to bring themselves to a firm reaction due to the financial and economic interests and subjecting themselves to the Russian interpretations relating to Moscow's ambitions and 'rights' and the sense of bilateral EU – Russia relations⁴⁷.

The crisis in Ukraine has shown what has already been known for a long time, namely that the EU is divided and *de facto* there is no common foreign and defence policy and its other policies, including e.g. immigration policy, are ineffective. It has also shown that the EU is actually governed by Germany and France, which took upon themselves the task of conducting a dialogue about Ukraine between Moscow and the EU. It must also be remembered that the European Union since its inception, that is since signing of the Maastricht Treaty, has sought to be a normative superpower. According to this treaty, the essence of the EU's identity is the fight for the preservation of peace and security and the development of international cooperation in accordance with the axiology of the Union and the United Nations Charter. In addition, the promotion of democracy, rule of law, human rights and fundamental freedoms has become the superior objective of the EU. And in this respect the EU's activity has been second to none and brought a lot of effects, especially in four areas: trade, human rights, security, protection of the environment and of the Earth's climate.

After early successes, the creation of common security and defence policy slowed down, although according to the security strategy adopted in 2003 the EU was to be able to share the responsibility for global security and building a better world. This was due to many reasons. The issues connected with the use of military resources, and to some extent also non-military ones of the Member States to build international stability and security, because, on the one hand, they touch the spheres traditionally considered the nucleus of sovereignty of states and their most fundamental interests, on the other hand, they are associated with large financial outlays. It means that they are not susceptible to integration processes, maintaining largely a traditional intergovernmental shape. This was reflected even in the institutional shape of the (former European) Common Security and Defence Policy of the EU (CSDP) and in decision-making processes binding in its framework which still

⁴⁷ See Kuźniar, R. 2014. Europa i porządek międzynarodowy. [Europe and the international order.] *Stosunki Międzynarodowe – International Relations*, vol. 50, no. 2, p. 52.

require reaching a consensus among all participating countries. It seems to me that this is one of the main reasons for the relatively limited development of cooperation in the sphere of defence within the European Union, especially in comparison with other areas of European integration. During the war with Iraq, the US managed to divide the EU and *de facto* halt its endeavour to strategic autonomy and subjectivity⁴⁸. The financial and economic crisis since 2008 as well as opposition or lack of interest of different EU countries have aggravated the situation. This crisis has weakened France, which has ceased to be a full-fledged partner of Germany and even more so Italy, and London announced its intention to reduce its presence in the EU and proclaimed a referendum on the continuation of the British presence in the structures of the European Union to take place in 2017. Germany weakened in this way could not provide the EU with political leadership. So when during the reign of Barack Obama Europe got the green light from Washington, turning towards Asia, for autonomous action on security issues, then Europeans, who were divided and reluctant to military effort, lost their enthusiasm and did not take advantage of this opportunity in order to strengthen the EU and its role in building a new international order. Consequently, Europe today is not a great independent power on a global scale and few expect that the European Union any time soon will reach the rank of a politically significant global player and the leading role of the United States seems uncertain⁴⁹.

The EU can still today be accused of many sins, including, among others, the growing separatist tendencies, with which it cannot cope in Scotland, Catalonia, the Basque Country, Corsica and South Tyrol. What is more, the Union is detached from its citizens, and its citizens do not identify with the EU. This favours the accumulation of Euro-scepticism and renationalization tendencies, which are exploited by populist and extreme nationalist parties in order to struggle for power and against expanding the Union and the influx of immigrants to the EU. For example, Marine Le Pen, head of the National Front in France, which enjoys the growing public support, does not hide the

⁴⁸ See Świątek, H. 2011. *Wojna z Irakiem w 2003 roku. Główne przyczyny.* [The war with Iraq in 2003. The main causes.] Warszawa: Wydawnictwo Naukowe Scholar; Zarychta, S. 2014. *Doktryny i strategie NATO 1949–2013.* [Doctrines and strategies of NATO 1949–2013.] Warszawa: Dom Wydawniczy Bellona.

⁴⁹ See Kuźniar R. ed. 2011. *Kryzys 2008 a pozycja międzynarodowa Zachodu.* [The crisis in 2008 and the international position of the West.] Warszawa: Wydawnictwo Naukowe Scholar; Brzeziński, Z. 2013. *Strategiczna wizja. Ameryka a kryzys globalnej potęgi.* [A strategic vision. America and the crisis of the global power.] Kraków: Wydawnictwo Literackie.

fact that she seeks to destroy the EU and to purify France and Europe from immigrants⁵⁰.

On the other hand, the EU itself is still an attractive 'promised land' for hundreds of thousands of immigrants from around the world. It still has an enormous power of attraction, as evidenced by the queue of countries striving for membership in this specific association of democratic and sovereign states. Today it is hard to imagine Europe and the world without the European Union. Therefore, all in all, as Timothy Garton Ash writes: 'The fear of collapse, the Monnet-like logic of necessity, the power of inertia: these may just keep the European venture (that is the UE – J.M.F.) on the road, but they will not create a dynamic, outward-looking European Union that enjoys the active support of its citizens. Without some new driving forces, without a positive mobilization among its elites and peoples, the EU, while probably surviving as an origami palace of treaties and institutions, will gradually decline in efficacy and real significance, like the Holy Roman Empire of yore'⁵¹.

CONCLUSION

The year 2014, and in particular developments in Ukraine, the Middle East and North Africa made Europe aware that the end of the history, in which people believed after the fall of the Berlin Wall and the collapse of the USSR was an illusion. Triumphalism and the hope for 'eternal peace' have ended, and the belief in the gradual but inevitable democratization of the following countries and societies has been undermined. In light of the dramatic events in Kiev, Crimea and Donbas, as well as in Syria, Iraq and Paris, numerous shortcomings of the European Union have become clearly visible and its prestige in the world has also weakened. Eleven years after the big EU enlargement to the East, peace and security of Europe and the world are now seriously threatened. Concerns arise today especially due to such phenomena and processes as undermining the credibility of disarmament agreements, including the non-proliferation of weapons of mass destruction, the persistence of authoritarian regimes and confrontational attitudes, disrespect for international law, democratic standards, human rights, ethnic and religious minorities, escalating international terrorism and organized crime.

⁵⁰ See Grosse, T.G. 2014. W oczekiwaniu na rewolucję. [In anticipation of the revolution.] *Rzeczpospolita* 22 July 2014, p. A11.

⁵¹ See. Ash, T.G. 2012. Kryzys Europy... [The crisis of Europe...] p. 19.

The world today clearly evolves in a multipolar and multi-civilizational direction, but the role of the EU and of the West in the international arena decreases. The West loses its economic, political, demographic and moral foundations, and it ceases to be a model of development for the world. The European Union, despite many problems still has potentials in order to become an active player in the Euro-Atlantic system and a new global order. However, it has to gradually deepen and expand and improve its political and economic system (perhaps in a federalist direction) to become a global player, both in geo-economic and geopolitical aspects.

This is necessary because the West, which after the financial and economic crisis of the years 2008–2014 and prestigious diplomatic failures, and in the case of the United States also military ones (Iraq, Afghanistan), has clearly lost its way. Unable to find it in the occurring transformation of the global order, and remaining on the defensive against the BRIC group, it has chosen Russia for his rival, trying to push it to the periphery of the world politics. Meanwhile, Russia under Putin's reign becomes stronger and stronger and is actively involved in the global game. Therefore, we should talk to it, not isolate it internationally, because it forces Russia to aggressive actions, as exemplified by its war with Ukraine, which could lead to a new cold war in international relations, and even to the third world war. The normalization of relations between the West and Russia is also a necessary condition for Ukraine's exit from a deep crisis, which should have the right to freely choose its economic and political partners⁵².

The European Union accustomed to the use of soft power and tired by the crisis digesting it, has neither determination nor awareness of the growing threat and looks to the United States which after the defeat in Afghanistan and Iraq are also not willing to engage in defence of democracy in Ukraine. As a result of this, the escalation of violence on the part of Russia, in particular the unilateral seizure of Crimea, did not meet with the appropriately tough response of the West. This demonstrates – in my opinion – the exhaustion of the United States and the European Union by the long lasting financial and economic crisis and shows that the Euro-Atlantic alliance today also experiences a deep crisis and loses its strategic power, which emboldens Russia. Putin uses many different though interrelated instruments. However, it is essential to talk

⁵² See Mearsheimer, J. Why the Ukraine crisis is the West's fault: The liberal delusions that provoked Putin. *Foreign Affairs*, vol. 93, no. 5, pp. 1–16; Cohen, S.F. 2014. Patriotic heresy vs. the new cold war: fallacies of US policy may be leading to war with Russia. *The Nation* 15 September 2014, p. 3; Maciejewicz, P. 2015. Ukraina – terapia szokowa. [Ukraine – shock therapy.] *Gazeta Wyborcza* 14–15 March 2015, p. 8.

to Russia ruled by Vladimir Putin and to him, ultimately even using force and not just the strength of arguments that Russia does not recognize. And Ukraine will not win the war with Russia without Western military and economic aid. We must, therefore, turn back Russia to the right path as soon as possible, resorting to various means – diplomatic, economic and military ones.

REFERENCES

- Ash, T.G. 2012. Kryzys Europy. Czyli jak Unia powstała i dlaczego się rozpada. [The crisis of Europe. How the Union came together and why it's falling apart.] *Przegląd Polityczny*, no. 115/116, pp. 10–11.
- Asmus, R.D. 2008. Europe's eastern promise. Rethinking NATO and EU enlargement. *Foreign Affairs* January/February 2008.
- Baczyński, J. 2011. Czy porwiemy Europę? [Will we enchant Europe?] *Polityka* 6 July – 12 July 2011.
- Beck, U. 2009. *Europa kosmopolityczna: społeczeństwo i polityka w drugiej nowoczesności*. [Cosmopolitan Europe: society and politics in the second modernity.] Warszawa: Wydawnictwo Naukowe SCHOLAR.
- Beetham, D., Lord, Ch. 1998. *Legitimacy and the European Union*. London–New York.
- Bielecki, T. 2014. Co myśli Putin o Ukrainie. [What Putin thinks about Ukraine.] *Gazeta Wyborcza* 11 July 2014.
- Bielecki, T. 2015. Brytyjskie chmury nad Unią. [British clouds over the Union.] *Gazeta Wyborcza* 9–10 May 2015.
- Bielecki, T. 2014. Europa podstarzała i przytłumiona. [Weary and aging Europe.] *Gazeta Wyborcza* 26 November 2014.
- Bocian, A.F. ed. 2014. *Globalizacja – Polityka – Etyka*. [Globalization – Politics – Ethics.] vol. IV, Białystok: Wydawnictwo Uniwersytetu w Białymstoku.
- Borkowski, R. 2006. *Terroryzm ponowoczesny. Studium z antropologii polityki*. [Postmodern terrorism. The study of anthropology of politics.] Toruń: Wydawnictwo Adam Marszałek.
- Brexit znaczy katastrofa Z Tonym Blairem rozmawia Michał Frąk. [Brexit means disaster. Michał Frąk's interview with Tony Blair.] *Gazeta Wyborcza* 20–21 June 2015, p. 31.
- Brzeziński, Z. 2013. *Strategiczna wizja. Ameryka a kryzys globalnej potęgi*. [A strategic vision. America and the crisis of the global power.] Kraków: Wydawnictwo Literackie.

- Cohen, S.F. 2014. Patriotic heresy vs. the new cold war: fallacies of US policy may be leading to war with Russia. *The Nation* 15 September 2014, p. 3.
- Cianciara, A. 2014. Gospodarcze uwarunkowania polityki wschodniej Niemiec i Francji. [Economic determinants of the eastern policy of Germany and France.] *Myśl Ekonomiczna i Polityczna*, no. 2(45) p. 192.
- Cianciara, A.K. 2015. Alternatywne wizje integracji europejskiej: rozważania na kanwie najnowszych prac Offe. C., Zielonki, J. i Majone. G. [Alternative visions of European integration: reflections on the canvas of the latest works of Offe. C., Zielonka J. and Majone. G.] *Biuletyn Analiz i Opinii*, no. 02/2015, Warszawa: ISP PAN.
- Cohen, S.F. 2014. Patriotic heresy vs. the new cold war: fallacies of US policy may be leading to war with Russia. *The Nation* 15 September 2014, p. 3.
- Czaputowicz, J. 2007. *Teorie stosunków międzynarodowych. Krytyka i systematyzacja.* [Theories of international relations. Criticism and systematization.] Warszawa: Wydawnictwo Naukowe PWN, pp. 354–358.
- Czarnecki, M. 2015. Wielki sukces Camerona. [Great success of Cameron.] *Gazeta Wyborcza* 9–10 May 2015.
- Czech, M. 2014. Wojna znów wisi na włosku. [The war once again is hanging in the balance.] *Gazeta Wyborcza* 15 July 2014.
- Czech, M. 2015. Kreml straszy świat wojną. [Kremlin threatens the world with a war] *Gazeta Wyborcza* 9 March 2015.
- Dadak, K. 2014. Rosja, Ukraina i historyczna szansa dla Polski. [Russia, Ukraine and a historic opportunity for Poland.] *Arcana* no 120, November – December 2014.
- Danecki, J. 2002. *Podstawowe wiadomości o islamie.* [Basic knowledge about Islam.] vol. I and II, Warszawa: Wydawnictwo Akademickie Dialog.
- Dziekan, M. 2007. *Cywilizacja islamu w Azji i Afryce.* [Islamic civilization in Asia and Africa.] Warszawa: Książka i Wiedza.
- Dziekan, M. 2008. *Dzieje kultury arabskiej.* [The history of Arab culture.] Warszawa: Wydawnictwo Naukowe PWN.
- Emmerson, M., Balfour, R., Corthaut, T., Wouters, J., Kaczyński, P.M., Renard, T. 2011. *Upgrading the EU's Role as global actor.* Brussels: CEPS.
- Falkowski, M. 2015. Imperium kontratakuje. [The Empire is striking back.] *Nowa Europa Wschodnia*, no. 2.
- Finkelstein, L.S. 1995. What is global governance. *Global Governance*, no. 1.
- Fiszer, J.M. 2014. Suwerenność Polski po dziesięciu latach członkostwa w Unii Europejskiej. [Polish sovereignty after ten years of membership in the European Union.] In: Wojtaszczyk, K.A., Mizerska-Wrotkowska, M., Jakubowski, W. eds. *Polska w procesie integracji europejskiej. Dekada doświad-*

- czeń (2004–2014). [*Poland in the European integration process. The decade of experience (2004–2014).*] Warszawa: Wydział Dziennikarstwa i Nauk Politycznych Uniwersytetu Warszawskiego.
- Fiszer, J.M. 2010. Władimir Putin – dlaczego zaufała mu cała Rosja? Specyficzne formy przywództwa politycznego. [Vladimir Putin – why whole Russia trusts him? Specific forms of political leadership.] In: Bodio, T., Jakubowski, W. eds. *Przywództwo i elity polityczne w krajach WNP. [Leadership and political elites in the CIS countries.]* Warszawa: Oficyna Wydawnicza ASPRA – JR.
- Fiszer, J.M. 2014. Czy państwo demokratyczne może być wzorem dla przyszłej Unii Europejskiej? [Can a democratic state be a model for the future development of the European Union?] *Mysł Ekonomiczna i Polityczna*, no. 1(44).
- Fiszer, J.M. 2013. Bezpieczeństwo międzynarodowe w multipolarnym ładzie globalnym ze szczególnym uwzględnieniem roli Rosji. [International security in a multipolar global order with particular emphasis on the role of Russia.] *Mysł Ekonomiczna i Polityczna*, no. 4(43).
- Fiszer, J.M. 2013. Terroryzm jako zagrożenie dla bezpieczeństwa euroatlantyckiego i nowego ładu międzynarodowego. [Terrorism as a threat to Euro-Atlantic security and a new international order.] In: Fiszer, J.M., Olszewski, P. eds. *System euroatlantycki w wielobiegowym ładzie międzynarodowym. [The Euro-Atlantic system in a multipolar international order.]* Warszawa: ISP PAN.
- Garczewski, K. 2015. Niemcy we współczesnych stosunkach międzynarodowych – regionalne przywództwo, globalne ambicje. [Germany in contemporary international relations – regional leadership, global ambitions.] In: Bania, R., Zdulski, K. eds. *Wyzwania i problemy współczesnych stosunków międzynarodowych. [Challenges and problems of contemporary international relations.]* Łódź: Polskie Towarzystwo Studiów Międzynarodowych, Oddział Łódzki.
- Gessen, M. 2012. *Putin. Człowiek bez twarzy. [Putin. A man without a face.]* Warszawa: Prószyński i S-ka.
- Gieorgica, J.P., Ołędzka, J. 2013. Wschodni sąsiedzi polski: rosyjskie perspektywy nowego ładu światowego. [Polish eastern neighbors: the Russian perspectives of a new world order.] In: Pastusiak, L. ed. *Perspektywy nowego ładu światowego. [Perspectives of a new world order.]* Warszawa: Akademia Finansów i Biznesu Vistula w Warszawie.
- Gravier, M. 2011. Empire vs. Federation: which path for Europe? *Journal of Political Power*, no. 7.
- Grosse, T.G. 2014. W oczekiwaniu na rewolucję. [In anticipation of the revolution.] *Rzeczpospolita* 22 August 2014.

- Góralczyk, B. ed. 2014. *Unia Europejska jako aktor na scenie globalnej. Razem czy osobno?* [The European Union as an actor on the global stage. Together or separately?] Warszawa: Centrum Europejskie Uniwersytetu Warszawskiego.
- Harding, L. 2014. *Mafijne państwo Putina.* [Putin's mafia state.] Kraków: Wydawnictwo Vis-à-vis Etiuda spółka z o.o
- Holland, M. 2002. *The European Union and the Third World.* New York: Palgrave.
- Hrycak, J. 2000. *Historia Ukrainy 1772–1999. Narodziny nowoczesnego narodu.* [History of Ukraine from 1772 to 1999. The birth of the modern nation.] Lublin: Instytut Europy Środkowo-Wschodniej.
- Janicki, M., Władyka, W. 2015. Przedrzeźniacze. [Mockingbirds.] *Polityka* 28 January – 3 February 2015.
- Jordan, M. 2004. *Islam. Historia religii i kultury.* [Islam. The history of religion and culture.] Warszawa: Świat Książki.
- Kałużyńska, M., Karbownik, P., Burkiewicz, W., Janiak, K., Jatczak, M. eds. 2014. *Polskie 10 lat w Unii. Raport.* [Polish 10 years in the Union. Report.] Warszawa: Ministerstwo Spraw Zagranicznych.
- Karpienia, M. 2013. Kryzys gospodarczy a kraje strefy BRIC [The economic crisis and the BRIC countries.] In: Bocian, A.F. ed. *Globalizacja – Polityka – Etyka.* [Globalization – Politics – Ethics.] vol. IV, Białystok: Wydawnictwo Uniwersytetu w Białymstoku.
- Kłosiński, K.A. ed. 2010. *Rosja: ambicje i możliwości w XXI wieku.* [Russia: ambitions and opportunities in the twenty-first century.] Lublin: Instytut Europy Środkowo-Wschodniej.
- Kołodziejczyk, K. 2013. *Stosunki Unii Europejskiej z grupą państw Afryki, Karaibów i Pacyfiku.* [Relations of the European Union with the group of African, Caribbean and Pacific states.] Warszawa: Wydawnictwo Rambler.
- Konończuk, W. ed. 2007. *Imperium Putina.* [Putin's empire.] Warszawa: Fundacja im. Stefana Batorego.
- Koszel, B. 2012. Mocarstwowe aspiracje Niemiec w Europie XXI wieku: realia i perspektywy (Raport z badań). [Imperial aspirations of Germany in Europe of the 21st century: realities and prospects (Research report).] *IŻ Policy Papers*, no. 6.
- Koziej, S. 2011. Potrzeba nowelizacji strategii bezpieczeństwa Unii Europejskiej. [The need for the amendment of the European Union's security strategy.] *Bezpieczeństwo Narodowe*, no. IV(20).
- Koziej, S. 2006. *Między piekłem a rajem: szare bezpieczeństwo na progu XXI wieku.* [Between hell and paradise: gray safety on the threshold of the twenty-first century.] Toruń: Wydawnictwo Adam Marszałek.

- Kranz, J., Wyrozumska, A. 2012. Powierzenie Unii Europejskiej niektórych kompetencji a Traktat fiskalny. [Conferral of Competences on the European Union and the Fiscal Stability Treaty.] *Państwo i Prawo*, no. 7.
- Kramer, D.J. 2015. Doubletake: a new cold war? *New Eastern Europe*, no. 2 (XVI).
- Krastev, I. 2009. Kryzys pozimnowojennego ładu europejskiego. [The crisis of the post-Cold War European order.] *Nowa Europa*, no. 1(8).
- Krawczyk, R. 2009. *Islam. Świat tłumionych emocji*. [Islam. The world of repressed emotions.] Łódź: AHA.
- Krzemiński, A. 2014. Niemcy na huśtawce. [Germany on a swing.] *Polityka* 30 July–5 August 2014.
- Kubin, T. 2014. *Legitymizacja systemu instytucjonalnego Unii Europejskiej*. [Legitimization of the European Union Institutional System.] Katowice: Wydawnictwo Uniwersytetu Śląskiego.
- Kuźniar, R. 2014. Europa i porządek międzynarodowy. [Europe and the international order.] *Stosunki Międzynarodowe – International Relations*, vol. 50, no. 2.
- Kuźniar R. ed. 2011. *Kryzys 2008 a pozycja międzynarodowa Zachodu*. [The crisis in 2008 and the international position of the West.] Warszawa: Wydawnictwo Naukowe Scholar.
- Leuffen, D., Rittberger, B., Schimmelfennig, F. 2013. *Differentiated integration: explaining variation in the European Union*. Houndmills Basingstoke: Palgrave Macmillan.
- Lewandowski, Z. 2008. *Islam. Nurty, odłamy, sekty*. [Islam. Trends, factions, sects.] Warszawa: Książka i Wiedza.
- Lipschutz, R.D. 1997. From place to planet: local knowledge and global environmental governance. *Global Governance*, no. 3.
- Łoś-Nowak, T. 2011. O potrzebie rekonstrukcji przestrzeni badawczej w nauce o stosunkach międzynarodowych. Refleksje natury polityczno-normatywnej, systemowej i metaforycznej. [About the need for reconstruction of the research area in the science of international relations. Reflections of the political and normative, systemic and metaphorical nature.] *Przegląd Politologiczny*.
- Maciejewicz, P. 2015. Ukraina – terapia szokowa. [Ukraine – shock therapy.] *Gazeta Wyborcza* 14–15 March 2015.
- Majone, G. 2014. *Rethinking the Union of Europe post-crisis: has integration gone too far?* Cambridge: Cambridge University Press.
- Malendowski, W. 2010. Suwerenność państw w procesie integracji europejskiej. [The sovereignty of states in the process of European integration.] *Przegląd Politologiczny*.

- Madej, M. 2013. Wpływ udziału w wspólnej polityce bezpieczeństwa i obrony na polską politykę bezpieczeństwa. [The impact of participation in the common security and defence policy on the Polish security policy.] In: Tereskiewicz, F. ed. *Polska w Unii Europejskiej. Bilans dekady.* [Poland in the European Union. The balance of the decade.] Warszawa: The Chancellery of the President of the Republic of Poland.
- Mearsheimer, J. Why the Ukraine crisis is the West's fault: The liberal delusions that provoked Putin. *Foreign Affairs*, vol. 93, no. 5
- Mendel, K.G. 2010. *Islam* Warszawa: Arkady.
- Miszczak, K. 2007. Wspólna Polityka Zagraniczna i Bezpieczeństwa. [Common Foreign and Security Policy.] *Sprawy Międzynarodowe*, no. 4.
- Mniej Europy, więcej Europy. Adam Leszczyński rozmawia z Iwanem Krastewem. [Less Europe, more Europe. Adam Leszczyński's interview with Ivan Krastev.] *Gazeta Wyborcza* 31 May – 1 June 2014.
- Moszyński, P. 2014. Papież chwali i gani Europę. [Pope praises and rebukes Europe.] *Gazeta Wyborcza* 26 November 2014.
- Mroziewicz, K. Dużi chcą być jeszcze więksi. [The big want to be even bigger.] *Polityka*, no. 38.
- Nowak, A. 2014. *Putin. Źródła imperialnej agresji.* [Putin. Sources of imperial aggression.] Warszawa: Wydawnictwo Sic!
- Nowak, A. 2008. Pokusy rosyjskiej geopolityki. [The temptations of Russian geopolitics.] *Arcana*, no. 44(2).
- Opinia Doradczego Komitetu Prawnego przy Ministrze Spraw Zagranicznych RP w sprawie przyłączenia Półwyspu Krymskiego do Federacji Rosyjskiej w świetle prawa międzynarodowego. [The opinion of the Legal Advisory Committee to the Minister of Foreign Affairs on the incorporation of the Crimean Peninsula to the Russian Federation in the light of international law.] *Sprawy Międzynarodowe*, no. 3/2014.
- Ostrowski, M. 2014. Koniec marzeń. [End of dreams.] *Polityka* 4–10 June 2014.
- Offe, C. 2015. *Europe entrapped.* Cambridge: Polity Press.
- Piekło, J. 2009. *Rosja w kryzysie a sen o imperium – polska perspektywa.* [Russia in crisis and the dream about the empire – Polish perspective.] *Analizy i Opinie ISP*, no. 95.
- Pietraś, M. 2008. Hybrydowość późnowestwalskiego ładu międzynarodowego. [The hybridity of the late Westphalian international order.] In: Pietraś, M., Marzęda, K. eds. Lublin: Wydawnictwo UMCS.
- Portnikow, W. 2008. Władca z przypadku. [The accidental ruler.] *Nowa Europa Wschodnia*, no. 1.

- Priorytety polskiej polityki zagranicznej 2012–2016.* [The priorities of Polish foreign policy from 2012 to 2016.] 2012. Warszawa: Ministry of Foreign Affairs.
- Prus, J. 2015. Defilada mitów. [The parade of myths.] *Polityka* 6–12 May 2015.
- Rewizorski, M. 2015. *Agora interesów. G 20 i wylanianie się globalnego zarządzania.* [Agora of interests. G20 and the emergence of global governance.] Warszawa: Difin.
- Robinson, W.B., Evans, S.J. 2014. Russia ‘practically’ at war with Europe, says Lithuanian president as Ukraine accuses Putin’s of flattening border town. *The Daily Mail* 30 August 2014.
- Rosja musi zaatakować Polskę jeśli chce odbudować imperium. [Russia must attack Poland if it wants to rebuild the empire.] *Newsweek Polska* [Online] 18 February 2015. Available at: <http://polska.newsweek.pl/wojna-naukrainie-rosja-musi-zaatakowac-polske-twierdzi-byly-minister.artykulu,357321,1.html>
- Ruszkowski, J., Wojnicz, L. eds. 2013. *Multi-Level Governance w Unii Europejskiej.* [Multi-level governance in the European Union.] Szczecin-Warszawa: Instytut Politologii i Europeistyki Uniwersytetu Szczecińskiego, Instytut Europeistyki Uniwersytetu Warszawskiego.
- Sardar, Z., Davies, M. W. 2005. *Islam.* Warszawa: Polski Instytut Wydawniczy.
- Schulz, M. 2014. *Skępowany OLBRYZYM. Ostatnia szansa Europy.* [The chafed giant. Europe’s last chance.] Warszawa: MUZA.
- Siła rządzi światem. Z Richardem Pipesem rozmawia Michał Potocki. [Force rules the world. Michał Potocki’s review with Richard Pipes.] *Dziennik Gazeta Prawna* 20–22 March 2015.
- Smoczyński, W. 2011. Europa się chwieje. [Europe is swaying.] *Polityka* 29 June – 5 July 2011.
- Stryjek, T. 2014. *Ukraina przed końcem historii. Szkice o polityce państw wobec pamięci.* [Ukraine before the end of history. Sketches of state policy towards memory.] Warszawa: Wydawnictwo Naukowe SCHOLAR.
- Świątek, H. 2011. *Wojna z Irakiem w 2003 roku. Główne przyczyny.* [The war with Iraq in 2003. The main causes.] Warszawa: Wydawnictwo Naukowe Scholar.
- Tibi, B. 1997. *Fundamentalizm religijny.* [Religious fundamentalism.] Warszawa: PWN.
- Ukielski, P. 2010. Polska pozycja w Unii Europejskiej a relacje Polski z Czechami, Słowacją i Węgrami. [Polish position in the European Union and Polish relations with the Czech Republic, Slovakia and Hungary.] in: Kłoczowski, J., Żukowski T. eds. *Rzeczpospolita na arenie międzynarodowej. Idee*

- i praktyczne dylematy polityki zagranicznej.* [The Republic of Poland in the international arena. The ideas and practical dilemmas of foreign policy.] Warszawa–Kraków: Kancelaria Prezydenta RP, Ośrodek Myśli Politycznej.
- Ukraina potrzebuje pieniędzy, nie broni. Z prof. Adamem D. Rotfeldem rozmawia Bartosz T. Wieleński. [Ukraine needs the money, not weapons. Bartosz T. Wieleński's interview with prof. Adam D. Rotfeld.] *Gazeta Wyborcza* 14–15 February 2015.
- Weiler, J.H.H. 2007. Europa końca wieku: czy nowe szaty mają swojego cesarza? [Europe after Maastricht – Do the new clothes have an emperor?] *Nowa Europa* I (5).
- Wojnicki, J. 2014. Europeizacja czy transformacja – ewolucje systemów politycznych Europy Środkowej i Wschodniej. [Europeanisation or transformation – the evolution of political systems in Central and Eastern Europe.] *Przegląd Politologiczny*, no. 2.
- Wojtaszczyk, K.A., Mizerska-Wrotkowska, M., Jakubowski W. eds. *Polska w procesie integracji europejskiej. Dekada doświadczeń (2004–2014).* [Poland in the European integration process. The decade of experience (2004–2014).] Warszawa: Wydział Dziennikarstwa i Nauk Politycznych Uniwersytetu Warszawskiego.
- Wong, R., Hill, Ch. eds. 2011. *National and foreign policies: towards Europeanization.* London & New York: Routledge.
- Wpływ członkostwa Polski w Unii Europejskiej i realizowanej polityki spójności na rozwój kraju.* [The influence of Polish membership in the European Union and implemented cohesion policy for the country's development.] 2014. Warszawa: The Ministry of Infrastructure and Development.
- Wójcik, Ł. 2015. Więzień Kremla. [The prisoner of the Kremlin.] *Polityka* 1–6 January 2015.
- Zaleska, M. 2015. Kryzysowe przemyślenia. [Crisis reflections.] *Dziennik Gazeta Prawna* 11 March 2015.
- Zarychta, S. 2014. *Doktryny i strategie NATO 1949–2013.* [Doctrines and strategies of NATO 1949–2013.] Warszawa: Dom Wydawniczy Bellona.
- Zawadzki, M. 2014. To Europa może zatrzymać Putina. [Europe can stop Putin.] *Gazeta Wyborcza* 19–20 July 2014.
- Zielonka, J. 2014. *Is the EU doomed?* Cambridge: Polity Press.
- Zięba, R. 2014. Międzynarodowe implikacje kryzysu ukraińskiego. [International Implications of the Ukrainian crisis.] *Stosunki Międzynarodowe – International Relations*, vol. 50, no. 2.

THE CRISIS OF THE EUROPEAN UNION OR THE CRISIS OF EUROPEAN INTEGRATION? CAUSES AND EFFECTS

Summary

The crisis of the European Union or the crisis of European integration? This dilemma, seemingly contradictory, is the subject of the analysis in this article. The author tries to prove the thesis that today we are facing a crisis of the EU, which entails a crisis of European integration. According to the author, even if the European Union broke up, nobody and nothing would be able to stop the process of European integration, at most it might be slowed down. At the same time, the author emphasizes here that 2014, and particularly dramatic events in Ukraine, the Middle East and North Africa show that the 'end of the history', in which people believed after the fall of communism in Europe was an illusion. Triumphalism and the hope for eternal peace have ended, and the belief in the gradual but inevitable democratization of the following countries and societies has been strongly undermined. Peace and security of Europe and the world are today – according to the author – seriously threatened. Eleven years after the great enlargement of the EU in 2004, its numerous shortcomings have been revealed and its role and prestige in the international arena have weakened. The author is trying to answer the questions why it happened and what should be done to prevent the EU from disintegration.

KRYZYS UNII EUROPEJSKIEJ CZY KRYZYS INTEGRACJI EUROPY? PRZYCZYNY I SKUTKI

Streszczenie

Kryzys Unii Europejskiej czy kryzys integracji Europy? Ten dylemat, pozornie sprzeczny, jest przedmiotem analizy w niniejszym artykule. Autor próbuje udowodnić tezę, że dziś mamy do czynienia z kryzysem UE, który pociąga za sobą kryzys integracji Europy. Zdaniem autora, nawet gdyby Unia Europejska rozpadła się, to nikt i nic już nie jest w stanie powstrzymać procesu europejskiej integracji, co najwyżej może go przyhamować. Jednocześnie autor podkreśla tutaj, że rok 2014, a zwłaszcza dramatyczne wydarzenia na Ukrainie, Bliskim i Środkowym Wschodzie i w Afryce Północnej pokazują, że „koniec historii”, w który uwierzono po upadku komunizmu w Europie, był złudzeniem.

Triumfalizm i nadzieja na trwały pokój skończyły się, a wiara w stopniową lecz nieuchronną demokratyzację kolejnych państw i społeczeństw zostały mocno nadwątlone. Pokój i bezpieczeństwo Europy i świata są dziś – zdaniem autora – poważnie zagrożone. Jedenaście lat po wielkim rozszerzeniu UE w 2004 roku, ujawniły się jej liczne mankamenty oraz uległa osłabieniu jej rola i prestiż na arenie międzynarodowej. Autor próbuje odpowiedzieć na pytania, dlaczego tak się stało i co należy uczynić, aby UE nie rozpadła się.

КРИЗИС ЕВРОПЕЙСКОГО СОЮЗА ИЛИ КРИЗИС ИНТЕГРАЦИИ ЕВРОПЫ? ПРИЧИНЫ И СЛЕДСТВИЯ

Резюме

Кризис Европейского Союза или кризис интеграции Европы? Эта дилемма, на вид противоречивая, является объектом анализа настоящей статьи. Автор пытается аргументировать тезис о том, что сегодня мы имеем дело с кризисом ЕС, который повлечёт за собой кризис интеграции Европы. По мнению автора, даже если бы Европейский Союз распался, никто и ничего не в состоянии остановить процесс европейской интеграции; самое большее, что можно сделать – притормозить его развитие. Автор одновременно подчёркивает, что 2014 год, в особенности трагические события на Украине, Ближнем и Среднем Востоке и в Северной Африке показывают, что «конец истории», в который многие поверили после падения коммунизма в Европе, оказался иллюзией. Триумф и надежда на прочный мир сменились разочарованием, а вера в постепенную, но неизбежную демократизацию очередных государств и обществ сильно пошатнулась. Мир и безопасность Европы на сегодняшний день – по мнению автора – находятся под угрозой. Спустя 11 лет после масштабного расширения Европейского Союза в 2004 году выявились его многочисленные изъяны, а также значительно ослабили его роль и престиж на международной арене. Автор пытается ответить на вопросы, почему так получилось и что следует предпринять, чтобы Европейский Союз не распался.

Michał Kuź

REMARKS ON THE GENESIS AND DEVELOPMENT OF 'SHADOW ELITES' IN A COMPARATIVE CONTEXT

This article focuses on the question of the role of informal and semi-formal power elites in the meaning of Janine Wedel's anthropological theories¹ and their impact on politics in Poland and the EU in a comparative perspective. A particularly interesting topic raised in the text is the question whether the wide availability of EU funds can be regarded as a source of easily available 'rent' for which the elites described by Wedel compete today. This article provides a theoretical contribution partly supported by empirical data. However, further, extensive research is necessary, which could reveal in the future the scope of activities of informal 'shadow elites' and the impact they exert on the political life in modern Poland, the European Union and globally².

AMERICAN LOOK AT CENTRAL AND EASTERN EUROPE

Janine R. Wedel is a recognized anthropologist, currently employed at George Mason University. In her research she focuses on political issues, and especially on issues concerning the application of anthropological theories to the study of political elites. Such an approach is by no means a norm in modern anthropologists. Suffice it to say that Wedel is the first anthropologist

¹ Wedel, J. 2009. *Shadow elite*. New York: Basic Books.

² In the article I used the thesis of my own journalistic text, Kuź, M. 2014. Cała władza w ręce cieni. [The whole power to the shadows.] *Nowa Konfederacja* [Online] no. 36 (48), Available at: <http://www.nowakonfederacja.pl/cala-wladza-w-rece-cieni/> [Accessed: 21 July 2015].

in history, who received the prestigious Grawmeyer award for 'improving global order'. This award is usually granted to political scientists and politicians; Samuel Huntington and Mikhail Gorbachev were among the recipients.

Janine Wedel has been professionally occupied with Central and Eastern Europe for many years. Her book *Private Poland: An anthropologist looks at everyday life*, published in English in the eighties, is widely known³. However, her work on new modes of behaviour of today's political elites made her famous. She describes the creation of a class of gray cardinals, which is present, to her surprise, not only in the post-communist countries, but also in the US. These groups are based on structures which Wedel called 'flex nets'⁴. The structure of these networks has three characteristic features. Firstly, their members in the public space juggle various roles, they are, for example, at the same time independent experts, advisors, researchers and businessmen, and they are sometimes of course also politicians. These roles are not characterized by the usual conflicts of interest because links among them elude sharp legal definitions and social overlapping becomes more and more socially acceptable. Secondly, the members of the shadow elite exert a powerful influence on decision-makers and permeate political structures. In contrast to parties, shadow elites operate in informal social networks avoiding the transparency required of political parties. Their 'flexible' networks often go beyond party affiliations and they treat parties rather as a tool for the realisation of the interests of the group rather than as the group on behalf of which they conduct appropriate political activities.

Typical members of the shadow elite in general deal with and reap profits from activities at the interface of politics, business and science. They decide to enter official politics only after they have already exhausted the possibilities of increasing their influence in the shadow of the power of others. Former politicians often join shadow elites. It should be noted, however, that in the case of shadow elites, typical phenomenon of corruption or patron-client relations, known from the descriptions of social relations typical of authoritarian countries, happen very rarely. Corruption is in fact related to the illegal use of one's own fairly clearly defined position in the state-administrative hierarchy in order to obtain financial benefits. It is also not a typical clientelism, which also implies a clear hierarchical (patron-client) relation. Shadow elites operate rather on the principle of mutual exchange

³ Wedel, J. 1986. *Private Poland: an anthropologist looks at everyday life*. New York: Facts on File

⁴ Wedel, J. *op. cit.*, p. 58.

of services, balancing on the edge of law, but not exceeding it. They are also groups whose highly subtle way of action is rather connected with the conditions prevailing in countries with the relatively developed economy and relatively efficient administration and a certain degree of democratization⁵. Typical hierarchical corruption and clientelism would be phenomena more typical of less developed and authoritarian countries⁶. Just like the leaders of typical clientelistic structures, shadow elites are dependent on readily available sources of 'rent'⁷, e.g. from raw materials, or, what it is a novelty, from EU funds.

Of course, the silent assumption allowing the researcher to express her concerns about the adverse effects of activities of shadow elites for the citizens is their reference to Michels' iron law of oligarchy.⁸ Shadow elites are not in fact groups with a pro-state or altruist attitude. Shadow elites want rather to provide their members and people associated with them with the widest possible influence.

In her same study, Janine Wedel focuses on three specific examples: the Ordynacka Association in Poland⁹, the so-called Chubais clique in Russia and a group of neo-conservative advisers of George W. Bush¹⁰. It should be noted that in each case a thorough quality examination of shadow elites is extremely difficult and in the case of such specific groups can be only partially successful. Statistics capture similar phenomena in a rather lame way, but nevertheless when combined with a qualitative analysis indicate a high probability of the occurrence of such elites. The latest studies, and disclosed records of informal

⁵ In order to better understand the difference between shadow elites and clientelistic networks it is worth reading the article by Mousseau, M. 2003. Market civilization and its clash with terror. *International Security*, no. 27 (3) pp. 5–29. In his text Mousseau treats clientelistic networks as a sort of a remnant of the old feudalism. Beneficiaries of these networks defend them fiercely particularly in less economically developed countries, which are just going through the market transformation (e.g. part of the Middle East, Africa). Meanwhile, shadow elites are less hierarchical networks of relations of a new generation which are present in very modernized countries, although they are reminiscent of the old clientelistic networks, it is possible in their case to talk about specific neo-feudalism rather than a simple return to the past.

⁶ At the time when Wedel's book was published Russia was regarded by experts as an illiberal democracy more than typical authoritarianism e.g. in the Chinese version.

⁷ Krueger, A. 1974. The political economy of the rent-seeking society. *American Economic Review*, no. 64 (3) pp. 291–303.

⁸ Michels, R. 2001. *Political parties a study of oligarchical tendencies of modern democracies*. New York: The Free Press, p. 342.

⁹ Wedel, J. *op. cit.*, pp. 63–72.

¹⁰ *Ibidem*, pp. 73–111.

discussions or results of journalistic investigations seem to confirm the role which shadow elites play in contemporary Europe, especially in Poland and new EU member states. Available data also lead to interesting conclusions regarding the role of EU resources in the creation of these elites.

LOCAL EXPLANATION AND THE ISSUE OF POST-COMMUNISM

In the case of the US a decisive factor for Wedel seemed to be a neo-liberal impulse to privatize government administration. The cause of the rise of the importance of shadow elites is, according to the researcher, the effect of going away from the traditional administrative structure in favour of a more flexible formula, according to which part of the function is entrusted to various external service providers. In the case of Poland and Russia, of crucial importance is the introduction of novelty solutions in the conditions of the general weakness of the state.

The anthropological description of the political situation and political pathology growing worldwide, as proposed by Wedel, seems to be accurate. The diagnosis concerning the causes is, however, much less developed. The appropriating coteries capturing the state are not a new phenomenon. The privatization of the administration and the post-communist legacy do not explain the today's scale of the phenomenon. Rather something else seems to be a key factor. It appears that in modern democracies the balance between types of power undergoes some waver. The organization of the administration itself cannot be the only reason for this. The administration is not a self-contained being. In every modern state, it is subordinated to some extent to the centre of executive power. The executive power itself is, in turn, controlled by the courts and operates only in the framework sets by the legislative power.

On the Polish ground Jadwiga Staniszkis proposes a slightly fuller description of the phenomenon. In her *Postkomunizm* [*Post-communism*] Staniszkis writes about 'the network state' in a spirit similar to Wedel¹¹. In reference to the multiplicity of roles of elite representatives, the Polish researcher somewhat provocatively states that 'a good model reflecting the essence of the new type of "reign" is a phenomenon of group sex in which

¹¹ Staniszkis, J. 2001. *Postkomunizm*. [*Post-communism*.] Gdańsk: Słowo Obraz Terytoria, p. 128.

roles and identities constantly change¹². As for the reasons for the new network power, Staniszkis writes about two main mechanisms: entering the world system (through globalization and regional integration within the EU) and the commercialization of public funds¹³. Both of these processes were particularly evident in the case of Poland and other countries of Central and Eastern Europe due to their peripheral position, both within the Euro-Atlantic order, and the Soviet one. The entrance to the Western structures has certainly opened new prospects for the countries of Central and Eastern Europe, but at the same time created new temptations for not fully mature political elites. This prompted certain processes which also occur in the West but with different dynamics.

From the point of view of the West, Central European countries were primarily economically undeveloped. In the Eastern bloc, although their economic potential was appreciated, they were politically distrusted, and therefore the centre did not treat them subjectively. Indeed, this was the attitude which was absolutely understandable from the point of view of USSR's elites. It should be emphasized that the structures of the Communist Party in Poland and in other countries in the region, unlike in Russia, China, North Korea and Vietnam, were not of local origin. They were imposed from the outside. As Benjamin Smith¹⁴ notes, the survival rate of one-party regimes is clearly correlated with whether they are a product of a domestic revolution, and ultimately depend on domestic resources and in the eyes of its demos are included in the country's history (we completely disregard here the general problem of the lack of democratic legitimacy of all one-party systems). In short, 'revolutions' controlled from the outside undermine the legitimacy of the revolutionary parties, in the same way that revolutions from within reinforce it, even if this legitimacy is not based on the electoral procedures recognized by liberal democracies. After the withdrawal of foreign support the new regime has a very little chance of survival.

Unfortunately, as it often happens in the case of post-colonial states or ones covered by a similar form of dependent development¹⁵, a fall of the regime does not result from an immediate increase in social capital in Putnam's

¹² *Ibidem*, p. 129.

¹³ *Ibidem*, pp. 90–91.

¹⁴ Smith, J. 2005. Political parties: a study of oligarchical tendencies of modern democracies. *World Politics*, no. 57 (3), pp. 421–425.

¹⁵ Communism imported from Moscow is regarded by some scholars as a form of colonialism. Cf. Hague, R., Harrop, M. 2010. *Comparative government and politics, an introduction*. New York: Palgrave, p. 71.

sense¹⁶ (confidence in the government and fellow citizens at the same time) because society does not trust the government, and to make matters worse it has no sense of self-efficacy going beyond one-time outbursts. Not without reason, looking at the example of Poland, Andrzej Leder notes that the main processes of socio-economic emancipation were in a way 'slept through' by Polish society. Impulses for their achievement came in fact from the outside and were often associated with violence perceived as foreign intervention, which, in turn, only further built distrust between the society and the state (and additionally in various versions of the state)¹⁷. The low level of social capital means and that in the case of post-communist countries we deal with the engraved in their structure, handicapped legitimacy of elites at the level of the nation state. Interestingly, when communism in the East collapsed, much more toughened Western nation-states also began to experience the process in some way impeding their social capital. These processes are economic globalization, regional integration¹⁸, media coverage of politics¹⁹ and general turning away from traditional ideology of the party²⁰. Poorly socially authorised eastern elites were more susceptible to new challenges created by the typically Western political dilemmas, just like the already weakened immune system usually turns out to be surprisingly vulnerable to new pathogens.

In this context it is also worth mentioning the diagnosis concerning the weakness of the Polish state by a Polish author Artur Wołek²¹. He also draws attention to the processes of globalization as factors that could potentially weaken the traditional power structures. In Wołek's terms, weakening of the state and opening it to the activities of more or less parasitic interest groups are especially strong in the case of post-communist countries because

¹⁶ Cf. Putnam, R. 1993. *Making democracy work, civic traditions in modern Italy*. Princeton: Princeton University Press, pp. 163–181.

¹⁷ Leder, A. 2014. *Prześlona rewolucja*. [Revolution slept-through.] Warszawa: Wydawnictwo Krytyki Politycznej, pp. 1–24.

¹⁸ Cf. Kuź, M. 2014. Can the American Constitution become a model for the Unified Europe? In: Turek, T. *Eyes on America*. Kraków: AT Wydawnictwo, pp. 125–130.

¹⁹ Cf. Secler, B. 2013. Polityka i media w obliczu demokracji medialnej. [Politics and the media in the face of media democracy.] In: Musiał-Karg, M. ed. *Demokracja w Obliczu Nowych Mediów*. [Democracy in the face of new media.] Toruń: Wydawnictwo Adam Marszałek, pp. 160–173.

²⁰ Cf. Franklin, M. *Voter turnout and the dynamics of electoral competition in established democracies*. Cambridge and New York: Cambridge University Press, pp. 161–172.

²¹ Wołek, A. 2012. *Słabe Państwo*. [Weak state.] Kraków–Warszawa: Ośrodek Myśli Politycznej, pp. 52–72.

of their specific political history: a kind of crossing of a certain stage and indiscriminate entry into the next stage because in the era of the transition post-communist countries almost uncritically accepted patterns flowing from the Bretton Woods institutions.

The creators of these patterns, however, were heirs of a long institutional Anglo-Saxon tradition, the importance of which they themselves seemed to underestimate. Treating their institutional continuity as something obvious, cognitively transparent, they did not understand how important for the implementation of modernization process is strong and independent political authority which enjoys social support. Samuel Huntington already noticed this pattern when he wrote about the attitude of the US towards postcolonial countries in the previous century²². As Huntington pointed out, modernization proposed by the West often turns the whole process upside down because it calls for liberalization and decentralization before the structures of the rule of law enforcement have been formed. It is easy to guess that it creates ideal conditions for the flourishing of corruption, and in further perspective for the development of hidden elites which, even after the introduction of relative order, will be able to easily manipulate the state.

GLOBAL EXPLANATION AND THE PROBLEM OF STRENGTHENING THE EXECUTIVE

Irrespective of how much specific circumstances might have facilitated the development of post-communist shadow elites, they do not explain fully the similarities between the phenomena observed in countries from different corners of the globe. Wedel convincingly investigated the profound impact of a new type of hidden elites on authorities, both in a post-communist peripheral country (i.e. Poland) and in a post-communist central country (i.e. Russia) as well as in a central country of the West (i.e. the USA). Not being able to indicate the ultimate nature of certain deeper mechanisms which connect the remarkable development of shadow elites in these countries, Wedel, despite similarities, adopted a clear assumption about the heterogeneity of the causes leading to the genesis of these groups. Such an assumption, however, remains in a conflict with her own description, mentioning many common features between various shadow elites developing in different contexts. Jadwiga

²² Huntington, S. 1968. *Political order in changing societies*. New Haven and London: Yale University Press, p. 7.

Staniszki and Arthur Wołek also clearly assume the heterogeneity of the process in a slightly milder form.

Jadwiga Staniszkis in her analysis focuses on the description at the post-communist specificity which was given to consensual management (governance) without an adequate analysis of global processes, which has shaken the balance between traditional types of power. Arthur Wołek, in turn, does not define sharply what the weakness of the state means for him. In the context of Poland, he writes, for example, about weak central authority as a result of globalization processes²³. He writes elsewhere, however, that the same processes of globalization do not necessarily and not in all cases diminish the powers of political authority. However, he does not explain the source of this difference. Moreover, he admits that 'social sciences' are not capable yet to adequately describe the difference between the transfer of competences to some supranational body and 'diffusion of power', or 'accepting the authority of another entity without the diminution of own competences of the state'²⁴. However, the recognition of the problem does not solve it.

In this article I would like to roughly outline a third possible description, that is an attempt to synthesize the phenomena about which Wedel, Wołek and Staniszkis write in a comparative context. I suggest namely to look at the process which have led to the weakening of the state in the classic sense, from the point of view of radical imbalance between the three types of power. Of course, Montesquieu's separation of powers never exists in a pure form and it was also not treated as an absolute dogma by the author himself, as well as by later philosophers of law²⁵. Some of them even radically rejected dogmatism on this issue in favour of the consensual model²⁶. The imbalance I am writing about does not, however, consist in the transition from the trifurcation to larger consensualism, but rather in the fact that specific power dominates to such an extent that it begins to manage society, not through a process of negotiation with the others, but using its own 'court', that is informal elites gathered around it, which provide it with the necessary information and other resources, and marginalizes the influence of other institutions. The strength of political power in general (or a 'box' in which the legislature, executive

²³ Wołek, A. *op. cit.*, p. 120.

²⁴ *Ibidem*, p. 71.

²⁵ Lutz, D. 2008. *Principles of constitutional design*. New York: Cambridge University Press, p. 22.

²⁶ Lijphart, A. 2012. *Patterns of democracy: governments form and performance in thirty-six countries*. New Haven and London: Yale University Press, pp. 274–295.

and judiciary are located) determines to what extent that elite court will be concentrated, and to what extent scattered. By means of a distant historical analogy, scattering can be seen as a reference to the feudal tradition, the concentration – to absolutist.

A general thesis on the origins of shadow elites, which can be set now, is that in many developed countries we currently deal with the unprecedented dominance of the executive, thus strengthening its role in relation to legislative and the judiciary authorities with the simultaneous neo-feudalization of elites²⁷. In this context new ‘aristocrats’ are a kind of a court, orbiting around relatively strong prime ministers, presidents and chancellors and transnational clubs managed by representatives of the local executive. However, shadow elites are not so dependent on the state in general as ordinary officials. The lack of dependence means the lack of control and the lack of control means the creation of oligarchy at the expense of the public sphere. The described process can be obviously seen as a desirable shift towards network management and administration privatization²⁸. Basically, however, it concerns the same process in slightly different normative terms.

It is possible to enumerate at least two main reasons for which the role of the executive has increased in the modern world. Firstly, the executive is the main architect of foreign policy. Today, foreign policy has an increasing impact on national policy and law binding in the given state, which will be discussed in detail below. Secondly, leading representatives of the executive can today fully cooperate with the modern media, which in the era of the increasing media coverage and personalization²⁹ of politics plays an increasing social role. The cooperation of the media with the executive is so fruitful, because legislative power holds resources desired by the media (concessions, advertising of state-owned companies, information)³⁰. What is

²⁷ In a slightly different context T. Piketty writes about it in his famous book *Capital in the twenty first century*. Harvard: Belknap Press, 2014, pp. 430–471.

²⁸ Cf. Rhodes, R. 1996. The new governance: governing without government. *Political Studies*, no. 44, pp. 652–61.

²⁹ Cf. Scheffs, Ł. 2013. Internet w wieku „fabrykowanych wizerunków”. [The Internet in the era of ‘fabricated images’.] In: Musiał-Karg, M. ed. *Demokracja w obliczu nowych mediów*. [Democracy in the face of new media.] Toruń: Wydawnictwo Adam Marszałek, pp. 184–197.

³⁰ In some developed countries this phenomenon is more pronounced than in others. A typical example is southern Europe, hence the term ‘Italianization’ for this phenomenon. Cf. Wyka, A.W. 2008. In search of the East Central European media model – The Italianization model? A Comparative perspective on East Central European and South European media system. In: Dobek-Ostrowska, B., Głowacki, M. eds. *Com-*

more, leading representatives of executive power can easily create a coherent political narrative, direct their public image. Legislative bodies are clearly divided, they speak in different voices and as a result are less well received in the media, which today promote clear, simple and literal message. Thus, according to numerous statistics, over the last several years legislative bodies have been rapidly losing popularity on the global scale³¹.

It is advantageous for representatives of the executive who first surround themselves with courts carefully creating their image, then they can easily move from the public sector to the private one or international financial institutions, at the same time partially moving out of sight of the public and avoiding awkward questions. In their new jobs they often take consulting positions, and according to Wedel, this behaviour is 'typical' for shadow elites. The casus of former Polish Prime Minister, Kazimierz Marcinkiewicz, is symptomatic here as after stepping down from the office he first advised a Polish state managed bank, then he sat on the Board of Directors of the international European Bank for Reconstruction and Development, and finally, in 2008 he was employed by Goldman Sachs Incorporated as 'an international adviser for Central and Eastern Europe'³². More controversy was caused by the fact that Goldman Sachs is considered to be one of the investment banks whose risky financial engineering led to the global crisis in the same year in which Marcinkiewicz started to work there. The example of Marcinkiewicz also perfectly fits Wedel's analysis for several other reasons. Kazimierz Marcinkiewicz, who now lives in London, still, in fact, appears in Polish media as an independent expert and, importantly, in 2013 founded a think-tank called the Institute of National Thought together with Michał Kamiński (an influential adviser of the current prime minister Ewa Kopacz) and Roman Giertych (a known lawyer often representing leading politicians). However, it would be a mistake to say that Marcinkiewicz's career is just an example of the connection of some Central European specificity with new possibilities which globalization opens for politicians. At one time former German Chancellor, Gerhard Schroeder, caused much greater controversy.

paring media systems in Central Europe. Between commercialization and politicization. Warszawa: Wydawnictwo Uniwersytetu Warszawskiego, pp. 58–71.

³¹ Power, G., Shoot, R.A. 2012. *Global parliamentary report. The changing nature of parliamentary representation.* Phoenix: United Nations Publication, pp. 12–18, Available at: <http://www.ipu.org/pdf/publications/gpr2012-full-e.pdf> [Accessed: 23 July 2015].

³² Premier u Goldmana. [Prime Minister at Goldman's.] *Interia/Newsweek* [Online] 11 July 2008. Available at: <http://biznes.interia.pl/news/premier-u-goldmana,1144605> [Accessed: 23 July 2015].

As is well known, first, Schroeder in the final weeks of his presidency signed an agreement to build the German-Russian Nord Stream gas pipeline, and shortly after his departure from politics in 2005 he became chairman of the board of the company building the Nordstrem pipeline and despite the voices of outrage³³ has been serving on the board to this day without officially breaking any provision of German law.

In this context the case of former British Prime Minister, Tony Blair, extremely popular when in office, is also interesting. After leaving office Blair, according to journalists, managed to accumulate a private fortune of 100 million pounds, his wife's, Cherrie Blair, charitable foundation has also developed its activity. The former British Prime Minister derives profits mainly from advisory work, he has cooperated, for instance, with the governments of Colombia and Kazakhstan³⁴. Moreover, Blair does not despise excessive fees for occasional statements and speeches.

One of the reasons why representatives of the executive have become so influential, and at the same time why even after they step down from the official office it is so easy for them to operate in the ranks of global 'shadow elites' is the way in which new legal and political frameworks are created in the era of globalization, omitting at the same time the actions of former legislative bodies because new regulations often arise from international agreements, such as ACTA or the TTIP, or arrangements in closed 'clubs' of representatives of executives and financial and business organizations (e.g. The European Council, the Eurogroup, the Troika, the G8).

Of course, the executive arranged in this way attracts those also who want to exploit it indirectly for their own ends. An increasingly important role is no longer played by the traditional parliamentary lobbyists, but by groups of experts, advisers and think-tanks associating them, which offer their services to prime ministers and presidents. Not without a reason global shadow elites are also particularly active when it comes to advising on international politics. In addition, it must be noted that even quite suspicious activity of the executive are generally better perceived by the public than that of parliaments. Paradoxically, this may stem from the fact that actions of regulatory bodies are in contemporary democracy more transparent. The public has usually full access to records of parliamentary debates, but not

³³ Gerhard Schroeder's sellout. *Washington Post* 13 December 2005. [Accessed: 23 July 2015].

³⁴ Segalov, M. 2015. £330,000 for a 20-minute speech at a world hunger event? Tony Blair is an inspiration to us all. *The Independent* [Online] 1 June 2015. [Accessed: 23 July 2015].

of all meetings of the government. Parliamentary lobbyists in Poland and many other liberal democracies are registered and monitored carefully while we learn about the circle of 'friends' of ministers and prime ministers only by chance, on the occasion of the disclosure of any confidential material, as it was the case in Poland during the so-called 'tape scandal'. As a result, according to the famous anecdote about sausage and politics, transparent and fairly chaotic parliamentary politics can seem little aesthetic, in contrast to the carefully directed image of executive actions.

THE CULT OF ABSORPTION³⁵ AND POLISH TAPES

The absorption of political and material resources offered to members of the European Union is a model case study showing how the executive uses supranational bodies to strengthen its position in comparison with national parliaments, and at the same time how this process leads to neo-feudalization of political elites orbiting around the executive. This stems partly from the fact that key decisions in the Union are collectively made by representatives of the local executive, while functions of the European Parliament are very limited compared to the traditional role of the parliament in a democratic nation-state. What is more, the spending of EU funds is poorly controlled by local parliaments. After their allocation these measures are usually the responsibility of the administration, local governments and related non-governmental organizations, which are also dominated by informal elites.

Easy access to EU funds can actually lead to a reduction in the level of transparency. Similarly to the so-called 'resource curse', they become unusually easy prey. In addition, as in the case of the resource curse, easy resources from the EU can 'push out'³⁶ pro-export activities and industrial development, it sometimes happens that they move away the prospect of

³⁵ The symbolism which accompanied the Polish approval of the EU budget for 2014–2020 looks like a complete confusion of concepts. The public could see, for example, images from the press conference at which the then Polish Prime Minister Donald Tusk cut a commemorative cake composed of specially prepared edible euro banknotes. It is difficult to compare such bizarre behavior to anything else than the famous Pacific cargo cult, whose followers worship the 'deity' which sends planes and ships full of various goods. In the mentioned budget 105.8 billion euro, that is about 441 billion, was reserved for Poland, and that is much more than the annual budget of the entire state.

³⁶ Cf. Gylfason, T. 2001. Natural resources, education, and economic development. *European Economic Review* (Elsevier), no. 45 (4–6), pp. 850–59.

introducing necessary reforms. Perhaps, in part for this reason, despite the great help from the European Central Bank, Greece, mired in the crisis and corruption, notes the growing economic underperformance. Research conducted by Spasimir Domaradzki shows that, after all, this is the situation in modern Bulgaria. Domaradzki even puts the thesis that ‘in practice, membership in the European Union has led to halting the necessary political and constitutional reforms’³⁷. In his opinion, reaching the outside goal was apparently premature and control mechanisms proposed by Brussels are not working. Moreover, Domaradzki stresses that ‘the fact of membership in the European Union is also a source of ennoblement for immature political elites’³⁸, and cites reports about almost mafia connections of many Bulgarian politicians.

Indeed, in the case of post-communist elites such ennoblement could be premature. However, it is worthwhile to look at the problem comparatively again and stress that the post-communist specificity itself is an important but not decisive factor. According to the latest report commissioned by the European Parliament and prepared by the Hertie School of Governance³⁹ in the majority of new EU members the level of corruption has not changed or has deteriorated since accession (exceptions are only Estonia and Slovenia). But countries from the group of senior members from the South (Greece, Italy, Portugal and Spain), where the growth of corruption after the accession is already clear, rank even worse. It should be noted that the study of prof. Mungiu-Pippidi (the author of the report) does not focus only on narrowly conceived corruption (as a direct acceptance of bribes). Mungiu-Pippidi tries even to capture the action of shadow elites slightly in the spirit of Janine Wedel’s theory. To distinguish between traditionally defined corruption and the activities of informal networks teetering on the edge of the law, the researcher uses two concepts: corruption and favouritisms. The latter term means activities directing certain measures (usually governmental) to

³⁷ Domaradzki, S. 2013. Bałkański dylemat Brukseli. O europeizacji Bułgarii czy bułgaryzacji Unii Europejskiej. [Brussels’ Balkan dilemma. The Europeanization of Bulgaria and Bulgarization of the European Union.] In: Halizak, E., Pietraś, M. eds. *Poziomy stosunków międzynarodowych*. [Levels of international relations.] Warszawa: Wydawnictwo Rambler, 2013, p. 438.

³⁸ *Ibidem*, 439.

³⁹ Mungiu Pippidi, A. 2013. *The good the bad and the ugly: controlling corruption in the European Union*, Berlin: Hertie School of Governance. Available at: <http://www.againstcorruption.eu/reports/the-good-the-bad-and-the-ugly-controlling-corruption-in-the-european-union/> [Accessed: 25 July 2015].

entities on the basis of informal network relations, and not on the interests of citizens, and describes the actions rather on the basis of legal or seemingly legal mutual exchange of favours and contacts rather than open reception of material benefits.

It is difficult here to clearly capture the moment in which a deliberate action on someone's disadvantage occurs and describe it well, but the effects are quite visible in macroeconomic data. Mungiu-Pippidi gives here the example of Romania, where after the accession to the EU construction companies developed remarkably well, which, firstly, was not justified by the general state of the economy. Secondly, competition in the common market should, at least in theory, have reduced their profits⁴⁰. The only explanation here is the fact of directing huge funds, mainly from the EU, to people informally associated with power and predatory absorption of resources without taking into account the actual, bottom up creation of demand for the given services. Grzegorz Gorzelak explicitly refers to the same phenomena both in the materials prepared for the Central Statistical Office⁴¹ and in his publications⁴². Gorzelak's research shows the justified fear that the massive financing from EU funds in the 2014–2020 term, instead of translating into sustained economic growth, will lead to the phenomena which he accurately describes as the 'syndrome of a municipal water park'⁴³. Therefore, the scholar calls for the application of selectivity in the financing, even at the cost of lower absorption of the funds. He notes, moreover, that previous studies indicate that EU funds are spent mostly at the local level and lead to short-term demand effects, the long-term maintenance of these investments

⁴⁰ *Ibidem*, p. 23.

⁴¹ Gorzelak, G. 2014. *Środki unijne – pierwsze oceny*. [EU funds – first assessments.] Statistical Office in Lublin. Available at: http://lublin.stat.gov.pl/gfx/lublin/userfiles/_public/konferencje_i_seminaria/statystyka_w_procesie_monitorowa/g_gorzelak.pdf [Accessed: 25 July 2015].

⁴² Gorzelak, G. 2013. Po euforii czas na refleksję. [After the euphoria it is time for reflection.] *Wspólnota. Pismo samorządu terytorialnego*. [Online] 24 June 2013 Available at: http://www.wspolnota.org.pl/index.php?id=10&tx_archives%5bcontroller%5d=Category&tx_news_pi1%5baction%5d=detail&tx_news_pi1%5bcontroller%5d=News&tx_news_pi1%5bnews%5d=26694&cHash=cb1ed8dfc36540d178044bd8644f1fe5 [Accessed: 25 July 2015]. Cf. also Gorzelak, G. 2014. Wykorzystanie środków Unii Europejskiej dla rozwoju kraju. [The use of European Union funds for the development of the country.] In: Gorynia, M., Rudolf, S. eds. *Polska w Unii Europejskiej i globalnej gospodarce*. [Poland in the European Union and the global economy.] Warszawa: PTE, pp. 223–242.

⁴³ Gorzelak, G. 2014. *Środki unijne – pierwsze oceny*. [EU funds – first assessments.] p. 6.

as well as the entire fund surrounding business becomes a growing burden for the economy and administration.

According to Mungiu-Pippidi, the threat of a specific post-fund ‘overhang’ phenomenon is the highest in those countries which carry out a lot of large-scale government investments (mainly in infrastructure and energy) and at the same time have very few safeguards against corruption. These are those EU countries which in her report go to the D list of the most corruption and favouritism endangered states. These are: Bulgaria, the Czech Republic, Greece, Lithuania, Poland, Romania⁴⁴. Mungiu-Pippidi notes at the same time that, in accordance with her analysis, the low demand effect caused by EU funds, or in other words, the lack of their long-term impact on the real economy, indicates clearly that, they are absorbed by various interest groups involved in their use. What is more, thanks to the EU, leading representatives of these groups can significantly broaden their ‘flexible’ networks and enter quite new areas with them.

Approaching the matter from the anthropological perspective Janine Wedel states that shadow elites in Poland have taken the structure of ‘institutional nomads’⁴⁵, that is social groups which try to quickly capture a variety of positions connected with government, banks and foundations, and next they orbit from job to job ensuring that the successor comes from the same environment. Significantly, Wedel states that after accession to the EU ‘the sphere of nomadic activities has expanded so as to include also posts and positions which are within the range of officials and citizens of the EU...’

Recordings of the so-called ‘tape scandal’, recently revealed in Poland, provide a specific example of a ‘flexible’ shadow elite network operating exactly according to the theory of the American anthropologist. Particularly significant here is the information that the then head of the Polish Ministry of Foreign Affairs, Radosław Sikorski, ‘allegedly sought for the office of European Commissioner for energy “to be able to directly oversee investments in Ukraine carried out by Jan Kulczyk [the richest Polish businessman]”’⁴⁶.

⁴⁴ Mungiu-Pippidi, A., *op. cit.*, p. 42.

⁴⁵ Wedel, J., *op. cit.*, p. 57.

⁴⁶ Nowa afera taśmowa. Nagrania rozmów Belki, Sienkiewicz, Nowaka... [New tape scandal. Recorded conversations of Belka, Sienkiewicz, Nowak...] *Polska – The Times* [Online] 24 June 2014. Available at: <http://www.polskatimes.pl/artykul/3473191,nowa-afera-tasmowa-nagrania-rozmow-belki-sienkiewicz-nowaka-tasmy-wprost,id,t.html> [Accessed: 26 July 2015].

This information has not been officially confirmed, some time after its disclosure Radosław Sikorski completely withdrew from active political life.

The whole recording disclosed in the Polish tape scandal documents also a number of other activities typical of Wedel's shadow elites. The transcripts show a clear picture of informal social groups which associate people from different political, financial and institutional affiliations. However, during many social gatherings not private matters are considered, but fundamental political issues, such as co-financing of the budget deficit with the support of the President of the Polish National Bank⁴⁷.

What is also characteristic is a picture of a misty point of contact of business, analysis and expertise activity and politics. But what is significant is the fact that hundreds of hours of recordings in accordance with current knowledge do not document a single unequivocal act of open corruption (transfer of goods). The entire activity of the relation network is based on 'soft' conciliation of positions on key issues and exchange of information and seemingly small favours. As in the case Chubais's shadow clan described by Wedel, the recordings show also an outline of connections between leading politicians, economists, government officials, board members of state-owned companies and lobbyists with at least one extremely influential businessman. The person of Piotr Wawrzynowicz appears in recordings disclosed so far. He is a former co-worker of a ruling party politician, a lobbyist, a member of several supervisory boards, an advisor on public relations, and at the time of recording also a person working on behalf of the country's richest citizen⁴⁸. The recordings indicate⁴⁹ that he was a keystone of the informal network, a model representative Wedel's shadow elite.

⁴⁷ Jałoszewski, M. 2014. Rozmowa Belka–Sienkiewicz. Ziobro doniósł, Tuska przeświecają. [Belka-Sienkiewicz conversation. Ziobro reported, Tusk vetted.] *Wyborcza.pl* [Online] 12 August 2014. Available at: http://wyborcza.pl/politykaekstra/1,140199,16469055,Rozmowa_Belka__Sienkiewicz__Ziobro_doniosl__Tuska.html [Accessed: 26 July 2015].

⁴⁸ Rafako company, Piotr Wawrzynowicz: Życiorys. [Piotr Wawrzynowicz: Curriculum Vita.] Available at: http://www.rafako.com.pl/pub/File/Zyciorysy/Piotr_Wawrzynowicz_zyciorys.pdf [Accessed: 26 July 2015].

⁴⁹ Nowe taśmy Wprost. [New tapes of Wprost.] *Wyborcza.pl* [Online] 23 June 2014. Available at: http://wiadomosci.gazeta.pl/wiadomosci/1,114871,16200009,Nowe_tasmy__Wprost__Oto_najmocniejsze_i_najciekawsze.html [Accessed: 26 July 2015].

FINAL REMARKS

Informal power elites anthropologically described by Janine R. Wedel are deprived of parliamentary control on political grounds and usually orbit around the executive and transnational networks of relationships. Most probably the growing importance of executive power and the transnational bodies have contributed to the emergence of these elites. Shadow elites can become a threat to democracy and total governability of many countries. This raises, of course, the question of how to prevent similar phenomena. In theory, citizens' control over power should be rendered mainly by their parliamentary representatives, and they, apart from lawmaking, are responsible for examining certain systemic pathologies escaping normal legal procedures.

It seems, therefore, that in the context of Europe there are two possible solutions: deeper federalisation and increasing the role of the European Parliament or increasing the control of local parliaments over the implementation of EU law, foreign policy and expenditure of the budget and EU funds.

The first solution seems to be difficult to implement currently, and it is due to the fact that so far nothing in shape of a European nation has been formed, and legislative bodies in their present form can gain legitimacy only from a clearly defined political community. Otherwise, misunderstandings and conflicting interests burst them from the outside. As numerous classics, from Aristotle to Rousseau, notice, multicultural societies are most often governed mainly by strong leaders who in general do without legislative bodies.

The other solution, that is strengthening the role of local parliaments can easily end in the disintegration of the entire European project. Moreover, giving large competencies to traditionally organized parliaments can slow down decision-making processes. Politics in the age of digitization, globalization and increasing media coverage requires making decisions on increasingly complex issues in an increasingly shorter time. A good example of this dilemma was the dispute between the US Congress and President Obama which occurred in 2013, when the American legislature blocked the increase in the administration debt, and thus sharply cut off part of its functions without any specific plan for further action and caused considerable panic in world politics and economy.

It was, moreover, to some extent a repetition of a similar crisis of 2011 when several rating agencies lowered the credit rating the US⁵⁰.

The conclusion is that even though parliaments might effectively control the increasingly independent and globalized executive and shadow elites orbiting around them, as yet there are no tools to do it effectively. The issues of the creation of such tools, however, are extremely complex and go beyond the scope of this analysis.

REFERENCES

- Domaradzki, S. 2013. Bałkański dylemat Brukseli. O europeizacji Bułgarii czy bułgaryzacji Unii Europejskiej. [Brussels' Balkan dilemma. The Europeanization of Bulgaria and Bulgarianization of the European Union.] In: Haliżak, E., Pietraś, M. eds. *Poziomy stosunków międzynarodowych. [Levels of international relations.]* Warszawa: Wydawnictwo Rambler, 2013, p. 438.
- Gerhard Schroeder's sellout. *Washington Post* 13 December 2005 [Accessed: 23 July 2015].
- Gorzelał, G. 2014. *Środki unijne – pierwsze oceny. [EU funds – first assessments.]* Statistical Office in Lublin. Available at: http://lublin.stat.gov.pl/gfx/lublin/userfiles/_public/konferencje_i_seminaria/statystyka_w_procesie_monitorowa/g_gorzelał.pdf [Accessed: 25 July 2015].
- Gorzelał, G. 2014. Wykorzystanie środków Unii Europejskiej dla rozwoju kraju. [The use of European Union funds for the development of the country.] In: Gorynia, M., Rudolf, S. eds. *Polska w Unii Europejskiej i globalnej gospodarce. [Poland in the European Union and the global economy.]* Warszawa: PTE, pp. 223–242.
- Gorzelał, G. 2013. Po euforii czas na refleksję. [After the euphoria it is time for reflection.] *Wspólnota. Pismo samorządu terytorialnego.* [Online] 24 June 2013 Available at: http://www.wspolnota.org.pl/index.php?id=10&tx_archives%5bcontroller%5d=Category&tx_news_pi1%5baction%5d=detail&tx_news_pi1%5bcontroller%5d=News&tx_news_pi1%5bnews%5d=26694&cHash=cb1ed8dfc36540d178044bd8644f1fe5 [Accessed: 25 July 2015].
- Gylfason, T. 2001. Natural resources, education, and economic development. *European Economic Review* (Elsevier), no. 45 (4–6), pp. 850–59.

⁵⁰ Levit, M.R., Brass, C.T., Nicola T.J., Nuschler, D. 2013. *Reaching the debt limit: Background and potential effects on government operations.* Washington DC: Congressional Research Service, pp. 1–12. Available at: <http://fpc.state.gov/documents/organization/214922.pdf> [Accessed: 26 July 2015].

- Franklin, M. *Voter turnout and the dynamics of electoral competition in established democracies*. Cambridge and New York: Cambridge University Press, pp. 161–172.
- Hague, R., Harrop, M. 2010. *Comparative government and politics, an introduction*. New York: Palgrave.
- Huntington, S. 1968. *Political order in changing societies*. New Haven and London: Yale University Press.
- Jałoszewski, M. 2014. Rozmowa Belka–Sienkiewicz. Ziobro doniósł, Tuska prześwietlają. [Belka-Sienkiewicz conversation. Ziobro reported, Tusk vetted.] *Wyborcza.pl* [Online] 12 August 2014. Available at: http://wyborcza.pl/politykaekstra/1,140199,16469055,Rozmowa_Belka___Sienkiewicz___Ziobro_doniosl__Tuska.html [Accessed: 26 July 2015].
- Krueger, A. 1974. The political economy of the rent-seeking society. *American Economic Review*, no. 64 (3), pp. 291–303.
- Kuź, M. 2014. Cała władza w ręce cieni. [The whole power to the shadows.] *Nowa Konfederacja* [Online] no. 36 (48), Available at: <http://www.nowa-konfederacja.pl/cala-wladza-w-rece-cieni/> [Accessed: 21 July 2015].
- Kuź, M. 2014. Can the American Constitution become a model for the Unified Europe? In: Turek, T. *Eyes on America*. Kraków: AT Wydawnictwo.
- Leder, A. 2014. *Prześląona rewolucja*. [Revolution slept-through.] Warszawa: Wydawnictwo Krytyki Politycznej.
- Levit, M.R., Brass, C.T., Nicola T.J., Nuschler, D. 2013. *Reaching the debt limit: Background and potential effects on government operations*. Washington DC: Congressional Research Service. Available at: <http://fpc.state.gov/documents/organization/214922.pdf> [Accessed: 26 July 2015].
- Lutz, D. 2008. *Principles of constitutional design*. New York: Cambridge University Press.
- Michels, R. 2001. *Political parties a study of oligarchical tendencies of modern democracies*. New York: The Free Press.
- Mousseau, M. 2003. Market civilization and its clash with terror. *International Security*, no. 27 (3), pp. 5–29.
- Mungiu Pippidi, A. 2013. *The good the bad and the ugly: controlling corruption in the European Union*, Berlin: Hertie School of Governance. Available at: <http://www.againstcorruption.eu/reports/the-good-the-bad-and-the-ugly-controlling-corruption-in-the-european-union/> [Accessed: 25 July 2015].
- Nowa afera taśmowa. Nagrania rozmów Belki, Sienkiewicz, Nowaka...* [New tape scandal. Recorded conversations of Belka, Sienkiewicz, Nowak...] *Polska-The Times* [Online] 24 June 2014. Available at: <http://www.pol->

- skatimes.pl/artykul/3473191,nowa-afeta-tasmowa-nagrania-rozmow-belkiesienkiewicza-nowaka-tasmy-wprost,id,t.html [Accessed: 26 July 2015].
- Nowe Taśmy Wprost*. [New tapes of Wprost.] *Wyborcza.pl* [Online] 23 June 2014. Available at: http://wiadomosci.gazeta.pl/wiadomosci/1,114871,16200009,Nowe_tasmy_Wprost__Oto_najmocniejsze_i_najciekawsze.html [Accessed: 26 July 2015].
- Premier u Goldmana*. [Prime Minister at Goldman's.] *Interia/Newsweek* [Online] 11 July 2008. Available at: <http://biznes.interia.pl/news/premier-u-goldmana,1144605> [Accessed: 23 July 2015].
- Power, G., Shoot, R.A. 2012. *Global parliamentary report. The changing nature of parliamentary representation*. Phoenix: United Nations Publication, pp. 12–18. Available at: <http://www.ipu.org/pdf/publications/gpr2012-full-e.pdf> [Accessed: 23 July 2015].
- Rafako company, Piotr.Wawrzynowicz: *Życiorys*. [*Piotr.Wawrzynowicz: Curriculum Vita*.] Available at: http://www.rafako.com.pl/pub/File/Zyciorysy/Piotr_Wawrzynowicz_zyciorys.pdf [Accessed: 26 July 2015].
- Rhodes, R. 1996. The new governance: governing without government. *Political Studies*, no. 44, pp. 652–67.
- Scheffs, Ł. 2013. Internet w wieku „fabrykowanych wizerunków”. [The Internet in the era of ‘fabricated images’.] In: Musiał-Karg, M. ed. *Demokracja w obliczu nowych mediów*. [*Democracy in the face of new media*.] Toruń: Wydawnictwo Adam Marszałek, pp. 184–199.
- Secler, B. 2013. Polityka i media w obliczu demokracji medialnej. [Politics and the media in the face of media democracy.] In: Musiał-Karg, M. ed. *Demokracja w Obliczu Nowych Mediów*. [*Democracy in the face of new media*.] Toruń: Wydawnictwo Adam Marszałek, pp. 160–184.
- Segalov, M. 2015. £330,000 for a 20-minute speech at a world hunger event? Tony Blair is an inspiration to us all. *The Independent* [Online] 1 June 2015. [Accessed: 23 July 2015].
- Smith, J. 2005. Political parties: a study of oligarchical tendencies of modern democracies. *World Politics*, no. 57 (3), pp. 421–451.
- Staniszki, J. 2001. *Postkomunizm*. [*Post-communism*.] Gdańsk: Słowo Obraz Terytoria, p. 128.
- Wedel, J. 2009. *Shadow Elite*. Nowy Jork: Basic Books.
- Wołek, A. 2012. *Słabe Państwo*. [*Weak state*.] Kraków-Warszawa: Ośrodek Myśli Politycznej, pp. 52–72.
- Wyka, A.W. 2008. In search of the East Central European media model – The Italianization model? A comparative perspective on East Central European and South European media system. In: Dobek-Ostrowska, B.,

Głowacki, M. eds. *Comparing media systems in Central Europe. Between commercialization and politicization*. Warszawa: Wydawnictwo Uniwersytetu Warszawskiego, pp. 58–71.

REMARKS ON THE GENESIS AND DEVELOPMENT OF 'SHADOW ELITES' IN A COMPARATIVE CONTEXT

Summary

The article provides a comparative analysis of the anthropological concept of the 'shadow elites', which has been introduced by a renowned anthropologist, Janine R. Wedel in her book published in 2009. The 'shadow elites' are informal, flexible networks that are formed on the intersection of business, government, media and science. Moreover, the development of shadow elites is characteristic of societies in relatively developed states and cannot be described simply as corruption or clientelism. In her book Wedel focuses on three examples: the Chubais clan in Russia, the Ordynacka Association in Poland and the Richard Perle neoconservative network in Washington. The author of this article accepts Wedel's definition but argues that we still lack a comprehensive theory concerning the genesis of those elites. The author strives to propose such a theory and recommends further research. The author's concept examines the global processes that disturb the balance between the three branches of powers in modern states. It is the author's contention that the contemporary global political environment favors strong executives with little checks from other branches. The informal networks circling around the modern executives are, in turn, what constitutes the shadow elites. The process is observed world-wide, however, the pathologies typically found in post-communist states facilitate it. The author focuses especially on the cases related to the UE and Poland. The article among other examples describes the connections of the former Polish prime-minister Kazimierz Marcinkiewicz and the networks of some of the persons involved in the 2014 Polish wiretapping scandal.

UWAGI O GENEZIE I ROZWOJU „ELIT CIENIA”
W KONTEKŚCIE PORÓWNAWCZYM

Streszczenie

Autor poddaje analizie antropologiczną kategorię „elit cienia”, którą wprowadziła w wydanej w 2009 książce uznana amerykańska badaczka Janine R. Wedel. Badaczka użyła tego terminu do opisu nieformalnych elit działających na styku władzy, biznesu, mediów i nauki. Ich działania nie dają się przy tym do końca uchwycić przy pomocy takich terminów jak klientelizm czy też korupcja, i są charakterystyczne raczej dla krajów rozwiniętych. W swojej książce Wedel opisuje jako przykłady klan Anatolija Czubajsa w Rosji, środowisko amerykańskich neokonserwatystów skupione wokół Richarda Perle’a oraz Stowarzyszenie Ordynacka w Polsce. Autor artykułu przyjmuje definicję Wedel, podkreśla jednak, że brak na razie teorii dotyczącej genezy nowego typu elit. Próbuąc wytworzyć taką teorię autor odrzuca koncepcję heterogenicznej genezy wywołanej innymi czynnikami w USA, a innymi w krajach postkomunistycznych. Zamiast tego autor proponuje ogólną teorię globalnych procesów zaburzających równowagę pomiędzy trzema typami władzy występującymi w nowoczesnych państwach i zaleca dalsze badania. Procesy te wzmacniają nieproporcjonalnie władzę wykonawczą, ta zaś dobiera sobie swoiste nieformalne i słabo kontrolowane sieci, czyli elity cienia. Proces ten, zdaniem autora, ma charakter globalny, w krajach postkomunistycznych odziedziczone po poprzednim systemie patologie stają się jednak dobrym katalizatorem procesu wyłaniania elit cienia. W porównawczym opisie przypadków autor skupia się przede wszystkim na Unii Europejskiej oraz Polsce. W przypadku tej ostatniej autor stosuje teorię Janine R. Wedel między innymi do opisu sieci powiązań biznesowo-towarzyskich byłego premiera Kazimierza Marcinkiewicza oraz niektórych uczestników afery podsłuchowej z 2014 roku.

ЗАМЕЧАНИЯ О ГЕНЕЗИСЕ РАЗВИТИЯ «ТЕНЕВЫХ ЭЛИТ» В КОНТЕКСТЕ СРАВНЕНИЯ

Резюме

Автор подвергает сомнению анализ антропологической категории «теневых элит», которую ввела в изданной в 2009-м году книге известная американская исследовательница Джанин Р. Ведель. Исследовательница использовала этот термин для описания неформальных элит, действующих на границе власти, бизнеса, средств массовой информации и науки. Их деятельность

не до конца определяется при помощи таких терминов, как клиентелизм или коррупция, и характерна в первую очередь для развитых стран. В своей книге Ведель описывает в качестве примеров клан Анатолия Чубайса в России, общество американских неоконсерваторов, сконцентрированное вокруг Ричарда Перла, а также Объединение Ординацка в Польше. Автор статьи поддерживает дефиницию Ведель, однако подчёркивает, что пока отсутствует теория, касающаяся генезиса нового типа элит. Пытаясь разработать такую теорию, автор отвергает концепцию гетерогенного генезиса, вызванного при помощи одних факторов в США, а других – в посткоммунистических государствах. Вместо этого автор предлагает общую теорию глобальных процессов, нарушающих равновесие между тремя типами власти, существующими в современных государствах, и призывает к дальнейшим исследованиям. Данные процессы непропорционально укрепляют исполнительную власть, последняя же подбирает для себя своеобразные неформальные и слабо контролируемые сети, другими словами, теневые элиты. Описанная тенденция, по мнению автора, имеет глобальный характер; в посткоммунистических же государствах патологические явления, унаследованные от предыдущей системы, становятся, несмотря ни на что, хорошим катализатором процесса возникновения теневых элит. В сравнительном описании примеров автор останавливает своё более пристальное внимание прежде всего на Европейском Союзе и Польше. В случае Польши автор применяет теорию Джанин Р. Ведель, в частности, для описания сети деловых и общественных связей бывшего премьера Казимежа Марцинкевича и некоторых участников аферы с подслушиванием 2014 года.

KEY COMPONENTS OF THE POLISH POSITION IN REGARD TO THE EASTERN POLICY OF THE EUROPEAN UNION¹

In order to shape the European Union's policy towards the 'East', Poland had to move from the 'East' to the 'West', which was a process enabled by the country's membership in the EU and NATO. In the European policy tradition, the 'East' is not merely a geographical notion. Beyond its geographical context, the term has various meanings. The Polish understanding of this term often assumes the widely-understood heritage of communism, totalitarian rule and subjugation to the Kremlin. Overall, the better political condition and the more favourable geopolitical location of a state is, the lower the degree to which Europe perceives it as the 'East'. However, striving to participate, or the very participation, in the integration process does not necessarily 'move' any society or state to the West; it only means that the community is seeking change. One of the consequences of the Cold War was a common perception that was characteristic for the institutions of the European community and Western governments before 1989 of the Soviet Union and the Central European states grouped together by the Warsaw Pact as the political 'East'. The key to policy towards the East was found in relations with Russia and it was through Russia that relations with particular Soviet republics and satellite states were perceived. Relations with the East were conducted via Moscow. Poland entered into diplomatic relations with the European Economic

¹ This article was published in Polish language under the title *Kluczowe elementy stanowiska Polski wobec polityki wschodniej Unii Europejskiej* in 'Myśl Ekonomiczna i Polityczna', 2015 no. 32, p. 159–183. This article partly elaborates on selected threads from another one written by myself titled *Sztuka przekonywania. Polska a polityka wschodnia Unii Europejskiej w latach 2004–2014*. [The art of persuasion. Poland vs. EU eastern policy 2004–2014.] 'Bezpieczeństwo Narodowe', 2014 no. 32.

Community (EEC) in the autumn of 1988. Even before the Round Table talks ended, official negotiations had been held on 21 and 22 March 1989 in Brussels in regard to an agreement between the People's Republic of Poland and the EEC. In the negotiation process Poland was represented by Andrzej Olechowski². Also importantly, one of the first guests of Tadeusz Mazowiecki, the newly elected non-communist Prime Minister of Poland, was Jacques Delors who came to Poland on 9 September 1989. Clearly, diplomatic gestures could not automatically change a country's status from 'East' to 'West', yet they would initiate the process.

It is also important to state that after 1989, the EEC (the European Union) continued for some time to regard Central European states as the 'East'; first as a part of the dissolving sphere of Soviet influence and then, after the 1989–1991 transformation, as Eastern neighbours already in the process of rapid integration. The main change meant that relations with the Central European states striving to join the EU were no longer so much dependent on political contact with Russia. However, the determination of Western governments to recognise in everyday practice, rather than declarations, the cutting of the umbilical cord of the Cold War with the USSR was a gradual process; just as much as the Kremlin stepping away from influencing decisions of countries that not so long ago were subordinate to Russia. It commenced with Mikhail Gorbachev gradually diverting from the Brezhnev Doctrine after 1985.

Russia's approach towards the former members of the COMECON and the Warsaw Pact differed, however, from its behaviour towards the former Soviet republics. In regard to the states that emerged from the collapse of the USSR, a change in the approach towards the neighbours was even less obvious. In this case Russia made sure that any integration processes that those states would undertake with Western structures would take place with the Kremlin's approval, if at all. Over time Moscow's approach was to have Russia, in the case of the association agreements concluded between the states of the former USSR and the EU (except for Lithuania, Latvia, and Estonia which were part of the USSR for the shortest period of time), be regarded as a third party. Obviously from the formal point of view, this was not acceptable for the West. In 2004, the European Union expanded through the accession of ten new states: Cyprus, the Czech Republic, Estonia, Lithuania, Latvia, Malta, Poland, Slovakia, Slovenia, and Hungary. Consequently, the existing

² Kowal, P. 2012. *Koniec systemu władzy. Polityka ekipy gen. Wojciecha Jaruzelskiego w latach 1986–89*. [The end of the power system. Policy of W. Jaruzelski's government 1986–89]. Institute of Political Studies at the Polish Academy of Sciences, the Institute of National Remembrance. Warszawa: Trio Publishing House, p. 338.

‘East’ became overnight, in the legal sense, a part of the European Union, which meant embarking on a challenging task to determine what the EU in its new shape would from now consider the ‘East’.

The year 2004 was the key moment for shaping EU Eastern policy also for reasons other than the expansion itself. It was also the year of the people’s revolutions that swept through Georgia and Ukraine; in October 2004 the Constitutional Treaty was signed in Rome. It was the treaty which finally ruled on the need for a common EU foreign policy, clearly primarily in regard to the EU’s Eastern neighbours³. Since that time, the notion of ‘East’ and its place on Europe’s map was finally changed within the EU. For the states that fled the East it meant that the initial condition was fulfilled and they could now shape the EU’s Eastern policy.

It remained undefined, however, what the EU’s Eastern policy meant in this new reality. Clearly, it was understood differently by major EU member states⁴. After all, among EU member states there is no universal canon of perception of Eastern policy; neither is there one doctrine in this respect. In one sense, the mistake in the Polish approach towards the EU’s Eastern policy lies in the unspoken belief that Poland has the tradition and doctrine of its own Eastern policy, whereas other states either do not have it or their approach is based on incomplete knowledge. Ignoring other traditions of Eastern policy on the continent has been one of the main barriers to the effectiveness of Poland aiming at establishing rules for conducting Eastern policy for the European Union as a whole.

However, once we understand that Eastern policy is not solely the domain of one EU member state and there are numerous traditions, we may assume, for simplicity reasons, that on the European continent we are dealing with two fundamentally different approaches: the Russia-centric approach which is generally based on the conviction that Russia is the main host of the non-EU East and the other approach determined by the belief that the states

³ Kowal, P. 2014. *Sztuka przekonywania. Polska a polityka wschodnia Unii Europejskiej w latach 2004–2014.* [The art of persuasion. Poland vs. EU Eastern Policy 2004–2014.] *Bezpieczeństwo Narodowe*, no. 32 (forthcoming).

⁴ Kowal, P. 2014. *Sztuka przekonywania. Polska a polityka wschodnia Unii Europejskiej w latach 2004–2014.* [The art of persuasion. Poland vs. EU Eastern Policy 2004–2014.] *Bezpieczeństwo Narodowe*, no. 32/2014 (forthcoming); Gelles, K. 2009. *Polityka wschodnia Niemiec.* [Eastern Policy of Germany.] In: Gil, A., Kapuśniak, T. eds. 2009. *Polityka wschodnia Polski. Uwarunkowania, koncepcje, realizacja.* [Eastern Policy of Poland. Conditions, ideas, implementation.] Lublin-Warszawa: Institute of Central-East Europe, p. 345; Besançon, A. 2012. *Święta Rusь.* [Saint Russia.] Warszawa: Teologia Polityczna, pp. 103–112.

on the Eastern border with the expanded EU are, similarly to the former Central European member states of the Warsaw Pact, likely to be ‘wedded to a recipe for success’ in terms of modernisation and joining the EU in the future. Sławomir Dębski names this second approach, which is characteristic not only for Polish but also Lithuanian policy, as optimistic determinism. This approach assumes a certainty of an optimistic scenario being implemented in the East⁵, the belief that the processes taking place there will end with extensive modernisation and harmonisation with the EU. Its biggest weakness is resisting the temptation to put together alternative scenarios for political development.

This optimistic determinism in the approach towards Ukraine or Georgia was the element which urged Poland to demand revision of the existing EU policy in the East. It emerged from the Promethean belief, rooted in the dominant doctrine of Eastern policy in Poland developed by Jerzy Giedroyc, which stated that the area between the Eastern border of Poland and Russia is a historic area of competition with Russia for the nature of the states in that region, their political system, as well as subjection or not to Russian imperialism, etc. The program of such perception of the East in the Polish tradition has not changed significantly since the times of the watershed article authored by Juliusz Mieroszewski and titled ‘Russian “Polish complex” and the area of ULB’⁶.

POLAND IN THE DEBATE ON THE EU’S EASTERN POLICY

The primary aspirations of Poland with regard to shaping the EU’s Eastern policy following its decision to take the EU accession path are the following: first of all, not to be the ‘East’ alone; secondly, to give rise to a situation in which the EU carries out a harmonised policy towards the new ‘East’, and

⁵ Cf. Dębski, S. 2006. Polityka wschodnia – mit i doktryna. [Eastern Policy – myth and the doctrine.] *Polski Przegląd Dyplomatyczny*, no. 3/31, p. 9; Dębski, S. 2009. Ewolucja doktryny polityki wschodniej Polski. [Evolution of the doctrine of Eastern Policy of Poland.] In: Gil, A., Kapuśniak, T. eds. *Polityka wschodnia Polski. Uwarunkowania, koncepcje, realizacja.* [Eastern Policy of Poland. Conditions, ideas, implementation.] Lublin-Warszawa: Institute of Central-East Europe, p. 195

⁶ Mieroszewski, J. 2002. Rosyjski „kompleks polski” i obszar ULB. [Russian ‘Polish complex’ and the area of ULB.] In: Nie jesteśmy ukrainofilami. Polska myśl polityczna wobec Ukraińców i Ukrainy. Antologia tekstów. [We are not Ukrainephiles. Polish political thought on Ukrainians and Ukraine. Anthology of texts.] Wrocław: Kolegium Europy Wschodniej, p. 316.

to have a decisive influence on this policy and shape it in accordance with Polish convictions.

From 1998 to 2003 research activities were undertaken in Poland focusing on the initiative of the EU's Eastern policy. This was probably the first time when Poland critically participated in preparing a political concept to be implemented not solely by Poland but by the EU with Poland's participation. Therefore, undertaking activities in the area of the EU's Eastern policy already before the EU's expansion might be seen as a sign of Polish readiness for EU accession. A significant novelty was also the broad participation of non-governmental groups in these activities. Initially, they were conducted in two ways: as conceptual actions of NGOs and think-tanks as well as an element of the political program of particular parties, and as the official policy of the Polish Ministry of Foreign Affairs. With regard to the former, key actions were undertaken by three Warsaw-based organisations, namely: the Centre for International Relations, the Centre for Eastern Studies, and the Batory Foundation. The results of their research, seminars, etc. included, among others, two studies: *Eastern Policy of the EU: the Visegrad Countries' Perspective. Thinking about an Eastern Dimension* published by the Centre for Eastern Studies and *The EU's 'Eastern Dimension' – An Opportunity for or Idée Fixe of Poland's Policy?* prepared by several authors for the Centre of International Relations as well as a large conference at the Stefan Batory Foundation in Warsaw. The common denominator of the two documents, as Agnieszka Legucka rightly states, was the hesitancy regarding formulated proposals, a lack of precision, etc., or perhaps inadequate knowledge concerning our expectations in drawing up the range of the future Eastern policy, both in the territorial sense and in terms of the expected range of EU activity. This can be observed in excessive reference to the Northern dimension of the EU which was not the most effective EU initiative⁷.

At the beginning of 2003 the Polish Ministry of Foreign Affairs prepared an official document outlining Polish expectations regarding the future of the EU's policy in the East. This text can be regarded as a brief summary of the discussion which had been taking place in Poland for quite some time already. One could even say that the Ministry of Foreign Affairs simply adopted the proposals from the debates carried out by the NGO circles, which they later decided to promote in the EU. It is worth stressing that at that time

⁷ Legucka, A. 2012. Porównanie koncepcji polityki wschodniej UE, Europejska Polityka Sąsiedztwa. [Comparison of EU Eastern Policy ideas, European neighbourhood policy.] In: Fiszer, J.M. ed. Institute of Political Studies at the PAS. Warszawa: Elipsa Publishing House, pp. 80–81.

Poland was not yet a member of the European Union. However, the proposal of the Ministry of Foreign Affairs was the first commitment of substance in the official Polish position in terms of the future EU Eastern policy. The initiative was made up of four new EU Eastern neighbours (Belarus, Moldova, Ukraine, and Russia) but focused on the states determined to carry out reforms, primarily Ukraine and Moldova. Some countries of the South Caucasus and Central Asia were side-lined but were still taken into account. The document mentioned the role of the EU in resolving problems of particular states dependent upon their determination to carry out reforms. However, as a way to justify the Eastern Neighbours, their historical heritage of communism was emphasised, as well as its political consequences. The Polish Ministry of Foreign Affairs expected the EU to treat every one of these states individually, to expand financial assistance, encourage youth exchanges, establish a European Endowment for Democracy for the promotion of human rights and successful transformation models, support infrastructural development and cross-border cooperation, etc.⁸ The program of the ministry was discussed at the above-mentioned conference in Warsaw on 20 and 21 February 2003. It was organised by the Ministry of Foreign Affairs and the Batory Foundation. It is indicative that it was not only Polish officials and experts who participated in the debate, but also top Polish politicians, including: Aleksander Kwaśniewski, Włodzimierz Cimoszewicz, Tadeusz Mazowiecki, Bronisław Geremek, and Bronisław Komorowski, as well as numerous foreign guests, including Dumitru Braghis, the former Prime Minister of Moldova, Borys Tarasiuk, the then president of the Committee for European Integration of the Supreme Council of Ukraine, or the deputy Minister of Foreign Affairs of Finland – Antti Satuli⁹. When opening the conference, Aleksander Smolar announced a new phase in Poland's accession to the EU: 'Even though Poland is not yet a member of the EU, we are entering a phase when we are taking up the responsibilities of a full EU member state, including the co-responsibility for foreign policy'¹⁰. In this way the organiser justified Poland's participation in the debate, formally speaking

⁸ Cf. *Non-paper with Polish proposals regarding the shape of policy of enlarged EU towards its new Eastern neighbours, Policy of the enlarged European Union towards new neighbours*. Ministry of Foreign Affairs. 2003. Warszawa: Stefan Batory Foundation, pp. 93–107.

⁹ Cf. *Policy of the enlarged European Union towards new neighbours*. 2003. Warszawa: Stefan Batory Foundation, pp. 108–112.

¹⁰ *Policy of the enlarged European Union towards new neighbours*. 2003. Warszawa: Stefan Batory Foundation, pp. 9–10.

from the position of a country aspiring for membership. While opening the conference, President Aleksander Kwaśniewski announced that: ‘the enlarged EU will significantly move towards the East. For the first time it will so clearly cover with its Eastern end the line where the Latin civilisation would, for centuries, encounter the Byzantine civilisation. It shall also cross the border of the former Soviet Union’¹¹.

This significant meeting in early 2003 shows the level of attention that the elite bringing Poland to the EU paid to a joint undertaking of the EU’s Eastern policy. Several other issues characterising the period preceding Poland’s accession to the EU were also demonstrated during the conference. The political elite were aware of the geopolitical consequences of enlargement and the change in understanding the concept of the ‘East’ in Europe. They also understood that enlargement would most likely result in another one as the perspective of membership for the Eastern Neighbours would be present in speeches serving the role of some sort of an ‘insurance’ of their reform processes. Thus, in the speeches and a publication prepared by the Ministry of Foreign Affairs we can find the conviction that the Polish experience of system transformation might be a necessary tool for the Eastern Neighbours. Clearly it was already at the turn of 2002 and 2003 that the optimistic (the question remains whether realised by the elite or not) determinism, described by the above-quoted Sławomir Dębski, was prevailing among the Polish elite as much as was the belief that the Eastern neighbours, similarly to Poland and other Central European states, would sooner or later end up in the EU. Undoubtedly, the debate that had taken place in Poland in the years preceding the country’s accession to the EU set a difficult and controversial task for a long-term goal of EU policy, namely EU membership for the other states. Taking into account the views dominant in the West, it also outlined dispute areas with other member states.

‘WIDER EUROPE’ AND NEIGHBOURHOOD POLICY

In 2002 the United Kingdom and Sweden put forward a proposal for Ukraine, Belarus and Moldova to be included in a project called the ‘New Neighbourhood’. In discussions over the proposals put forward by these two Northern countries, a certain phenomenon could have been observed which

¹¹ *Policy of the enlarged European Union towards new neighbours*. 2003. Warszawa: Stefan Batory Foundation, p. 11.

would later dominate the debates on relations of the EU with its Neighbours, especially a kind of geopolitical blackmail of the Southern member states, fearing, rightly or not, that EU Eastern policy will weaken the Southern dimension of EU's external policy¹². Interestingly, in 2002 it was the very same member states that opened the debate on the future policy towards the Eastern Neighbours while sending a special correspondence to the Spanish Presidency. The British proposal was more precise: it referred to Ukraine, Belarus and Moldova, whereas the Swedes presented a wide vision of Europe from 'Russia to Morocco'. Jack Straw, with characteristic British pragmatism, demanded the establishment of a status of 'special neighbours' in the East and supported their reforms which, after the planned enlargement in Central Europe would prevent the influx of illegal migrants and criminal activity from the new Eastern neighbours¹³. It is crucial to keep in mind that in the correspondences of the British and Swedish Ministries of Foreign Affairs, between January and March 2002, it can be read that Poland was no longer considered to be a part of the 'East' since enlargement of the EU had already been determined. This, however, did not mean that Poland, or any other Central European state, would be treated as partners in developing new EU policy in the East.

Within the EU institutions, activities on establishing the European Neighbourhood Policy (ENP) were already taking place in 2003 when it became clear that the enlargement would take place on May 1st 2004. The key communication of the European Commission (ENP strategic document) was dated May 12th 2003. Linking together these two facts, the current enlargement with a potential necessity of further EU enlargement or proposing an alternative solution, was already the objective of the European Council declaration prepared for the establishment of the ENP dating back to March 2003, addressed to the Commission and the Parliament with the meaningful title: *Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*¹⁴. From that moment onward the EU

¹² Legucka, A. 2012. Porównanie koncepcji polityki wschodniej UE, Europejska Polityka Sąsiedztwa. [Comparison of EU Eastern Policy ideas, European neighbourhood policy.] In: Fiszler, J.M. ed. Institute of Political Studies at the PAS. Warszawa: Elipsa Publishing House, pp. 79–80.

¹³ Cf. Cianciara, A.K. 2014. Partnerstwo Wschodnie 2009–2014. [Eastern partnership 2009–2014]. Warszawa: Institute of Political Studies at the Polish Academy of Sciences, pp. 19–20.

¹⁴ Communication of the European Commission to the Council and the European Parliament. 11 March 2003. *Wider Europe – neighbourhood: A new framework for rela-*

approach towards the new 'East' was determined by an official position of the EU institutions rather than the views of particular member states.

Importantly, 'wider Europe' avoided promising membership. Instead it promised all the neighbours from the South and East to be gradually included, at an advanced stage of reforms, into the Single Market of the European Union¹⁵. Generally speaking, the document presented by the European Commission failed to close the debate on the EU's Eastern policy. It also lacked maturity in forming political proposals for the Eastern Neighbours. The shape of the European Neighbourhood Policy, even though the East was put on the first place, responded primarily to the balance of power in the EU where the Southern states such as Italy, Spain, or France were more powerful than the new Central European member states. It could not have been any other way. This is why the Southern countries outside Europe, but close enough to be its neighbours, found their place within the Neighbourhood Policy more easily. These states have used up to 70 per cent of the policy funds. Naturally, the ENP also included the states which are EU neighbours in Europe. This is the key issue since those states, at least theoretically in accordance with provisions of the treaty, might apply for membership in the EU. Therefore, the Neighbourhood Policy was supposed to cover, as assumed in 2003, such countries as Moldova, Belarus and Ukraine. A year later it included some countries of the South Caucasus: Georgia, Azerbaijan and Armenia. Russia eventually rejected the offer of being a part of the joint Neighbourhood Policy. It was not the first time that EU officials were confronted with such behaviour of the Kremlin, indicating that relations between the EU and Russia cannot be regarded as an element of a wider policy for a group of states. As there was no position prepared exclusively for Russia within the Neighbourhood Policy, its participation was not possible.

To sum up, the biggest advantage of the European Neighbourhood Policy was the fact that it emerged as a joint initiative of the EU. Its greatest weaknesses include casting all European states declaring a willingness to join the EU in one bag with the states that either never intended to do so, are placed outside of Europe, or have different problems. The best measure of

tions with our Eastern and Southern neighbours. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52003DC0104&from=PL> [Accessed: 10 October 2014].

¹⁵ Legucka, A. 2012. Porównanie koncepcji polityki wschodniej UE, Europejska Polityka Sąsiedztwa. [Comparison of EU Eastern Policy ideas, European Neighbourhood Policy.] In: Fiszer, J.M. ed. Institute of Political Studies at the PAS. Warszawa: Elipsa Publishing House, p. 84.

their scale is the fact that at the time of their joining the initiative of the EU Neighbourhood Policy, countries such as Egypt or Tunisia were relatively stable dictatorships. Nonetheless, it also needs to be said that already at the very dawn of the Neighbourhood Policy, the objectives related to the EU policy towards the Southern and Eastern Neighbours were kept separate, which matched the Polish expectations. It was clearly, even though in a quite vague and formal way outlined in a strategic document issued in May 2004. Regarding the Eastern Neighbours, four priorities were mentioned. The first priority was economic cooperation in a rather wide context of integration in the area of economy, business projects, social policy, as well as trade and infrastructure. The second priority concerned environmental protection. The third related to the issues of justice and internal affairs which were crucial for implementing any reforms in Ukraine. The fourth priority was of a rather general and enigmatic nature and it concerned 'relations between communities'¹⁶. Poland's influence on the establishment of the Neighbourhood Policy was not sufficient enough as to adjust it to Polish ambitions at that time.

Thus, it comes hardly as a surprise that practically from the very beginning of the establishment of the Neighbourhood Policy, debates were initiated on the ways to extract Eastern states from the common set of EU neighbours. From the very beginning the shape of the Neighbourhood Policy agreed on in 2004 was not satisfying. Meanwhile, Poland gained the opportunity to influence the shape of the EU Eastern policy from within of the organisation. In all EU institutions the presence of Polish officials increased significantly after 2004. Even though the official adaptation process to new working conditions usually lasts long, politicians adapted faster in these new conditions. The European Parliament played a role here as in 2004 some politicians including Bronisław Geremek, Jacek Saryusz-Wolski, Konrad Szymański, Janusz Onyszkiewicz, and several other MPs who joined the parliament, were well prepared to put political pressure and influence the parliamentary rhetoric. After 2004, but before the creation of the Eastern Partnership program, the main issue was to permanently stress the need to develop the ENP in the Eastern context, as well as establish a separate direction of EU policy which would focus on the East. The line of the Polish policy was well illustrated in a speech by Danuta Hübner, the first Polish Commissioner, addressed to the influential

¹⁶ Communication from the Commission. *European Neighbourhood Policy – Strategy paper*. Available at: http://europa.eu/legislation_summaries/external_relations/reactions_with_third_countries/Eastern_europe_and_central_asia/r17007_pl.htm [Accessed: 10 October 2014].

Bilderberg Group. Hübner shared her views already as a commissioner designated by the Polish government, which took place before the outbreak of the Orange Revolution in Ukraine, that is at the time when relatively negative opinions about Leonid Kuchma's rule were dominant in Western circles. This explains why at that time encouraging the European Union to open up to the East might have caused some confusion. Hübner said: 'I believe that the accession of the new members will lead to deepening our relations with Eastern Europe, the countries of the Southern part of the Mediterranean and with the Middle East within the European Neighbourhood Policy. The Polish government will definitely strive to strengthen its ties with the East as, at the end of the day, for Poland this is a very special neighbourhood. I think that the next new EU member states will share this opinion. Enlargement also increased the number of member states that are clearly in favour of admitting Turkey in the EU, something that can already be observed in the European Parliament'¹⁷. Hübner's theses were straightforward when compared with standard commissioners' speeches. Her wide vision of the future EU is clear with a definite enlargement paradigm. There is no doubt that the support for Turkey's admission, uttered by the Polish politician, meant having a say in the wider debate on whether or not the EU should enlarge at all in the future. Hübner was a Polish negotiator of the accession treaty and few people were more knowledgeable about the specifics of European policy than her. In autumn 2004 she was convinced that the direction of the Polish government's policy should be a development of an EU Eastern policy with Poland's participation and based on the Polish experience.

THE QUESTION OF 'OPEN DOORS'

In her bold speech in front of the Bilderberg Group (also on the role of Poland in strengthening the Transatlantic ties) Danuta Hübner did not raise the issue of EU enlargement towards the East. There was no doubt, however, that it was the direction towards which her speech was heading. Meanwhile, the question of 'membership perspective', or as Aleksander Kwaśniewski put it, 'open doors', for other states became a political canon of Poland's Eastern

¹⁷ Hübner, D. 2014. Stan stosunków transatlantyckich. Przemówienie komisarz UE Danuty Hübner na spotkaniu Grupy Bilderberg w Warszawie. [The State of Transatlantic Relations. Speech of EU Commissioner Danuta Hübner for Bilderberg Group in Warszawa]. 15 October 2004, *10/25 Ten Key Polish Speeches 1989–2004*. Warszawa: Res Publica Nowa, p. 107.

policy within the EU between 2003 and 2004. 'The German argument' was formally and more often informally brought up in this case. It indicated that before 2004 Germany had been the main actor pushing EU enlargement towards the East. One of its arguments was a pragmatic conviction that it is necessary to build a zone of 'stability and prosperity' in this region. There are, however, several problems related to the debate on the 'membership perspective'. Undertaken at the political level with understandable intentions, from the point of view of Polish interests, it somehow questions the legal substance of the problem which is quite clear as upon having met certain required criteria, countries that are situated in Europe are, in accordance with European law, guaranteed by EU member states the right to apply for membership. This means, that the 'perspective' exists in the legal sense and it should not be questioned. The debate on the future enlargement which has been taking place with Poland's participation since the great enlargement of 2004 is one of the key factors contributing to EU internal diversity, which, tactically speaking, might obstruct dialogue with other member states reluctant to enlargement. On the other hand, however, from the Polish point of view, it is difficult to stay away from this issue as it was introduced into the political discourse by some European leaders. This issue also has some practical implications. As Agnieszka K. Cianciara rightly states, a discussion of further enlargement of the EU towards the East might lead to 'a vicious circle effect' as some states claim that a political promise of enlargement is necessary for speeding up the reforms in Eastern countries while others believe that it is actually the too slow speed of the reforms that is the obstacle to gaining the 'membership perspective'¹⁸. If we agree that democratisation in a wide context is a key element of EU policy towards the East, we then have to admit that the former of the presented opinions is correct. We cannot talk about electoral victories of political forces in such countries as Ukraine or Moldova which are striving to speed up the reforms, if they are unable to find a reliable promise of membership. Apart from the issue of 'the membership perspective' there is another crucial element of the Polish position regarding potential EU enlargement towards the East, namely an implicit, but well understood in political declarations, agreement to deepen the integration process in exchange for a go-ahead for future enlargement from the 'old' member states. Readiness to accept the enhanced role of a joint foreign policy set in Brussels was clearly formulated during the earlier

¹⁸ Cianciara, A.K. 2014. *Partnerstwo Wschodnie 2009–2014*. [Eastern Partnership 2009–2014.] Warszawa: Institute of Political Studies at the Polish Academy of Sciences, p. 158.

mentioned conference in February 2003. This approach might be interpreted as an attempt to overtake France's and other member states' positions. It was already during the period preceding the enlargement of 2004 that a problem had emerged regarding the price (a weaker community) the EU would have to pay for the enlargement. The fears that EU enlargement would 'water down' the EU were in the 1990s a permanent element of EU internal debate. In this context, it is worth quoting a report of the European Commission issued on June 24th 1992 on the rules for the next EU enlargements, plainly excluding the states of the former Soviet Union from this group. On the same note, there were debates initiated for instance by France on the institutional reform of the EU after entering into force of the Treaty of Amsterdam¹⁹.

ROAD TOWARDS EASTERN PARTNERSHIP

With hindsight, it is clear that the expectations related to Poland's formulating the EU policy in the East after the enlargement of 2004, especially in regards to the European Neighbourhood Policy, were not fully met. At the same time, however, it is quite obvious that Polish optimistic determinism had an impact on the formulation of the EU's Eastern policy in subsequent years to a greater extent than Poland's power in the EU would indicate. It is also quite evident that Polish politicians and experts underestimated Russia's influence on Western European political elites. On the other hand, it must be noted that initially the Polish position was, above all, characterised by articulating and understanding the conflict of interests with Russia and in the beginning a humble postulate was put forward to quiet down these conflicts²⁰. At the same time, it seemed that the rhetoric undertaken towards Russia was one of the criteria of the Polish program of the EU Eastern policy and the following problem emerged: in order to get the attention in the West towards Eastern policy, the position towards Russia had to be slightly eased, which in turn frequently meant easing Polish judgment. The approach of an optimistic determinism in Eastern policy was dominant and it meant an unconditional

¹⁹ Cf. *ibidem*, pp. 16–18.

²⁰ Cf. Smolar, A. 2002. Polska polityka wschodnia i członkostwo w Unii Europejskiej. [Polish Eastern Policy and membership in the European Union.] In: Kowal, P. ed. "Wymiar wschodni" Unii Europejskiej – szansa czy *idée fixe* polskiej polityki. ['Eastern dimension' of the European Union – an opportunity or *idée fixe* of Polish policy?]. Warszawa: Centre for International Relations, p. 6.

focus on further EU enlargement as well as a belief that Poland needs to play the role of an advocate of the Eastern neighbours that are on their way to the EU.

Poland's position was structurally weakened by the fact that the member states from the Mediterranean region, which happen to be more important within the EU, were interested in promoting cooperation with their Mediterranean neighbours. It was assumed that if such countries as Libya or Tunisia are handed over some resources for their development more migrants will arrive in the south of Europe. During the first years following 2004 new Central European member states were clearly too weak to argue for their point of view.

From the perspective of the EU Neighbours, the greatest achievement of the European Neighbourhood Policy was the creation, from the moment of the new EU budget perspective entering into force in 2007, of the European Neighbourhood and Partnership Instrument (ENPI), a systemic improvement of mechanisms financing cooperation within the neighbourhood²¹. The year 2007 opened, for different reasons, a new chapter in thinking about EU Eastern policy. In April 2007 the German presidency in the EU announced a plan called the Black Sea Synergy. In this way the German government took over the initiative of creating an Eastern branch of the EU external policy. Actions aiming at establishing a program for the Black Sea region naturally accelerated after the EU accession of Romania and Bulgaria in January of that year. Just as the 2004 enlargement was the driving force behind the ENP, the subsequent 2007 enlargement, even though smaller in size, accelerated the maturity process of the Black Sea Synergy²².

The Synergy might be treated as a supplement to the ENP or as a test probing how effective it would be to concentrate on the expected development of the Eastern dimension of the EU policy around the Black Sea. In the creation of the Synergy we can also see an element of checking how advanced an offer can be made by the EU to Eastern partners while still

²¹ Stępień-Kuczyńska, A., Słowikowski, M. 2008. *Unia Europejska a państwa Europy Wschodniej*. [European Union and Eastern European Countries.] Warszawa: Sejm Publishing House, pp. 29–31.

²² See more in Konarzewska, A. 2007. Strategia Unii Europejskiej wobec regionu Morza Czarnego. [European Union strategy towards Black Sea region.] *Bezpieczeństwo Narodowe* III–IV, no 5–4, p. 382; Balcer, A. ed. 2011. *The Eastern Partnership in the Black Sea region: towards a new synergy*. Warszawa: Demos Europa, p. 5.

maintaining internal cohesion²³. That meant including the states of the Black Sea region: Ukraine, Russia, Georgia, Turkey, Bulgaria and Romania, as well as the states which are culturally related to the Black Sea region: Armenia, Azerbaijan, Greece and Moldova. The very enlisting of potential Synergy member states reveals the first barrier in the efficient organisation of the Synergy, i.e. a difficulty in formulating its political objectives. Three out of these states were already EU member states, Turkey has been involved in the 'everlasting' accession process, the majority of potential member states were operating under the European Neighbourhood Policy, whereas Russia acted as an EU strategic partner, notably using the ENP funds, i.e. the established ENPI. The only thing that the potential members of the Black Sea Synergy shared in common was the geographical location around one sea. In fact, the establishment of the Black Sea Synergy proved that constant tensions created by several member states from the group of new members were efficient in a sense that Germany decided to put forward a new proposal. From the Polish perspective, the Synergy was a problematic idea since it pushed the issue of the EU's Eastern policy away from the Polish border and naturally weakened Polish influence in this area. In Poland, German plans were received rather coldly and perhaps prompted a debate on seeking a formula for EU policy in the East. Warsaw found it difficult to accept that the Black Sea Synergy had an idealistic attitude towards Russia and assumed that Russia did not act as the EU political rival in Europe. This attitude disregarded the facts indicating that Russian policy was moving in the direction of neo-imperial illusions.

Almost at the same time as the Black Sea Synergy was coming into being, Polish President Lech Kaczyński put forward the initiative of an Energy Summit to be held in Kraków. While presenting his plan, Kaczyński was already aware how difficult it would be to get EU decision makers to back up far-reaching political promises for future EU enlargement, which was one of the reasons to narrow down his project to energy. Kaczyński's plan was not formalised. Nonetheless, there was some tactics that were behind it: its potential support in European capitals (and it was clear that it would be difficult to obtain it) did not have to mean bringing matters to a head. The idea of an energy summit enforced some components of Poland's position towards EU

²³ Ruszkowski, J., Wojnicz, L. 2011. Partnerstwo Wschodnie. Instrument europeizacji ad extra. [Eastern Partnership. Europeisation Instrument ad extra.] In: Żurek, M. ed. 2011. *Partnerstwo Wschodnie w kontekście europejskich aspiracji Ukrainy. Dylematy międzynarodowe i systemowe.* [Eastern Partnership in the context of Ukraine's European aspirations. International and systemic dilemmas.] Szczecin: Institute of Political and European Science at University of Szczecin, pp. 8–10.

Eastern policy, especially its pragmatic economic element. It is worth recalling that Kaczyński's plan corresponded with the earlier proposal formulated in January 2006 by the then Prime Minister Kazimierz Marcinkiewicz to launch an Energy Pact, known as the Musketeer Pact, with partners from the Visegrad Group countries that Marcinkiewicz was trying to mobilise. This plan was presented *ad hoc* and with no proper diplomatic groundwork. What is more, Marcinkiewicz was not involved enough in European affairs to be able to competently push the project forward²⁴. Furthermore, it was not clear whether the Southern neighbours and Poland were on the same page regarding threats related to Russia's energy policy and the key issue was that a project of such significance and political potential directed against Russian policy could not be carried out in the EU only with the 'new' Central European partners. Nonetheless, Marcinkiewicz's proposal added a significant element to Poland's position within EU as it contributed to strengthening the practical dimension of criticism towards Russia's policy. From that moment on it was probably seen as something more than just an idealistic call for a political perspective of enlargement for our neighbours. It is worth noting that at that time cooperation between German and Russian companies in the energy sector was thriving with the flagship project being the Nord Stream pipeline. From this perspective, the Polish proposal to focus on the energy sector must have caused some hesitation among EU Western partners as whether such an idea would not be regarded by Russia as a counter-argument for Gazprom interests, i.e. Russian goals in Europe. A year later President Kaczyński returned to the idea of shaping EU Eastern policy around the energy issue while hosting a meeting in Kraków. The political meaning of the Kraków initiative endorsed by Kaczyński stemmed from the idea that two EU member states, Poland and Lithuania, would initiate collaboration with neighbours outside the EU based entirely on specific projects. The first area of such cooperation was, as mentioned above, the energy sector. Thus, in May 2007 the presidents of Poland and Lithuania, as well as Ukraine, Georgia and Azerbaijan, along with a special envoy of the president of Kazakhstan, came to Kraków. The main outcome of the Kraków summit, repeated in the autumn of 2007 in Vilnius following an official invitation by Lithuanian President Valdas Adamkus, was the creation of Sarmatia, a company that would prepare an Odessa-Brody-Gdańsk transport channel. The political

²⁴ In K. Marcinkiewicz's initiative one can also see some reference to the energy proposals of the so-called Norwegian pipeline put forward at the end of J. Buzek's government 2000–2001, later abandoned by L. Miller's government.

demonstration, illustrating the capability of creating political structures between the EU and the East outside of the European Neighbourhood Policy, was critically important. The Black Sea Synergy, proposed by the Germans, lacked objectives, whereas the Kaczyński initiative had a clearly (perhaps too clearly) defined objective. Russian President Vladimir Putin demonstrated his position towards Kaczyński's plan by convening an energy summit in Turkmenbashi at exactly the same time as the Kraków event was held. The Russian *Kommersant* noticed this fact while the Polish press repeated the commentary dominant in Moscow: 'On the eve of Poland opening the "anti-Russian" energy summit dedicated to a search for alternative sources of oil and natural gas, Moscow, led by President Vladimir Putin, struck back'²⁵. Taking all this into account, it is very clear that Kaczyński's idea could not receive any serious support from either the EU or the United States.

EASTERN PARTNERSHIP 2008–2013

The year 2008 brought about a breakthrough in the debate on the EU Eastern policy in the form of an initiative of the Swedish and Polish Ministers of Foreign Affairs, Carl Bildt and Radosław Sikorski. It is worth noting that at the outset Sikorski tried to also involve in this project the German Foreign Minister Frank-Walter Steinmeier. Cornelius Ochmann, an influential German analyst, stresses that in 2008 the German Minister of Foreign Affairs was not prepared for a positive confrontation with the proposal brought to Berlin by the new Polish Minister of Foreign Affairs, who, as a result, went to Stockholm instead²⁶. A striking highlight of Sikorski's project was that it included Bildt, a well-known and highly regarded European politician and a former Prime Minister of Sweden. Eastern issues within the EU were therefore going beyond the backyard of the former Warsaw Pact and Central European states, i.e. the 'new' EU member states. Failures of the previous Polish initiatives were caused by difficulties in gaining major partners from the old EU as allies. In the spring of 2008 this barrier was removed as

²⁵ *Kommersant*: Putin zerwał szczyt energetyczny w Krakowie. [Putin broke up the energy summit in Kraków.] *Puls Biznesu* [Online] 10 May 2007 Available at: <http://www.pb.pl/1323983,23822,kommersant-putin-zerwal-szczyt-energetyczny-w-krakowie> [Accessed: 8 December 2014].

²⁶ Ochmann, C. 2010. Przyszłość Partnerstwa Wschodniego z niemieckiej perspektywy. [The Future of the Eastern Partnership seen from a German perspective.] *Biuletyn Niemiecki* 13 May 2010, no. 6, p. 3.

the position of the guarantor of the new project was taken up by Sweden, a country whose position in regards to the EU external policy was assumedly focused not on interests but human rights, the idea of supporting reforms in the East, etc. Moreover, it was also essential that the initiative of Sikorski and Bildt moved back the axis of cooperation between EU member states and their Eastern neighbours from the Black Sea towards the Baltic Sea. For the Eastern partners it was also crucial that after political changes in Moldova there were three clearly pro-European governments in the East of the EU: Georgia, Ukraine and Moldova.

The core of the Eastern Partnership lied in coalescing numerous activities. First of all, it contained potentially effective legal instruments: the association agreement and the free trade agreement. In both cases, when comparing it with the experience of Central European states from the previous decade, the initiative went much further. Secondly, visa arrangements constituted a vital element of functionality within the Partnership program, both with regards to *ad hoc* visa facilitation and long-term arrangements, i.e. visa waiver programs. Thirdly, the Eastern Partnership became a forum for political cooperation. The European Parliament established the EU and Eastern neighbours Parliamentary Assembly called the EuroNest. It was this parliamentary dimension that, even though it did not introduce many practical benefits for the Eastern partners, sent a powerful message in the political sense. It became an element linking the elite of the Eastern Partnership states with EU political elite. Fourthly, the Eastern Partnership program was also designed as an area for cooperation among NGOs and civil society. Last but not least, the Eastern Partnership was supposed to be an instrument of EU financial support for projects organised in Ukraine, Belarus, Moldova and the countries of the South Caucasus. The key elements of the partnership were the association agreements and the free trade agreements. Assumedly, proper legal mechanisms can be much more effective than grants financed from the EU budget. However, the question that comes to mind in this regard is whether they did not go too far. And whether attaching to them – in the situation when they enter into force – an obligation to carry out deep reforms was not a mistake in the sense that it went beyond the organisational and political capabilities of the governments in the East as well as the limits of social patience of their societies.

From the point of view of the Polish policy, the paradigm of optimistic determinism defined by Dębski, the proposals of the Eastern Partnership, even though they did not mention directly ‘the membership perspective’ nor could please the maximalists, were correct.

However, the EU member states in the Mediterranean region were not wasting their time either. Taking advantage of the fact that France was leading the EU Presidency, Nicolas Sarkozy convened in July 2008 a political summit to which he invited the leaders of the Mediterranean region. As a result, the Union for the Mediterranean was created. In terms of the organisation it was better equipped than the Eastern Partnership program which at that time was still undergoing its final phases of preparation. However, neither the Union nor the Eastern Partnership went beyond the general framework of the European Neighbourhood Policy, which is best evidenced by the fact that the creation of the new initiatives was not followed up adequately with large additional sums of money from the EU budget. Another signal that the framework of the European Neighbourhood Policy, despite significant corrections, was in force was a refusal to declare the membership perspective for the Eastern Partnership states. Nonetheless, it was only since the launch of the Eastern Partnership program in 2008 that the policies towards the Eastern and Southern neighbours started to be perceived in the EU as separate and Poland was one of the driving forces in this process. This allowed for the consolidation of Eastern initiatives within one package, i.e. the Eastern Partnership program. The earlier East-oriented initiatives, including the ideas of the Energy pact, the Kraków (energy) initiative, or the Black Sea Synergy, gave way to the Eastern Partnership program which, nonetheless, was built on the experience of the previous projects or the past attempts to implement them.

The development of the Eastern Partnership was accompanied by some dramatic events in the East. In August 2008 Russia attacked Georgia, which presumably hastened the maturity process of the Eastern Partnership program. On 3 December 2008 the European Commission approved the plan of the Eastern Partnership program. Its main elements included a free trade zone, association agreements, visa facilitation, and 600 million euro allocated for joint projects. During the Czech presidency in 2009 the Eastern Partnership program was officially inaugurated at a summit in Prague. It needs to be emphasised that the doors to Europe were opened for the citizens of the Eastern European states in the form of visa facilitation and with a perspective of visa waiver, a liberal approach to carrying out investment, convergence of regulations and standards with the EU, and cooperation on common border control, energy and economic security. Subsequent Eastern Partnership summits took place on 29 and 30 September 2011 in Warsaw (during the Polish Presidency) and on 28 November 2013 in Vilnius. The Warsaw summit failed to show any significant progress in the development of the

partnership program, while the Vilnius summit proved to be the key in terms of the future of its direction. During the meeting in Lithuania, Georgia and Moldova initialled the association agreements with the EU and an earlier visa facilitation program was introduced for Azerbaijan. Those events influenced the presentation of the Vilnius summit achievements in a fairly positive light at first. The truth was different, however, as the key element of the Vilnius meeting was supposed to be the signing of the association agreement with Ukraine. This is the issue around which the fiercest battle was fought.

European institutions were defending detained Yulia Tymoshenko and attempted to make the signing or implementation of the association agreement between the EU and Ukraine dependant on the release of Ukraine's former Prime Minister. At the same time during the negotiation process with the European Commission, the Ukrainian negotiators were faced with a constant refusal when requesting guarantees for Ukraine's perspective membership in the EU. Viktor Yanukovych appeared to be drawing close to signing the agreement, however, he failed to release Tymoshenko. Finally, literally in the last weeks preceding the Vilnius summit, some elements of the bluff in both strategies leaked out as the EU indeed repealed the condition of Tymoshenko's release. When pressed hard by Russia, Yanukovych, despite the EU's readiness to sign the association agreement with Ukraine, avoided signing the document. This issue was the spark that ignited the fire of discontent of Ukrainians who had been ensured by Yanukovych's administration that he intended to sign the agreement. This resulted in protests which broke out at the Independence Square (the Maidan) in Kyiv and lasted several months. Their political value and symbolism clearly related to Ukraine's integration with the EU. The EuroMaidan and its consequences (the annexation of Crimea by Russia and the Russian intervention in eastern Ukraine) ended an era in the development of the Eastern Partnership program. The EU's biggest mistake was once again a poor assessment of Russia's intentions. The EU treated Russia as a partner, a difficult one, but still a partner. Conversely, Russia treated the EU, especially after the West supported the Rose Revolution (Georgia) and the Orange Revolution (Ukraine), as a rival. While the EU would offer Russia joint programs, such as the Partnership for Modernisation (2010), Russia would accept neither the EU as a whole nor its individual member states as partners for carrying out internal reforms in Russia.

In summary, the main benefit of the Eastern Partnership program were its legal instruments for cooperation with the EU. The EU association agreements and supporting documents concluded by Georgia, Moldova and

Ukraine mean that a certain chapter in the history of the Eastern Partnership was coming to an end. Secondly, visa facilitation followed by opening the doors to the West for many citizens of the Eastern Partnership states were vital achievements as well. Last but not least, the very fact that the Eastern Partnership program was created as a common EU policy directed at the East carved out of the European Neighbourhood Policy shall be also deemed as positive.

The major disadvantage of the Eastern Partnership program was that it promised more than it could deliver; a good example here is the energy sector. In fact, energy is the key issue in relations with EU partners in the East²⁷. The second problem with this program was that, similarly to the ENP, it lumped together states of a different status in terms of their own EU integration plans. This meant putting together countries that were striving for membership with countries that were interested exclusively in economic cooperation, which was weakening the program's cohesion. The third problem was that the EU partners from the Caucasus moved their conflicts onto the Eastern Partnership forum, which also brought about some negative effects as, for example, a paralysis of the EuroNest operation. The fourth issue to be mentioned here is the status of Belarus that was never clearly defined. At one time cooperation took place only with Belarusian NGOs or representatives of independent political groups. At other times the EU would allow cooperation with the government in Minsk. The fifth issue is Ukraine. The scale of this country's problems, due to its economic and political significance, cannot be compared with the EU integration problems of countries such as Moldova or Georgia.

From the point of view of Polish interests in regard to the development of the Eastern Partnership, it is worth stressing that there are three systematic errors in the program's construction. First of all, the role of Russia, that has used the Eastern Partnership program for its political blackmail, has not been correctly defined. Russia declared itself a victim of the EU and the creation of the Eastern Partnership was presented by the Kremlin as a way for the EU (West) to 'encircle' Russia. Russia simultaneously undertook activities against the program's objectives. Poland, just as much as it has managed to force through the inclusive, optimistic and deterministic thinking into the EU, has failed to transfer to the European forum an important assumption of the

²⁷ Cf. Kowal, P. 2014. Sztuka przekonywania. Polska a polityka wschodnia Unii Europejskiej w latach 2004–2014. [The art of persuasion. Poland vs. EU Eastern Policy 2004–2014.] *Bezpieczeństwo Narodowe*, no. 32 (forthcoming).

Polish Eastern policy that originates from the Giedroyc doctrine and that is based on the assumption that the territory of Ukraine, Belarus and also other post-Soviet states constitute a field for rivalry with Russia – how this rivalry is expressed is another issue. Secondly, it was also a mistake not to declare that the Eastern Partnership states might end up with full EU membership. On the one hand, there were strong expectations from our partners to carry out deep and complex social reforms, while, on the other hand, the EU communication on the political level was not clear. Thirdly, there were not enough financial resources for such a large area that make up the six Eastern Partnership states and, additionally, the funds were dispersed over too many minor projects. Instead, they should have been concentrated on, for example, the project of the creation of the Eastern Partnership University. From the Polish perspective, the maximum accumulation of financial resources would have been the most effective, alas it was lacking.

REFERENCES

- 10/25 *Dziesięć kluczowych polskich przemówień 1989–2004*. [10/25 *Ten Key Polish Speeches 1989–2004*.] 2014. Warszawa: Res Publica Nowa.
- Balcer, A. ed. 2011. *The Eastern Partnership in the Black Sea region: towards a new synergy*. Warszawa: Demos Europa.
- Besançon, A. 2012. *Sainte Russie [Holy Russia]*. Paris: de Fallois.
- Cianciara, A.K. 2014. *Partnerstwo Wschodnie 2009–2014*. [Eastern Partnership 2009–2014.] Warszawa: Institute of Political Studies at the Polish Academy of Sciences.
- Communication from the Commission. *European Neighbourhood Policy – Strategy paper*. Available at: http://europa.eu/legislation_summaries/external_relations_relations_with_third_countries/Eastern_europe_and_central_asia/r17007_pl.htm [Accessed: 10 October 2014].
- Communication of the European Commission to the Council and the European Parliament. 11 March 2003. *Wider Europe – neighbourhood: A new framework for relations with our Eastern and Southern neighbours*. Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52003DC0104&from=PL> [Accessed: 10 October 2014].
- Dębski, S. 2006. „Polityka wschodnia” – mit i doktryna. [‘Eastern policy’ – myth and the doctrine.] *Polski Przegląd Dyplomatyczny*, no. 3/31.

- Gil, A., Kapuśniak, T. eds. 2009. *Polityka wschodnia Polski. Uwarunkowania, koncepcje, realizacja.* [Eastern policy of Poland. Conditions, ideas, implementation.] Lublin-Warszawa: Institute of Central-East Europe.
- Fiszer, J.M. ed. 2012. *Europejska Polityka Sąsiedztwa.* [European Policy of neighbourhood.] Institute of Political Studies at the PAS. Warszawa: Dom Wydawniczy Elipsa.
- Konarzewska, A. 2007. *Strategia Unii Europejskiej wobec regionu Morza Czarnego.* [European Union strategy towards Black Sea region.] *Bezpieczeństwo Narodowe* III-IV.
- Kowal, P. 2012. *Koniec systemu władzy. Polityka ekipy gen. Wojciecha Jaruzelskiego w latach 1986–89.* [The end of the power system. Policy of W. Jaruzelski's government 1986–89]. Institute of Political Studies at the Polish Academy of Sciences, the Institute of National Remembrance. Warszawa: Trio Publishing House.
- Kowal, P., Ołdakowski, J., Zuchniak M. eds. 2002. *Nie jesteśmy ukrainofilami. Polska myśl polityczna wobec Ukraińców i Ukrainy. Antologia tekstów.* [We are not Ukrainephiles. Polish political thought on Ukrainians and Ukraine. Anthology of texts.] Wrocław: Kolegium Europy Wschodniej.
- Kowal, P. 2014. *Sztuka przekonywania. Polska a polityka wschodnia Unii Europejskiej w latach 2004–2014.* [The art of persuasion. Poland vs. EU eastern policy 2004–2014.] *Bezpieczeństwo Narodowe*, no. 32 (forthcoming).
- Kowal, P. ed. 2002. "Wymiar wschodni" Unii Europejskiej – szansa czy idee fixe polskiej polityki. [‘Eastern dimension’ of the European Union – an opportunity or idee fixe of Polish policy?] Warszawa: Centre for International Relations.
- Ochmann, C. 2010. *Przyszłość Partnerstwa Wschodniego z niemieckiej perspektywy.* [The Future of the Eastern Partnership seen from a German perspective.] *Biuletyn Niemiecki* 13 May 2010.
- Polityka rozszerzonej Unii Europejskiej wobec nowych sąsiadów.* [The enlarged European Union policy towards new neighbors.] 2003. Warszawa: Fundacja im. Stefana Batorego.
- Stępień-Kuczyńska, A., Słowikowski, M. 2008. *Unia Europejska a państwa Europy Wschodniej.* [European Union and Eastern European Countries.] Warszawa: Sejm Publishing House.
- Żurek, M. ed. 2011. *Partnerstwo Wschodnie w kontekście europejskich aspiracji Ukrainy. Dylematy międzynarodowe i systemowe.* [Eastern Partnership in the context of Ukraine's European aspirations. International and systemic dilemmas.] Szczecin: Institute of Political and European Science at University of Szczecin.

KEY COMPONENTS OF THE POLISH POSITION IN REGARD TO THE EASTERN POLICY OF THE EUROPEAN UNION

Summary

As early as in the period before the enlargement of the European Union in 2004, Poland – as a candidate state at the time – took part in the debate before the European Neighbourhood Policy (formally introduced just a few days after the 2004 enlargement) was conceived. During the debate, the key issue was the idea of further enlargement of the EU after adequate requirements are met. One of the most important elements of the Polish programme within the EU Eastern policy in the period 2006–2014 was energy and activities within the Eastern Partnership. After Sweden supported the Eastern Partnership at its initial stage, Poland gained a lot of positive experience. A supposed permanent element of the Polish strategy within the EU Eastern policy was also its consent for the strengthening of common EU institutions, especially in the internal policy, which might have been interpreted as promoting the principle of ‘more enlargement for deepening’ for the co-operation within the EU. It can be perceived as an element of transaction with the member states that were against or sceptical about enlargement and/or an attempt to strengthen Polish stand within the EU Eastern policy with the use of common institutions. A specific canon of the Polish stand within the EU Eastern policy related to the Polish political thought tradition which has developed over the last 15 years. From the point of view of the catalogue of Polish targets, one can notice a tendency in the EU to accept some Polish arguments as common ones – it is seen when the development of the idea and implementation of the ENP is compared with what resulted from the Eastern Partnership.

KLUCZOWE ELEMENTY STANOWISKA POLSKI WOBEC POLITYKI WSCHODNIEJ UNII EUROPEJSKIEJ

Streszczenie

Już w okresie przed rozszerzeniem UE w 2004 roku Polska, jeszcze z pozycji kraju kandydującego, uczestniczyła w debacie przed powstaniem Europejskiej Polityki Sąsiedztwa, która została formalnie zainicjowana zaledwie kilka

dni po rozszerzeniu 2004 roku. Podczas tej debaty na czoło wysunęła się zasada dalszego rozszerzania UE po spełnieniu odpowiednich warunków. Jednym z najważniejszych elementów w polskim programie dla polityki wschodniej UE stała się w latach 2006–2014 energetyka oraz działanie w ramach Partnerstwa Wschodniego. Polska zebrała pozytywne doświadczenia po tym, jak już w inicjalnej fazie projektowi PW udzieliła wsparcia Szwecja. Domyślnym stałym elementem polskiej strategii w polityce wschodniej Unii była też zgoda na wzmocnienie wspólnych instytucji unijnych – szczególnie w polityce zewnętrznej, co mogło być interpretowane jako promowanie w praktyce zasady „więcej rozszerzenia za pogłębienie” współpracy w ramach UE. Można to widzieć jako element transakcji z przeciwnymi lub sceptycznymi wobec rozszerzenia państwami członkowskimi lub/i jako próbę wzmocnienia polskiego stanowiska w polityce wschodniej Unii za pomocą wspólnych instytucji. W ostatnich 15 latach wykształcił się swego rodzaju kanon polskiego stanowiska w polityce wschodniej UE związany z tradycją polskiej myśli politycznej. Patrząc z punktu widzenia katalogu polskich celów, zauważalna jest w Unii tendencja do akceptowania jako wspólnych niektórych polskich argumentów – widać to przy porównaniu, jak kształtowała się idea i realizacji EPS, a jak przebiegało to w wyniku Partnerstwa Wschodniego.

Ключевые элементы позиции Польши в отношении восточной политики Европейского Союза

Резюме

В период, предшествующий расширению ЕС в 2004 году, Польша, ещё с позиции страны-кандидата, принимала участие в дебатах перед созданием Европейской политики соседства, которая формально была инициирована через несколько дней после расширения 2004 года. В ходе этих дебатов во главе угла был поставлен принцип дальнейшего расширения ЕС при выполнении соответствующих условий. Одним из важнейших элементов польской программы для восточной политики ЕС в 2006–2014 годах была энергетика, а также деятельность в рамках Восточного партнёрства. Польша приобрела положительный опыт после того, как уже на начальном этапе проект Восточного партнёрства поддержала Швеция. Подразумеваемым постоянным элементом польской стратегии в восточной политике ЕС было также согласие на укрепление общих институтов ЕС – в особенности во внешней политике, что

может толковаться как продвижение в практику принципа «больше расширения для углубления» сотрудничества в рамках ЕС. Можно в этом наблюдать наличие элемента сделки с выступающими против расширения за счёт государств-членов либо скептически настроенными по отношению к нему, либо/и попытку укрепления позиции Польши в восточной политике ЕС при помощи общих институтов. В последние 15 лет сформировался своеобразный канон позиции Польши в восточной политике ЕС, связанный с традицией польской политической идеи. Рассматривая с точки зрения директории польских целей, можно заметить в политике ЕС тенденцию к принятию в качестве общих некоторых польских аргументов – это можно увидеть благодаря сравнению того, как формировалась идея и реализация Европейской политики соседства, и того, как это проходило в результате Восточного партнёрства.

R E V I E W S

MAREK REWIZORSKI

AGORA INTERESÓW G20 I WYŁANIANIE SIĘ GLOBALNEGO ZARZĄDZANIA
[THE AGORA OF INTERESTS. G20 AND THE EMERGENCE
OF GLOBAL GOVERNANCE]

DIFIN, WARSZAWA 2014, PP. 362

The author of the reviewed monograph, Marek Rewizorski, Ph.D., is a political scientist and a lawyer, and thus has the necessary knowledge and preparation for scholarly research on the problems of the modern world and its order, as well as international phenomena and processes and their various aspects. I know his other numerous scholarly publications and I can definitely say that he is a matter-of-fact and conscientious researcher, and he is always an author of valuable works, worthy of high scores. It is exactly the same in the case of the treatise under review, which in terms of content and workshop does not raise any objections.

The reviewed dissertation is the result of several years of research the author conducted under a grant of the National Science Centre on 'The G20 and the institutional triangle in the system of global governance'. It concerns the issues which are difficult in terms of content, and yet important both in theoretical and utilitarian terms; contemporary issues, which are *in statu nascendi*, and not much described in social sciences. The author undertook to explore difficult issues, and at the same time complex and controversial. Namely, he examines the place and role of the group of 20 richest players in the world (G20), as a collective actor on the global scene in the processes of global governance. Already in the introduction of the reviewed work the author rightly notes that it is an important 'forum between states and non-state actors in global governance' (p. 9) and exerts a significant impact on the development of globalization, the acceleration of which took place at the turn of the 20th and 21st centuries.

As the author points out later, the main goal of the reviewed book is ‘the analysis of the functioning of the G20 at the level of Heads of State (G20 Leaders) as a relatively new, existing since 2008, club of international cooperation, which is also a systemic centre of a global network of connections’ (p. 10). At the same the author focuses his attention not only on showing the genesis of the G20, its evolution and legal basis, structure, mission, principles of operation and objectives, but he also tries to answer many questions concerning international reality and ways of controlling and managing it. Among other things, he tries to explain the essence of global governance and to show its multifaceted (political, economic, social, cultural) context and dimension, referring to various paradigms and theoretical approaches. Furthermore, the author attempts to answer questions about the future of the world (new international order) and its foundations, with particular emphasis on the role of the group of G20 in its construction and functioning. In the reviewed treatise the author also devoted much attention to the search for answers to questions concerning the methods and means necessary to attain the objectives pursued by the G20 and its future.

The reviewed work consists of the introduction, three main parts, divided into multiple chapters and subchapters, conclusions, bibliography and lists of tables, figures and case studies. And thus, the first part, entitled “Globalne zarządzanie w perspektywie konceptualnej i teoretycznej” [‘Global governance in the conceptual and theoretical perspective’] consists of four extensive chapters. It has a general-theoretical nature and is an interesting introduction to the further analysis. The author presents here the essence of contemporary globalization and on the basis of it analyzes the processes of global governance, its conditions, participants and importance for the evolution of the international system which heads in the direction of the multipolar and multicultural world. Of particular interest is here – in my opinion – the fourth chapter, entitled “Globalne zarządzanie” w perspektywie teoretycznej” [‘Global governance in the theoretical perspective’], where Mark Rewizorski analyzes global management in the perspectives of liberalism, constructivism and transnational historical materialism.

The second part, entitled “G20 jako aktor globalnego zarządzania” [‘G20 as an actor in global governance’] consists of only two but very extensive chapters. As the title suggests, it is devoted to the genesis of this group of countries and entities belonging to it, such as the European Union and its role in global governance. It is worth reminding here that the members of the G20 are highly developed, democratic Western countries led by the United States and the so-called emerging powers led by China and the already mentioned

European Union. This part of the reviewed work is its substantive core and concerns its basic, adopted by the author hypothesis, according to which the G20 Leaders', which was established in 2008 as an important centre of economic cooperation on the global scale, and although today it operates quite effectively internationally, it is still it is not a central structure for other key players in global governance led by the United Nations.

Marek Rewizorski in the reviewed book, following many outstanding researchers of contemporary international relations, such as, among others, Andrew Cooper, John Kirton and Paul Martin, is of the opinion that the G20 is one of the main, but not the most important structure of global governance. In this part of the reviewed work, the second chapter, entitled "G20 w perspektywie konceptualnej i teoretycznej" ['G20 in the conceptual and theoretical perspective'] is particularly difficult, yet valuable. The author's theoretical reflections and conclusions about the G20 and its role in global governance, contained in this chapter, considerably fill the gap on this issue in the current Polish and foreign literature.

In the third part of the reviewed work, entitled "G20 w praktyce. Przebieg i rezultaty szczytów na poziomie przywódców państw (2008–2010)" ['G20 in practice. The course and the results of summits at the level of Heads of State (2008–2010)'], consisting of five chapters, Mark Rewizorski examines the rationale and effects of the successive first five summits of leaders of the G20 in Washington, London, Pittsburgh, Toronto and Seoul in the years 2008–2010, that is from the creation of this specific institutions in 2008 to the summit in 2010 in Seoul, dedicated to the fight against the global financial and economic crisis. They were, as the author carefully describes their course, devoted to the search for methods and ways to effectively combat such global problems as unemployment, international terrorism, climate change and other threats to the environment of man, energy and raw material crisis and demographic problems. The author shows here that in the years 2008–2010 the G20 strengthened and even became a centre of global governance, and also a kind of an agora where national interests of individual countries clash and compromises on matters of importance for the whole world are reached.

I would also like to draw attention to the synthetic, yet substantial conclusion of the reviewed work, in which the author summarizes the results of his research, emphasizing in conclusion that: 'The research presented in this work confirms the hypothesis according to which the G20 at the level of Heads of State in the years 2008–2010 became a centre of economic cooperation on the global scale, it works more and more efficiently and goes beyond the role of an "anti-crisis committee". Playing the role of one of

the most important centres of the global network structure, being a forum for dialogue between states and non-state actors in global governance, it coordinates and sometimes moderates the functioning of international institutions led by the G8, the International Monetary Fund, the World Bank, the World Trade Organisation, the Organisation for Economic Co-operation and Development. It is difficult to argue that at the present stage of development the G20 is a structure superior to the United Nations and the system created by this organization. (...) It cannot be excluded that further activism of the G20 (e.g. in the field of international security and preventing climate change) will be regarded by the UN as a challenge to the supremacy of the United Nations system, due to which the latter organization will seek “allies” among small and medium countries outside the Gx system’ (p. 352).

The reviewed work was prepared on the basis of a broad source database, which is evidenced by the extensive bibliography consisting of 24 pages. Apart from the literature on the subject, the author used a number of published documents, including documents concerning the subsequent G20 summits, and press releases and websites on this subject.

As I have written, the reviewed book fills a gap in the literature on the subject, especially when it comes to political science and law studies on the subject. Its originality and scholarly values are determined by the adopted methodology and the interpretation of the results obtained by the author in the course of his empirical research. The comparative approach and the use of many other test methods, among others, systemic, institutional and legal ones, the historical content analysis and the decision analysis allowed the author to objectively diagnose the international reality and show the participation of the G20 in its management.

In conclusion, I believe that the reviewed work should reach not only specialists, but also the political elite in the country and abroad, as well as students, postgraduate students and journalists, because we still have too little knowledge about the problems which the author analyzes on the pages of the reviewed work, which, all in all, I rate very highly in every regard. It represents a significant contribution to the development of social sciences, especially political sciences.

Marta M. Fiszer

NADIA BOYADJIEVA
RUSSIA, NATO AND THE SECURITY ENVIRONMENT
AFTER THE COLD WAR 1989–1999

DANIELA UBENOVA PUBLISHING HOUSE, SOFIA 2013, PP. 382

We are facing a clear redefinition of the international reality surrounding us. Through the prism of the Ukrainian tragedy, we see how the order carefully constructed after the Cold War turns into dust, and all components of the existing structures of international security require a redefinition. It is a time of triumph of realism, whose distanced approach to the principles and morals wins with idealists' illusory expectations that in international relations it is possible to introduce rules which everyone will interpret in the same way.

To date, the course of events in Ukraine does not provide arguments for the superiority of ideas over power. On the contrary, facts unequivocally perpetuate the belief that only a sober assessment of the situation based on an objective analysis of the potential and possibilities (one's own and of the opponents) allows us to properly interpret the reality. Therefore, it is true that superpowers have their spheres of influence and tendencies in these areas which are undesirable for them are sufficient for the use of force. It is also true that the European Union, irrespective of its technocrats' ideas, is not a power which is able to shape its surroundings. It is only the end product of the sum of the compromise of the will of national governments, which are also guided chiefly by their own national interests, for which of course they cannot be blamed. It is also true that weaker states are doomed to adapt to the conditions imposed by stronger ones. Moreover, their attempts to make changes in their geopolitical orientation are doomed to suffering. It is true that in Europe the most effective methods are still taken straight from the period before, not after World War II.

The Ukrainian crisis is the first such open confrontation between the main pillars of the European security system – the West (understood as NATO and

the EU) and Russia. The system, which very clearly outlined the framework of accepted activities of the state in the international arena by imposing a kind of international *savoir vivre*. All documents regulating security in the region duplicate the principle of territorial integrity, political independence, the prohibition of the use of force and the threat of using it, assume good-neighbourly relations and recognize the key role of organizations such as the OSCE, the UN, NATO or the EU as platforms for resolving international disputes.

Before the Ukrainian crisis other conflicts on the periphery of Europe were explained as cultural barbarism which will disappear in a natural way along with the spread of Western values; values which, by their nature, are attractive, conflict-free and spread naturally. Therefore, when today we are witnessing a travesty of all basic principles of international relations, it seems reasonable to ask what has gone wrong.

In Polish literature, there are numerous studies dealing with Russia's relations with the Western world, for instance by S. Bieleń, E. Stadtmüller and M. Raś¹. In a narrower, more analytical context, it is worth mentioning also the studies by M. Piwowar², M. Kaźmierski, a synthetic CES report by M. Menkiszak about relations between Russia and NATO before and after 11 September 2001. The publication discussed below seems to be a good supplement to this list. Most of the works were created before the half of the first decade of the 21st century. Next, with the developments

¹ Stadtmüller, E. 2003. *Pożegnanie z nieufnością? Rozszerzenie NATO i UE a stosunki polsko-rosyjskie w kontekście bezpieczeństwa europejskiego*. [Farewell to mistrust? The enlargement of NATO and the EU and Polish-Russian relations in the context of European security.] Wrocław: Wydawnictwo Uniwersytetu Wrocławskiego; Raś, M. 2005. *Ewolucja polityki zagranicznej Rosji wobec Stanów Zjednoczonych i Europy Zachodniej w latach 1991–2001*. [The evolution of Russian foreign policy towards the United States and Western Europe in 1991–2001.] Warszawa: WUW; Bieleń, S. 2006. *Tożsamość narodowa Federacji Rosyjskiej*. [The national identity of the Russian Federation.] Warszawa; Bieleń, S., Raś, M. eds. 2008. *Polityka zagraniczna Rosji*. [Russia's foreign policy.] Warszawa: Difin.

² Piwowar, M. *Ewolucja partnerstwa Sojuszu Północnoatlantyckiego z Federacją Rosyjską 1994–2006*. [The evolution of NATO partnership with the Russian Federation from 1994 to 2006.]; Kaźmierski, M. *Rada NATO-Rosja jako element adaptacji zewnętrznej Sojuszu*. [NATO-Russia Council as part of the external adaptation of the Alliance.], Department of Strategy and Policy Planning, Ministry of Foreign Affairs, January 1999; Menkiszak, M. 2002. *Stosunki Rosja-NATO przed i po 11 września 2001*. [Relations between Russia and NATO before and after 11 September 2001.] CES Reports. May 2002.

in the international arena, the war in Georgia, then the attempt to implement Polish reset in relations with Russia, as well as the concentration of attention on the new identity of the Russian Federation, the issues of the 90s were pushed into the background. Today, however, when relations between Russia and the United States, the European Union and NATO are put to a serious test, there is a need to re-reflect on the course of events of the 90s to understand when Russia and the West leapt from cooperation to confrontation. The publication discussed below may be very helpful in this respect.

The monograph by Nadia Boydjieva, Bulgarian, belongs to those readings about which we can say that ‘perfectly coincide with the time’. Published in 2013, the work is devoted to relations between Russia, NATO and the security environment in the last decade of the 20th century. The release date is worth noting because it indicates that the author was not able to take into account the recent developments in Ukraine, and thus her scholarly observations are devoid of emotions and interpretations of the past, which today are abundant in comments on the hitherto prevailing order and Russia’s relations with the Western world. The monograph is an attempt to trace the difficult road which the system of international relations had to follow, passing from politics of power and rivalry to cooperation and respect for the rule of law and democracy in order to establish the desired and necessary security environment in Europe and in the world – the environment which today is facing the most difficult challenge of survival.

The aim of the author is to present the point of view of Russia and NATO in search of these driving forces which prevailed in the process of building the international order after the Cold War. Expanding the main topic chronologically, Boydjieva makes a synthetic introduction to the problem emphasizing the specificity of international relations during the Cold War. In the following chapters the author focuses on the process of the Soviet Union disintegration and the creation of the Russian Federation as a separate legal entity, stressing at the same time the essence of competition of Mikhail Gorbachev and Boris Yeltsin. Considering the impact of the coup of August 1991 the author poses the question about the reasons for its failure, taking the position that an extremely important role was played by the hierarchy of power. An interesting comparison showing a dynamic situation inside the USSR as a result of the coup is the fact that back in March 1991 three-quarters of people living in the Ukrainian SSR were in favour of maintaining the USSR as a renewed federation, but on 1 December of the same year 92% of the population of Ukraine, including Crimea and south eastern

regions, voted for independence. Boydjjeva concludes her argument about the collapse of the USSR on the basis of the arguments of Russian lawyers S. M. Shakhray and S. N. Stanski, highlighting the impact of economic and political factors, as well as the provisions of the Constitution of the USSR which allowed individual federal republics to exit freely the Soviet Union as well as the so-called autonomy processes. Especially interesting seems to be the last argument justifying the collapse of the USSR by means of the 'information virus of envy' when in the Baltic republics the slogans to stop working for Russia were becoming louder, which in the opinion of the author showed the growing role of the selfish sense of nationalism in various republics and parts of the Soviet Union. Describing in Chapter III the new security environment in Central and Eastern Europe, Boydjjeva notes that at the time the specifics of the international environment required cooperation between the Western security structures and Russia. It should be pointed out that although the Russian report for the Defence Policy and Security Council recognizes the loss of the states of Central and Eastern Europe as a priority for Russian foreign policy, at the same time the special importance of Poland, Bulgaria and Slovakia for the Russian Federation was stressed.

In Chapter IV the author focuses on the process of crystallization of the national security framework of the Russian Federation, stressing, at the same time, the importance of the Soviet nuclear heritage in the context of the START agreement. Alternative interpretations of the Commonwealth of Independent States among the former Soviet countries is noteworthy. For Moscow, the CIS should play a role of a permanent coordinating body in the processes of solving political, economic and military matters, where Russia should play a leading role. In turn, Kiev perceived the CIS as only a temporary organization whose main goal was the removal of the Soviet nuclear arsenal. Also, tensions on the line between Moscow and Kiev pertained to the creation of the Ukrainian army and control of the Black Sea Fleet which until 1995 was under common control of the presidents of Russia and Ukraine. It is worth noting that although the author devotes eight pages (103–110) to the issue of 'nuclear heritage', she failed to equally distribute the accents. Devoting a lot of attention to the issue the transfer of tactical weapons to the Russian Federation by Belarus, Ukraine and Kazakhstan, the problem of strategic weapons was compressed to a few paragraphs and the Budapest memorandum of 1994, essential in the context of the recent events in Ukraine, was completely omitted.

The dynamics of events in the international arena in the first half of the 90s is a reference point for the development of the Russian foreign

policy strategy. Special attention should be paid to the attempt to order alternative concepts of international orientation of Russia which competed for dominance. On the basis of the classification of alternative identities formulated by Ira Strauss, Russia could choose between Western and anti-Western identity, the former of which could take the form of Atlanticism and Europeanism, and the latter between Eurasian and Slavophile. In Polish literature S. Bieleń devotes particular attention to this issue³.

Then Boydjiewa distinguishes alternative trends which competed for dominance in the course of setting priorities of Russian foreign policy. Recognizing Atlantists, realists and conservatives, the author clearly marks the dividing lines between them. While for Atlantists the West appears to be a natural partner, for realists (also called pragmatic, moderate liberals, centrists, moderate nationalists, or Eurasianists) Russia should pursue policy of dialogue with all countries of the world and not limit it to the West. But for conservatives, known also as anti-Western, the priorities are still the CIS countries and Asia, and the prospect of Russia's membership in NATO is seen as a capitulation. The author concludes that in the first two years of the Russian Federation circles promoting unequivocal rapprochement with the West played the dominant role. However, attempts of a clear redefinition of Russian priorities encountered formidable opposition from military and special services circles. What is more, the culmination of the internal crisis at the turn of September and October 1993 revealed the level of determination of the internal opposition, which forced A. Kozyrev, Minister of Foreign Affairs, to abandon his vision and to redefine the priorities of Russian foreign policy once again.

In chapter VI N. Boydjiewa focuses on the perceptions of NATO enlargement to the East among Russian political and military elites, as well as various social circles. The author clearly agrees with the views of M. Kramer about the lack of promises made to Moscow in the context of NATO enlargement to the East as well as about the fact that in 1993 the issue of

³ Bieleń, S. 2006. *Tożsamość narodowa Federacji Rosyjskiej*. [The national identity of the Russian Federation.], Warszawa, and Postimperializm-neoimperializm-transimperializm: próba oceny rosyjskiej polityki zagranicznej. [Postimperializm – neo-imperializm – transimperializm: an attempt to assess Russia's foreign policy.] In: Bieleń S., Skrzypek, A. eds. 2010. *Rosja refleksje o transformacji*. [Russia reflection of the transformation.] Warszawa: Aspra JR, pp. 235–265; and Identyfikacja wizerunkowa Rosji w stosunkach międzynarodowych. [Russia's image identification in international relations.] In: Bieleń, S. ed. 2011. *Wizerunki międzynarodowe Rosji*. [International images of Russia.] Warszawa: Aspra-JR, pp. 13–35.

future enlargement of NATO to was of secondary importance for Russia. This position is justified in the context of the well-known insubordination between the statements of President Yeltsin and the Russian Minister of Foreign Affairs, for instance in the context of the prospects of Polish membership.

The mentioned secondary importance resulted not only from the tense internal situation, but was also based on expectations that the NATO will adapt to the new reality and change the nature of its *raison d'être*, becoming a kind of an equal partner in building a new security order and taking into account Russian interests. The Russian view of that order can be defined as complex because it assumed the active participation of all existing regional international organizations and the UN.

However, developments in the first half of the 90s, and in particular the prospect of NATO enlargement to the East, and developments during the war in Bosnia forced Moscow to revise its relations with the Alliance. Particularly painful were the experiences in the Balkans where Russia became a kind of a passive witness of the increasing involvement of NATO, which translated into the solution (even if not quite fortunate) of the greatest drama of war in Europe since the end of the Second World War, which was the war in Bosnia. Also in the dimension of bilateral relations with NATO, Russia was not treated as an extraordinary partner but as one of many countries that arose on the ruins of the Soviet empire, for which the Alliance's offer of cooperation was the same as, for example, for Bulgaria or the Czech Republic. It is in this aspect that the author sees the reason why Russia's decision-making circles departed from the idea of close relationships with NATO.

Although also in Polish literature the view of the periods of variable dynamics in NATO's relations with Russia is widespread⁴, Boydjieva emphasizes the role of disappointment in Russian circles. Namely, Russian benign and positive attitude towards NATO partners did not encounter reciprocation, but marginalization from the Western partners. Marginalization which Russia experienced in the course of solving the war in Bosnia, and which it began to resist during the conflict in Kosovo. This is where the

⁴ See, among others, Bryc, A. 2008. *Stosunki Federacji Rosyjskiej z Sojuszem Północnoatlantyckim*. [The relations of the Russian Federation with NATO.], pp. 68–89, and Kaczmarek M. 2006. *Polityka Federacji Rosyjskiej wobec Stanów Zjednoczonych Ameryki*. [Policy of the Russian Federation towards the United States of America.] In: Bieleń, S., Raś, M. eds. 2008. *Polityka Zagraniczna Rosji*. [Russia's Foreign Policy.] Warszawa: Difin, as well as Bieleń, S. 2006. *Tożsamość narodowa Federacji Rosyjskiej*. [The national identity of the Russian Federation.] Warszawa.

willingness to cooperate was replaced by a vision of the need to return to the harsh defence of its own interests. It was associated with rough cooperation, which since then became characteristic for the relations with the North Atlantic Alliance and lasted until the outbreak of war in Ukraine.

According to the author, the prospect of NATO enlargement to the East was most strongly opposed by Russian military circles, for which the driving force in this process was the lobby of the US defence industry. The realization of the plans of this lobby was supposed to upset the balance of power between Russia and the West, and to undermine the emerging system of arms control in Europe. In addition, the enlargement took place in a period which was exceptionally unfavourable for the Russian economy and army. Therefore, the voices of Russian nationalists saying that Russia risks losing the status of a great power and that the sensitivity to the threat to national interests increases became justifiable. Quoting D. Averre, the author notes that 'the simultaneous formation of the larger and more compact EC/EU and NATO, of which none is ready to accept Russia, the instability of the Russian south and the risk of confrontation with Turkey create the insecurity complex and limit its [Russia's – SD] vision of participation in the European security system'. What is unsatisfactory is the fact the author did not attempt to reflect briefly on the role of Russian military officers in shaping Russian foreign policy, especially in the absence of the actual civilian control over the army in Russia⁵.

In the context of the current deterioration of relations between Russia and NATO, S.M. Rogow's considerations seem to be relevant. He outlines three possible scenarios for the behaviour of Moscow – capitulation, confrontation or compromise. In the first case Russia can retreat and focus on its self-isolation; in the second it may respond according to 'a blade against a blade'; in the third, it can compromise aiming to ensure Russia's vital interests, although to a minimal extent. In the final analysis Russia chooses a middle path between confrontation and compromise demanding restrictions on the deployment of nuclear and conventional weapons; the prohibition of building military infrastructure on the territory of the new Member States; and renegotiation of the provisions of the Treaty on Conventional Armed Forces in Europe.

⁵ See more on the debate about NATO in the Russian Federation in Stadtmüller, E. 2003. *Pożegnanie z nieufnością? Rozszerzenie NATO i UE a stosunki polsko-rosyjskie w kontekście bezpieczeństwa europejskiego*. [Farewell to mistrust? The enlargement of NATO and the EU and Polish-Russian relations in the context of European security.] Wrocław: Wydawnictwo Uniwersytetu Wrocławskiego, pp. 39–46.

In chapter VII the author examines the Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation. The document in question is unique in that it establishes the foundation of relations between Russia and NATO by creating proper frameworks; highlighting the substratum on the basis of which the relationship will be built and proposes mechanisms for resolving disputes and forms of cooperation to be developed. The creation of the NATO-Russia Permanent Joint Council provided Moscow with extraordinary institutionalized presence in relations with the Alliance enabling a flexible approach to finding common solutions. In Boydjjeva's opinion this act contributed to the increase of transparency in relations between Russia and NATO. At the same time the document was not able to solve the problem of the accumulating lack of trust between the parties. One of the main 'shortcomings' of the Act, according to the Russians, is the fact that the agreement does not establish legal guarantees that NATO will consult Russia on security issues which may be perceived as involving its interests. This means that Russia's opinion on security matters in Europe or in solving important political issues can be ignored. Russian concerns turned out to be justified, because already during the decision to launch a military operation against the Serbs in Kosovo, NATO first made a decision among its members, and only then communicated its position to Russia. In response, Russia comes to the conclusion that it is much more effective to focus on the cooperation with selected countries of the Alliance rather than within Russia – the NATO Council. The effects of this policy were visible very quickly. Today, from the perspective of sixteen elements of its implementation we can recognize them, for instance, in the failure of the efforts to invite Georgia and Ukraine to join NATO at the Bucharest Summit in 2008 and in the context of decisions related to the position of NATO to the war in Ukraine.

The last chapter is devoted to the analysis of the relationship between the North Atlantic Alliance and Russia in the context of the challenges for regional security in the Balkans. Beginning with the implementation of the Dayton Agreement, the author focuses her attention on the process of internationalization of the Kosovo problem. She devotes particular attention to the evolutionary role of Russia and its growing assertiveness, which translated into reaching an agreement and ending the NATO bombing of Yugoslavia. On the basis of a comparative study of the Dayton and Rambouillet peace agreements, Boydjjeva puts an interesting thesis about the existence of 'a Dayton model' of imposing peace. Its characteristic features are the mandate and competences of international structures which were created

on the basis of agreements. A direction of additional studies which the author could have taken is the analysis of the peace proposals of Rambouillet (February 1999) and Bonn (May 1999) and the assessment of the differences in the light of Russia's role and influence of public opinion in the West against the NATO air raids on Yugoslavia.

The author's study suggest that the crisis in Kosovo led to Russia's intensifying distrust, the strengthening of sceptical views of NATO in Russia and mobilization of Russian policy towards the need to protect national interests. The emanation of this concern was the re-evaluation of the Russian concept of national security and defence policy of the Russian Federation. Taking into account Vladimir Putin's rise to power and the continuation of NATO's policy of enlargement to the East, the author indicates the starting point for her further research on the subject which will be another part of her study of NATO and the Russian Federation relations at the beginning of the twenty-first century.

From the methodological perspective, the sources on which the author based her research deserve a brief comment. Basing it primarily on the existing documents, Boydjieva builds her argument without going into too far-fetched interpretations. Looking for understanding for the positions of Russia and the United States, the author mainly relies on the contents of documents, as well as on comments and positions of American and Russian politicians and researchers. In this way the author manages to present resistant points of the debate and the attitude of decision makers in both the United States and the Soviet Union/Russia. Noteworthy is special attention paid to the dominant attitudes among the Russian military, which rarely go hand in hand with pro-Western attitude of Yeltsin's team. On the other hand, there are subsections which the author based solely on a single item, which is not the best proof of the consequences while maintaining the quality of the workshop.

On the technical side, the lack of an index of names and places, and of a bibliography deserves strong criticism. The only source are footnotes below the line. In turn, the last part of the book is a reprint of a series of documents which provide a good complement and reference point for researchers. The author included, among others,; the Act on the safety of the Russian Federation of 1992; the concept of the foreign policy of the Russian Federation of 1992; the text of Minister of Foreign Affairs of the Russian Federation, A. Kozyrev, to NATO Review of 1993; the basic assumptions of the military doctrine of the Russian Federation of 1993; the Report on the enlargement of NATO of September 1995, and the Concept of national security of the Russian Federation of 1997.

In summary, the monograph conducts comprehensive analysis of the evolution and subsequent regress of Russia – NATO relations on the basis of chronological exposition. Probably the most important contribution of the research is special attention devoted to and highlighting the impact of the conflicts in the Balkans on the development and subsequent regress in mutual relations. The issues, which due to the complexity and multi-threading of the Balkans problems, are often generalized and marginalized by the researchers both of Russia's foreign policy and of issues of international security and transatlantic relations of that period. That is why, we should look forward to both the English version of that position, as well as Boydjieva's continued research on Russia – NATO relations in the first decade of the 21st century.

Warszawa, July 2015

Spasimir Domaradzki

JACEK CZAPUTOWICZ
SUWERENNOŚĆ [SOVEREIGNTY]

POLSKI INSTYTUT SPRAW MIĘDZYNARODOWYCH
WARSZAWA 2013, PP. 472

The issue of sovereignty as an essential attribute of every state, although it is already a topic of rich literature in the world, and also in Poland, still raises interest among researchers of almost all social sciences, and particularly lawyers, historians and political scientists. This issue has been also at the centre of scientific interests of Jacek Czaputowicz for a long time as testified by his publications related to this topic, including such articles as: „Pojęcie suwerenności” [‘The concept of sovereignty’] in *Nowa Europa* [New Europe] no. 2, (10) 2010 and „Suwerenność państwa w realistycznej i liberalnej teorii stosunków międzynarodowych” [‘The sovereignty of the state in the realistic and liberal theory of international relations’] in *Zoon politikon* no. 2.2011, the chapter entitled „Demokracja a suwerenność w Unii Europejskiej” [‘Democracy and sovereignty in the European Union’] in the collective work „Polska w procesie integracji europejskiej: dekada doświadczeń (2004–2014)” [Poland in the European integration process: a decade of experience (2004–2014)] edited by K.A. Wojtaszczyk, M. Mizerski-Wrotkowski and W. Jakubowski, Faculty of Journalism and Political Science, University of Warsaw, Warsaw 2014, pp. 147–166.

In the preface of the book under review the author admits that: ‘I have been conducting research on the issue of sovereignty for many years. It started in the summer of 2004 when I was staying as a visiting fellow at the European Union University Institute in Florence. Since then I have analyzed various aspects of sovereignty while working on other subjects, and I have published fragments of the findings in various works, among others in the monograph *Teorie stosunków międzynarodowych. Krytyka i systematyzacja*. [Theories of international relations. Criticism and systematization.]’ (PWN 2007) (p. 13).

Thus, the above-mentioned publications were a specific prelude to writing the reviewed monograph, consisting of 472 pages, in which the author proves the thesis that throughout history, as a result of competition of various centres of power, and in response to social needs, the content of sovereignty has been subject to change, and its evolution and essence have been also greatly influenced by philosophers, lawyers and politicians. It is impossible to disagree with this seemingly trivial thesis which shows that sovereignty is not only a state but also a process determined by the changing environment of individual countries and their relations with other participants in international relations. This thesis is – in my opinion – presented and demonstrated in the best way by Professor Robert Jackson in his numerous works devoted to sovereignty, and especially in the book entitled *Sovereignty. The evolution of an idea*, which was also released in Poland by Wydawnictwo Sic! in 2011.

There is no doubt, as I have mentioned, that Jacek Czaputowicz's reviewed work is a substantial scholarly work, one of the best books on sovereignty which have been published in recent years in Poland and other countries. This book has been well received by political scientists, philosophers and lawyers. It has an interdisciplinary character, because the author, writing it from the perspective of political science, also takes into account the findings and conclusions of historians, lawyers and philosophers formulated within the space of not only past years but also centuries. We are dealing here with a successful reconstruction of understanding of sovereignty and its evolution over many centuries, from ancient times in the Greek city-states (polis), through the Roman Empire and the medieval *Respublica Christiana*, until modern times, when the state evolved from the territorial formation, through the absolutist to the national one in the nineteenth and twentieth centuries. At the same time the author points to two main approaches to sovereignty and its essence, namely as an attribute of the state and an inherent characteristic of international institutions, e.g. The European Union, where the main function of sovereignty is to legitimize their actions to solve current problems in international relations. Sovereignty as an attribute of the state in the past, but also today we encounter this understanding, was regarded as the state's (and its authorities') freedom of action to implement its own interest often at the expense of another country. Such an approach to sovereignty still exists in foreign and domestic policies of many countries, among others, Russia under the reign of Vladimir Putin. In this context, we must agree with another thesis of the author that not only in the past but also today sovereignty has another character in Europe and another in Asia, and yet another in Africa and the Middle East, where it is often forgotten that sovereignty is closely linked with

the principle of non-intervention in the internal affairs of other countries. What is more, the dispute among scholars about what in general sovereignty is, where it is located, what its relationship with the law is and whether it is divisible and subject to change is still not resolved. Representatives of each of the social sciences have different approaches to these issues and explain them differently.

And, thus, for example, as far as the issue of divisibility of sovereignty is concerned, today in the era of globalization, integration and growing interdependence, political scholars argue that sovereignty is divisible, but international lawyers disagree and advocate the unity of sovereignty and treat it as an attribute belonging only to states.

In the reviewed work, Jacek Czaputowicz – as I have said – puts many original theses and hypotheses and tries to answer these questions and analyses many other issues related to sovereignty of various entities participating today in international relations. Among other things, he looks for answers to the valid question of whether and how sovereignty and its perception changes in the case of countries participating in the European integration process. There is no doubt that, in comparison with the seventeenth and eighteenth centuries when this concept came into being with the Treaty of Westphalia, such sovereignty attributes as the determination of subjects' religion, exclusiveness in lawmaking and, coinage in countries belonging to the so-called Eurozone have now vanished.

The reviewed work is composed of a synthetic introduction, six comprehensive chapters divided into many subsections, a laconic summary, a list of tables and figures, a bibliography and an index of names. It was written in a problem structure, which I think is a right solution.

And thus, in the first chapter, entitled „Pojęcie suwerenności” [‘The concept of sovereignty’], which is the introductory chapter to the total of the author's considerations, presents various definitions of sovereignty and its essence and differences in its perception in various disciplines (law, political science, international relations). The author analyzes here such attributes of sovereignty, as territoriality, recognition, the ability to legitimacy, indivisibility and describes different dimensions and types of sovereignty (material and formal, positive and negative sovereignty).

The second chapter, entitled „Suwerenność w historii” [‘Sovereignty in history’] shows the evolution of sovereignty throughout history, starting from ancient times through the Peace of Westphalia till today. In this chapter the author shows that the meaning of sovereignty has changed and its attributes have also changed.

The third chapter, entitled „Suwerenność w filozofii politycznej” [‘Sovereignty in political philosophy’], which I think is one of the most interesting in the reviewed work, is devoted to the perception of sovereignty in individual trends of philosophy, starting from antiquity to the present, that is in classical, liberal philosophy until modernism and postmodernism. The author rightly notes that the contemporary philosophical thought and its position on the issue of sovereignty, especially of countries, has been significantly affected by the idea of sovereignty as a state of exception, proposed by Carl Schmidt, and later developed by Michael Foucault and Giorgio Agamben in the form of the concepts of apparatus and biopolitics.

The fourth chapter, entitled „Suwerenność w teoriach stosunków międzynarodowych” [‘Sovereignty in the theories of international relations’], which *de facto* is the core of the reviewed treatise, concerns the understanding and treatment of sovereignty in various theories of international relations, starting from realism through the English school, liberalism, various trends of globalization (neo Marxism) to the critical theory, various trends of cosmopolitanism, constructivism and postmodernism. These approaches and views differ in terms of the location of sovereignty and the recognition of the influence of standards on international relations and attach a greater or lesser role to the practice of sovereignty, and also suggest thinking in the categories of alternative management systems which break the connection of politics with sovereignty.

In turn, the fifth chapter, entitled “Suwerenność a społeczność międzynarodowa” [‘Sovereignty and the international community’], discusses the importance of sovereignty as the basis for the creation of the international community and its institutions such as the balance of power, diplomacy, international law and international organizations. The author analyzes here also such issues as the impact of globalization on the state and the international community in the context of their sovereignty. The author’s considerations on modern, premodern and postmodern states are also interesting here.

In the last, sixth, chapter entitled „Suwerenność w Unii Europejskiej” [‘Sovereignty in the European Union’] the author shows the influence of European integration and the resulting European Union on sovereignty of the Member States. Here such issues as lawmaking in the European Union and sovereignty in the constitutional systems of the Member States are analyzed. The author puts a thesis here, with which I agree completely, that sovereignty of the EU Member States is affected by the process of Europeanization, which concerns, among others, social, monetary sovereignty

and European citizenship. Also other interesting issues are discussed here, such as the deficit of democracy and the ways of exercising sovereignty in the European Union. Jacek Czaputowicz proves an interesting theory here that states, in order to obtain new opportunities for the realisation of their interests and provide citizens with prosperity, transfer some of their sovereign powers to the supranational level or jointly carry them out.

The entire analysis in the reviewed book finishes with a synthetic summary, in which the author shows that sovereignty and its attributes since Jean Bodin have been systematically changing and constantly evolving under the influence of the changing international reality, and today especially under the influence of globalization and international integration. In connection with this many features which in the past were regarded as obvious today have ceased to be like that. On the other hand, the abstract nature of sovereignty and its different understanding still do not allow us to formulate a clear answer to the question of what in fact this sovereignty is. I agree with the author who writes here that: 'The idea is not directly reflected in reality, it is rather a scheme of interpretation of reality, which is used for organizing and structuring of our thinking about political life. Sovereignty means both absolute power and political freedom, supremacy, autonomy as well as self-sufficiency. It combines two opposing political properties: the government, and freedom from the influence of others. It creates order through submission and through autonomy' (p. 409).

The effects of scholarly research and its quality are determined by the researcher's experience and his knowledge of the topic, the adopted methodology and the source database. Therefore, I would like to devote a little more attention here to the source database of the reviewed monograph, because it shows the researcher's inquisitiveness, scrupulousness and diligence, and Jack Czaputowicz must be given credit for these attributes. He used numerous sources as evidenced by 45 pages of the bibliography, although they are primarily monographs and articles and studies, and there are few original documents. I also have reservations concerning the methodological and workshop side of the reviewed work. And thus, the introduction and conclusion, which have their own requirements as to their content, in the reviewed work were written by the author at the level of a master's thesis, in a very succinct manner, without a broader discussion of the goal of the dissertation, its hypotheses, theses and research questions, the adopted methodology, including the theory and the source database. Incidentally, the bibliographies of serious scholarly work most often use the division into following parts, such as archive documents, published documents,

monographs, articles and studies, the press and possibly Internet sources. Here, this division does not exist, which reduces the rank of this work.

In conclusion, I want to note once again that, all in all, the reviewed book enriches the literature and is a major contribution to the development of social sciences in Poland. It summarizes the discourse on sovereignty and its role in the lives of states and nations in the past and today.

Professor Józef M. Fiszler

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Uczelnia Łazarskiego rozpoczęła działalność 1 października 1993 r. Dziś jest to jedna z najbardziej prestiżowych niepublicznych uczelni w Polsce. Prowadzi studia na sześciu kierunkach: prawo, administracja, stosunki międzynarodowe, ekonomia, finanse i rachunkowość oraz zarządzanie.

W 2007 r. Uczelnia uzyskała uprawnienia do nadawania stopnia naukowego doktora nauk prawnych, a obecnie czyni starania o uzyskanie uprawnień do nadawania stopnia naukowego doktora nauk ekonomicznych. Od 2012 roku na kierunku stosunków międzynarodowych działa Centrum Naukowe Uczelni Łazarskiego i Instytutu Studiów Politycznych PAN.

Uczelnię Łazarskiego wyróżnia wysoki stopień umiędzynarodowienia; prowadzi w języku angielskim studia I i II stopnia w trybie stacjonarnym na trzech kierunkach: ekonomia, stosunki międzynarodowe i zarządzanie. Cztery programy studiów otrzymały akredytację Coventry University z Wielkiej Brytanii – ich absolwenci otrzymują dwa dyplomy: polski i angielski. Uczelnia prowadzi też współpracę z prestiżowymi uniwersytetami amerykańskimi: Georgetown University w Waszyngtonie, University of Kentucky w Lexington i University of Wisconsin w La Crosse.

Nasza Uczelnia zajmuje czwarte miejsce w rankingach uczelni niepublicznych, a Wydział Prawa i Administracji od wielu lat jest liderem w rankingach wydziałów prawa uczelni niepublicznych. Realizowane u nas programy nauczania są współtworzone z wybitnymi praktykami i odpowiadają oczekiwaniom pracodawców. Dzięki temu 96% naszych absolwentów znajduje pracę w trakcie lub zaraz po studiach.

W ramach Uczelni działa również Centrum Kształcenia Podyplomowego, oferujące wysokiej jakości usługi z zakresu kształcenia podyplomowego, szkoleń i doradztwa dla firm, instytucji oraz jednostek administracji państwowej i samorządowej. Absolwentom studiów prawniczych oferujemy anglojęzyczne studia LLM (odpowiednik MBA), umożliwiające zdobycie międzynarodowego dyplomu prawniczego.

Wykładowcy Uczelni to znani w kraju i za granicą dydaktycy, którzy łączą pracę naukową z doświadczeniem zdobytym w renomowanych i cenionych na rynku firmach i instytucjach. To również znakomici profesorowie z Wielkiej Brytanii, Niemiec i Stanów Zjednoczonych.

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