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## 1

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Proceedings of the international conference *DISINTEGRATION AND INTEGRATION IN EAST-CENTRAL EUROPE* (fourth edition). "The future of the European Union from a historical perspective. Shaping tomorrow's Europe – ideas, prospects and strategies in the dialogue between generations."

# GERMAN PERCEPTIONS OF EUROPE BEFORE AND AFTER 1989/90

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**Abstract:**

*This article is discussing the German perceptions of Europe before and after German unification (1945-2018). It reflects and comments the complex transformations of Germany in Europe from the end of the Second World War, the foundation of two states in Germany, the dilemma of the Federal Republic of Germany working for European unity and reuniting the German nation and the restoration of German unity in 1990. After 1990 the greater Germany has to deal with the double task of domestic integration, i.e. the integration of the two Germanys into one nation, and at the same time promoting the process of the European unity project. At the European level since 2000/2001 the "new German question" returned to the agenda. How will the strongest European economic power deal with economic and financial crises and institutional reforms of the EU. Long-term phenomena and features of the history of the Germanys and more recent developments come into focus. For understanding German perceptions of Europe we have to take into account the historical traditions of Germany federalism over the centuries as well as the German experience of three hyper inflations in the 20th*

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*century (1923/24 – 1948 – 1970s). Until 1995 Germany was the only federation in the EC/EU. Therefore between 1950 und 1993 the triad Federation-Lander-Europe play an important role, i.e. the rights and obligations of the Lander and the Federation in European affairs. In the period before 1989/90 Germany's neighbours had to deal with the German problem, i.e. how to contain and integrate West Germany into the European integration process of the European democracies. Across all party lines the German political elites after the experience of National Socialist Germany opted for some kind of federal system for a united Europe. Examples for their ideas on Europe are given – the social democrats Hoegner, Schmid, Erler, the communists Grotewohl and Hanstein, the Christian democrats Ehard, Adenauer and von Weizsäcker, the Free Democrats Genscher and Scheel and the role of German members to the Consultative Assembly of the Council of Europe and to the European Parliament. Special sections are dedicated to the differing views of Walter Hallstein the long-term president of the European Commission and Franz Josef Strauß long-term member of the German Bundestag, Minister of Defence and Prime Minister of Bavaria. After the mid-1990s the finality of Europe is discussed. Quite valuable are the speeches of the German presidents to the European Parliament and the active cooperation of the German members to establish a Human Charter and a European Constitution. In the debates on how to deal with the Euro crises and Greece after 2008/9 the new German question returned and the stereotype image of the "ugly" German with a swastika and Angela Merkel with a Hitler-moustache. What kind of responsibility can and should Germany assume? Should it, being the strongest economic power in the EU, take on the role of the "leader"? Some observers speak for German leadership, others fear a "German Europe". The majority of the Germans are prepared to support necessary institutional reforms.*

**Keywords:** The triad Federation – Lander (States) – Europe, Federalism vs. Centralism, German question – German problem, The new German question, Federative nation

## 1. Preliminary Remarks and basic considerations

More than twenty-eight years after the fall of the Berlin Wall on 9 November 1989 and German unification on 3 October 1990, visible and less visible transformations have taken place in the political, constitutional, social, intellectual, economic and historical environment of the new Federal

Republic of Germany, the so-called Berlin Republic.[1] Billions of Deutschmark and Euros from public funds and from the private sector were transferred from the German government to the "new Lander". The quality of life in the Eastern parts of Germany and the infrastructure was improved. Nevertheless, the aim of "dual integration", i.e. the internal integration of Germany and Germany's efforts for European integration so far was only partially achieved. This has an impact on the perception of Europe by the people in the western and eastern Lander of the country.

In a special survey of Eurobarometer in the autumn of 1990 on "The European Community and United Germany" the report states, that the favour for European unification and the European Community "in East Germany is higher than anywhere else". 88% of the citizens of the ex-GDR support the "efforts being made to unify Western Europe" whereas 81% of the West Germans showed "a positive attitude toward European unification".[2] A second Eurobarometer poll in the five "new Lander" in spring 1991showed that the "'Euro-enthusiasm' encountered in previous GDR and ex-GDR polls" was "now tempered".[3] Despite clearly decreased support for European unity "its level is still superior to the EC average".[4]

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[1] Cf. Heinrich-August Winkler, *Germany*. *The Long Road to the West 1933-1990* (*Der lange Weg nach Westen*. Bd. II. München: C.H. Beck ²2001) Oxford: Oxford UP 2007, p. 563ff. – Winkler, Heinrich-August, *Geschichte des Westens. Die Zeit der Gegenwart*. München: C.H. Beck ³2016, p. 19ff. – Winkler, Heinrich-August, *Part of the West? German Leftists have not understood Putin*. Interview Spiegel Online June 27, 2014 (http://www.spiegel.de/international/Germany/interview-with-historian-heinrich-winkler-about-Germany-and-the-a-977649.htm) (consulted 28.12.17) – Gehler, Michael, *Deutschland. Von der Teilung zur Einigung, 1945 bis heute*. Wien Köln Weimar: Böhlau 2010, p. 363ff. – Gruner, Wolf D., *Deutschland in Europa 1750 bis 2007. Vom deutschen Mitteleuropa zum europäischen Deutschland*. Cluj-Napoca: Presa Universitară Clujeană 2009, p. 381ff. – Gruner, Wolf D., "Is the German Question – is the German Problem back? The Role of Germany in Europe from a Historical Perspective", in: *Rivista di Studi Politici Internazionali* 84/3 (2017), pp. 341-373 – Gunlicks, Arthur (Ed.), *German Public Policy and Federalism*. New York Oxford: Berghahn ²2004 (2003) – Habermas, Jürgen, *Die Normalität einer Berliner Republik*. Berlin: Suhrkamp 1995.

[2] The European Commission in 1974 established a standard Eurobarometer for Public Opinion survey (http://www.ec.europa.eu/commfrontoffice/publicopinion/index/cfm (consulted 15 January 2018): Cf. *Special Report Eurobarometer*. survey No. 34 (The European Community and United Germany. Public Opinion in East and West Germany. Brussels March 1991, p. 9.

[3] Eurobarometer survey No. 35 (The European Community and United Germany in Spring 1991. Development of Public Opinion in East and West Germany. Brussels April 1991, p. 1f.

[4] *Ibidem*, p. 2

In the latest survey on the Future of Europe of October 2016 the most important assets of the EU for the Germans in East and West were

- "The EU's ability to promote peace and democracy outside its borders" and

- the respect of the EU "for democracy, human rights and the rule of law".[5]

Democracy, Human Rights and the Rule of Law are guiding concepts in German documents and speeches on Europe since the beginning of the 1950s.

The following reflections and comments will undertake to approach these complex transformations and will deal with the German perceptions and ideas on Europe covering the period between the end of the Second World War in 1945 and the return of the "new German Question" since 2000/2001. Long-term phenomena and features of the history of the Germanys will have to be taken into account as well as more recent developments. We will have to ask questions such as: What are the German and European implications of this process of transformation in Germany and Europe? What does a "greater Germany" mean for its European neighbours, what does it mean for the process of European integration and reform? Will the German debate on the legal codification of the role of the German federal states (Lander) and the decisions of the federal government on reforming the federal system (Föderalismusreform) concerning rights and obligations of the Lander in the process of EU integration, constitution making, and institutional reform have a positive influence on considerations to establish a functioning third level in the institutional system of the European Union between Maastricht, Amsterdam, Nice and the Treaty of Lisbon and beyond? Many of the phenomena, aspects and developments that interest the historian of German, European, and European integration history cannot be discussed at length. Therefore, the following considerations will discuss briefly the historical framework for the German debate on Europe, indicating some historical dimensions and traditions of German statehood and the perception of Europe. The given format demands to concentrate on some basic phenomena, which, from my

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[5] Eurobarometer Special Survey No. 451. October 2016. Brussels December 2016: Table QB1T: main asset peace 22% (EU 28 average 17) – main asset Democracy, human rights rule of law 45% (EU 28 average 33).

point of view, are still prevailing. This naturally provokes the question of whether the Federal Republic and the new Germany have arrived in "the West," i.e., if the model of the German federation (Deutscher Bundesstaat) guarantees unity and freedom at the same time, combining national unity and a liberal political system. The phrase of the American senator and Foreign Secretary Daniel Webster, "Liberty and Union, now and forever, one and inseparable,"[6] can definitely be applied to today's Germany. The Federal Republic has arrived "in the West", integrating "Western traditions" and German constitutional and historical traditions.[7] Recently Germany's tight link to the West has been questioned in some political quarters. They pleaded to "strive for equidistance between the West and Russia".[8] Heinrich August Winkler was asked in an interview if there still is a tight link to the West which had been "a solid pillar of the Country's foreign policy for decades"? The answer was: "There is at least cause for doubt. A strong minority is questioning vital elements of our Western orientation, namely our membership in NATO and the European Union. I find that unsettling".[9] Despite this strong anti-Europe and anti-NATO minority Germany's political orientations to and the values of the West are still dominant. Among German democratic parties "there is an overwhelming consensus when it comes to the Western bond. Today, that consensus is being attacked by the fringes on both the left and the right side of our political spectrum".[10] The concept that after "several detours and mistakes Germany is finally firmly embedded in the West" is, at least in the Western parts of Germany accepted, despite the fact that in an overall survey for Germany of 2014 a majority of 49% would prefer that Germany would take up an "intermediary position" whereas 45% were convinced that Germany should be "firmly anchored in the West".

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[6] Cf. Maurice C. Baxter. *One and Inseparable: Daniel Webster and the Union*. Cambridge / Mass.: Cambridge UP 1984 – the phrase "Liberty and Union now and forever one and inseparable" is written on the Daniel Webster Monument in Central Park New York.

[7] Cf. Wolf D Gruner, "Historical Dimensions of German Statehood: From the Old Reich to the New Germany", in Gunlicks, Arthur (Ed.), *German Public Policy and Federalism* (note 1), pp. 15-46, pp. 222-238.

[8] Cf. Heinrich August Winkler, *Part of the West?*, Interview 27 June 2014 (note 1).

[9] *Ibidem.*

[10] *Ibidem.*

The following remarks will pick up some major aspects of the German debate on the structure and institutional order of Europe after World War II. As far as Germany or the Germanys (1949-1990) are concerned there will be a preponderance of the discourse and the concepts on Europe in the Western zones of occupation in Germany, after 1949 in the Federal Republic of Germany and since 1990 in United Germany. Perceptions or reactions in the GDR will be touched occasionally.

In dealing with the debate on and perception of Europe in Germany between the Second World War and post-unification Germany after 1990, we will always have to keep in mind the historical framework and the historical traditions influencing the perceptions of a "German Europe" or a "European Germany" or of "Germany in Europe", i.e. the national and domestic and the European and international conditions for post war Germany. Carlo Schmid in his essay to be a "Good European" pointed out that after Germany's defeat in 1945 "there were only Europeans in Germany". People were quoting Nietzsche's phrase of the "good European". The Germans believed they could pay off the historical German guilt by just passing over to Europe. Thus, Europe became a substitute for Germany's lost great power status. This was considered as being smart.[11]

Within this historical framework since the late 18th century we need to keep a consistent focus on Germany's historical background for understanding German views and concepts for Europe and Germany's position in Europe after the Second World War. There are several factors which must be taken into account:

1. The *German question*– or the *German problem* – and the options for solving it after the Second World War. They played an important role for the Germans and their European neighbours. Therefore, the issue on the agenda has been: How could Germany become an integral part of the new European order? And what role should be assigned to Post-war Germany?[12]

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[11] Cf. Carlo Schmid, „Ein guter Europäer", in: Schmid, Carlo, *Europa und die Macht des Geistes. Gesammelte Werke in Einzelausgabe*n. Bern München: Scherz 1973, pp. 428-434, p. 428.

[12] I have discussed this topic widely in several studies: Cf. Gruner. Wolf D., *Die deutsche Frage in Europa*, München Zürich: Piper 1993 – Gruner, Wolf D., „Die deutsche Frage als Thema der europäischen Politik im 19. und 20. Jahrhundert", in: Elvert, Jürgen / Krüger, Friederike (Eds.), *Deutschland 1949-1989*. *Von der Zweistaatlichkeit zur Einheit*. Stuttgart: Steiner 1999, pp. 17-55 – Gruner, Wolf D., „L'image de l'autre: Das Deutschlandbild als zentrales Element der deutschen Frage in Geschichte und Gegenwart", in: Trautmann, Günter (Ed.), *Die häßlichen Deutschen? Deutschland im Spiegelbild der westlichen und östlichen Nachbarn*. Darmstadt: WBG 1991, pp. 29-59 – Gruner, Wolf D., *Deutschland mitten in Europa*. Hamburg: Kraemer 1992 – Gruner, Wolf D., *Deutschland in Europa 1750 bis 2007* (note 1).

2. *Would a German nation state be re-established after the total defeat of 1945?* Hitler's grip for world power and European hegemony had totally failed. Germany had gambled away its great power status regained after 1919. Therefore: Which Germany would emerge from the War? Germany divided permanently by the victors, a Germany ruled and controlled by the victorious allies? And could Germany become a member of a uniting Europe?

3. Additionally, especially in the early 1950s, we have to take into account the domestic tensions and conflicts between the concepts of the SPD on the one hand demanding "German unification first" and the CDU/CSU dominated coalition governments of chancellor Konrad Adenauer on the other hand working for "German unification through integration into the camp of European democracies".

4. *Federalism* has a long standing historical tradition in Germany.[13] A federal system had been the natural political structure for the bond of the German nation. The nature of German federalism had different historical and political roots compared e.g. to American federalism.[14] Referring to federalism James Madison stated that federalism was considered as the "best guardian […] of the liberty, safety and happiness of man".[15] German federalism did not originate from democracy and liberty, but from the historical landscapes, the territories of the Holy Roman Empire of the German

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[13] Cf. Ernst Deuerlein, *Föderalismus. Die historischen und philosophischen Grundlagen des föderativen Prinzips*. München: List Bonn: Bundeszentrale für Politische Bildung 1972 – Funk, Albert, *Föderalismus in Deutschland. Vom Fürstenbund zur Bundesrepublik*. Bonn: Bundeszentrale für Politische Bildung 2010 – Umbach, Maiken (Ed.), *German Federalism – Past – Present – and Future*. Basingstoke: Palgrave 2002 – Héraud, Guy, *Les principes du fédéralisme et la Fédération Européenne*. Paris: Presses d'Europe 1968, p. 69ff. – Gunlicks, Arthur (Ed.), *German Public Policy and Federalism* (note 1) – Brecht, Arnold, *Federalism and Regionalism in Germany and the Division of Prussia*. New York London Toronto: Oxford UP 1945 – Gruner, Wolf D., „Deutschland und Europa in Geschichte und Gegenwart: Überlegungen zu bündischen Formen deutscher Staatlichkeit", in Gruner, Wolf D., *Deutschland mitten in Europa*. Hamburg: Kraemer 1992, pp. 287-332.

[14] Cf. Ernst Deuerlein, *Föderalismus* (note 13), p. 66ff. – Umbach, *German Federalism* (note 13) – Brecht, *Federalism and Regionalism* (note 13), p. 3ff. There is also a German translation: Brecht, Arnold, *Föderalismus, Regionalismus und die Teilung Preussens*. Bonn: Ferd. Dümmlers Verlag 1949, p. 11ff.

[15] James Madison, *The Writings of James Madison*, edited by Gaillard Hunt. 9 vols. New York: G.P.Putnam's Sons 1910, vol. 9, p. 136 – also accessible at http://oll.libertyfund.org./titels/ madison-the-writings-of-james-madison-9-vols (consulted 28 December 2017).

Nation and its political traditions, its successor the German Confederation[16] and European thought. Whereas the French after the Revolution of 1789 we speak about the "one and inseparable nation". in Germany we refer to the "federative nation" ("föderative Nation").[17] Despite the polarization between the idea of a Unitarian state and the Federal state as the best means for the togetherness of the German nation, German statehood since the 19th century was organised on a federal basis. The Federal Republic of Germany is a federal state. For many decades Germany was the only federal state among the European democracies in the EC/EU.[18]

    5. In the German federal state, the German Lander demand to participate in the construction of European. Therefore, in the German case, we have to deal with the *triad between the German Federation, the German Lander and Europe*. Besides the interests of the government of the Federal Republic of Germany the Lander had their own regional interests as far as Europe was concerned. This became obvious when West-Germany became of member of the Council of Europe in 1950,[19] signed the treaty for the ECSC in 1951, the treaties of Rome in 1957 and moved on in the 1980s to the European Single Act and Delors' "Europe92".

    6. Ever since the beginning of a closer cooperation of the European democracies in the early 1950s any German federal government was facing the *dilemma of working for European integration and at the same time keeping the national question open*.[20] This turned out to become a major blocking stone

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[16] Cf. Wolf D. Gruner, *Der Deutsche Bund 1815-1866*. München: C.H. Beck 2012 –Müller, Jürgen, *Der Deutsche Bund 1815-1866*. München: Oldenbourg 2006.

[17] Dieter Langewiesche, *Reich, Nation, Föderation. Deutschland und Europa*. München: Oldenbourg 2008 – Langewiesche, Dieter / Schmidt, Georg (Eds.), *Föderative Nation. Deutschlandkonzepte von der Reformation bis zum Ersten Weltkrieg*. München: Oldenbourg 2000.

[18] Cf. Wolf D. Gruner, *Historical Dimensions of German Statehood: From the Old Reich to the New Germany* (note 7), pp. 15-46, pp. 221-239.

[19] Cf. Wolf D Gruner, "Der Europarat wird fünfzig – ‚Vater' der europäischen Integration: Gründungsvorstellungen, Wirkungen, Leistungen und Perspektiven nach 50 Jahren", in: Gruner, Wolf D. (Ed.), *Jubiläumsjahre – Historische Erinnerung – Historische Forschungen. Festgabe für Kersten Krüger zum 60. Geburtstag*. Rostock: Universitätsdruckerei 1999, pp. 117-234 – Wolf D. Gruner, „Les Länder allemands et la création de la CECA", in Bitsch, Marie-Thérèse (Ed.), *Le Couple France-Allemagne et les institutions européennes*. Bruxelles: Émile Bruylant 2001, pp. 35-61.

[20] Preamble of the Basic Law of 8 May 1949 (https://www.cvce.eu/content/publication/1999/1/7fa618bb-t604e-4980-b667-76bf0cd0dd9b/publishable_en.pdf (consulted 19 December 2017).

since the mid-1980s when European integration was speeding up Draft Constitution for a European Union 1984 – Single European Act 1986 – Delors' programme "Europe 92").[21]

7. When *German unification* came about in 1989/90 and the EC was functioning as a midwife. United Germany had to face the challenge of dual integration, i.e. to work successfully for domestic integration of the old Federal Republic and the former GDR – creating blooming landscapes – and at the same time to take on the role as a promoter of European integration and European unification.

8. From the perspective of transformation and reform, we should take into account the debate on co-operative and competitive federalism and its impact on considerations and debates for establishing a *"third level" within the institutional system of the EU* which would assign to the Committee of the Regions of the EU legislative rights and an equal institutional status similar to the other organs of the EU, and finally

9. We must ask whether the *federal system of the Federal Republic of Germany*, as many German contributions to the debate on the reform of the institutions of the EU have suggested, *might serve as a model for a federalization of the EU*. Could a nineteenth century model in German constitutional history, which was briefly discussed again in 1989 as a possible means of uniting the two states in Germany[22] be used at a European level? It was brought up again in connection with the task force for the Intergovernmental Conference of the EU in 1996. The idea of adopting a closer and wider federation under a common community framework might be useful and productive in dealing successfully with further EU-enlargements and institutional reforms.

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[21] European Parliament, *Draft Treaty establishing the European Union. Official Journal of the European Communities No C 77/33* (14 February 1984) – European Communities, *The Single European Act (Luxembourg 17 February 1986) Official Journal L 169 of 29 June 1987 (also in German, French, Italian and Dutch)* – Cecchini Paolo (Ed.), *The European Challenge 1992. The Benefits of a Single Market*. Aldershot: Gower 1988 – German version: Cecchini, Paolo (Vorsitz), *Europa'92. Der Vorteil des Binnenmarkts*. Baden-Baden: Nomos 1988 – Delors, Jacques, „Europa im Umbruch. Vom Binnenmarkt zur Europäischen Union", in *Europäische Gespräche* Heft 9/1992, pp. 5-15, Bonn: Druck- und Werbegesellschaft.

[22] Cf. Wolf D. Gruner, „Die süddeutschen Staaten, das Ende des Deutschen Bundes und der steinige Weg in das deutsche Kaiserreich (1864-1871)", in Heinemann, Winfried / Höbelt, Lothar / Lappenküper, Ulrich (Eds.), *Der Preussisch-Österreichische Krieg 1866*. Paderborn: Schöningh 2018, pp. 241-301, p. 257.

In discussing the German discourse on Europe and how European unity should or might be achieved between the end of the Second World War and the global and Euro crises of the 2000s we always have to keep in mind the historical framework for the German ideas, concepts and perceptions on Europe. In order to prove my case, I have decided partly on a chronological, partly on a structural approach:

1. The debate on Germany and Europe between the 1940s and 1989/90,

2. the German Lander and their understanding and perception of their rights and their role to participate in the European process,

3. Walter Hallstein's belief since the 1950s to realize a European Federal State, despite the division of Germany[23] and Franz Josef Strauß' differing European vision.[24] There are also other protagonists with perceptions on the future of Europe and a European Germany.[25]

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[23] Cf. Walter Hallstein, *Europe in the Making*. New York: Norton 1969. The German title is more precise: Hallstein, Walter, *Der unvollendete Bundesstaat.* Düsseldorf: Econ 1969 – Hallstein, Walter, *Europäische Reden*. Stuttgart: DVA 1983 – For Hallstein's view from a retrospective cf. Hallstein, Walter, *Die Europäischen Gemeinschaft*. Düsseldorf: Econ 1973 – Loth, Wilfried, *Walter Hallstein – der vergessene Europäer?* Bonn 1995 – Loth, Wilfried / Wallace, William / Wessels, Wolfgang / Ruppert, Bryan (Eds.), *Walter Hallstein. The Forgotten European*. London: Palgrave Macmillan 1998 – Piela, Ingrid, *Walter Hallstein (1901-1982). Leben und Wirken eines Juristen und Europäers der ersten Stunde*. Hagener Online-Beiträge zu den Europäischen Verfassungswissenschaften. Fern Universität Hagen IEV-Online 2019 Nr. 1. – Schönwald, Matthias, *Walter Hallstein: Ein Wegbereiter Europas*. Stuttgart: Kohlhammer 2017.

[24] Cf. Franz Josef Strauß, *Die Erinnerungen*. Berlin: Siedler 1989 – Strauß, Franz Josef,, *Entwurf für Europa*. Stuttgart: Seewald 1966 – Strauß, Franz Josef, *Herausforderung und Antwort. Ein Programm für Europa*. Stuttgart: Seewald 1968 – Carstens, Karl / Goppel, Alfons– Kissinger, Henry– Mann, Golo (Eds.), Franz Josef Strauss. Erkenntnisse – Standpunkte – Ausblicke. München: Bruckmann 1985 – Strauß, Franz Josef, Grundfragen Europas, in Huber, Ludwig (Ed.), Bayern, Deutschland, Europa. Festschrift für Alfons Goppel. Passau: Passavia 1975, pp. 101-113.

[25] Cf. inter alia Koch, Roland / Kroll, Lothar (Eds.), *Heinrich von Brentano. Ein Wegbereiter der europäischen Integration*. München: Oldenbourg 2004, pp. 159-181. (esp. Elvert, Jürgen, Heinrich von Brentano, Vordenker einer Konstitutionalisierung Europas) – Brentano, Heinrich von, Deutschland, Europa und die Welt. Ed. by Ernst Böhm. Bonn Wien Zürich: Siegler 1962 – Ulrich, Laura Christine, *Wege nach Europa. Heinrich Aigner und die Anfänge des Europäischen Rechnungshofes*. St. Ottilien: EOS 2015 – Ulrich, Laura Christine, *Roads to Europe. Heinrich Aigner and the genesis of the European Court of Autitors*. Luxembourg: Publication Office of the European Union 2016 – The valuabele and interesting Aigner Papers are stored in. *Hanns Seidel Stiftung Archiv der Christlich Sozialen Politik* (in der following *ACSP*) Munich – Aigner, Heinrich, *Europa. Schicksalsfrage unseres Jahrhunderts*. Würzburg: Naumann 1978 –

4. The growing dilemma of the Federal Republic of Germany's to integrate into a European framework and to keep the national question open at the same time. This was a question any government had to deal with[26] and last but not least

5. United Germany and Europe since 1990 and the finality of the European process.

Broadly speaking these aspects, especially the *German question*, the *perspectives for a national state of the Germans* after the war and *federalism* as well as *democracy and the Rule of Law* to a large extent influenced and shaped the German debate among politicians, writers and citizens at all levels from the local communities and the Lander to the Federation (Bund), citizens and intellectuals. Because of the experience of the Third Reich and the uncertainty of the restitution of a German nation state in post-war Europe the large majority of concepts and considerations concerning

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Aigner, *The Case for a European Audit Office (also in German)*. Luxembourg: Office for Official Publications of the European Communities 1973 – Aigner, "Finanzkontrolle der Europäischen Gemeinschaften, Entwicklung und Perspektiven", in *Zeitschrift für Parlamentsfragen* 2/1978, pp. 186-192 – Schmidt, Helmut, *A Grand Strategy for the West*. New Haven London: Yale UP 1985 – Schmidt, Helmut, *Mein Europa*. Hamburg: Hoffmann & Campe ²2013 – Herzog, Roman, *Lessons from the Past. Visions for the Future* (German Issues 18). Washington D.C.: AICGS 1998 – Herzog, Roman, *Europa neu erfinden. Vom Überstaat zur Bürgerdemokratie*. München: Siedler 2014 – Herzog, Roman / Hobe, Stephan (Eds.), *Die Europäische Union auf dem Weg zum verfassten Staatenverbund. Perspektiven der europäischen Verfassungsordnung*. München: C. H. Beck 2004 – Weizsäcker, Richard von, Reden (http://www.bundespraesident.de/DE/Die-Bundespraesidenten/Richard-von-Weizsaecker/reden-node.html (consulted 2 Febrary 2018) – Steinmeier, Frank Walter, „Europa war nie ein Spaziergang. Speech to the European Parliament" (http://www.zeit.de/politik/ausland/2017-04/frank-walter-steinmeier-europaparlament-rede-bundespraesident (consulted 2 February 2018) – Rau, Johannes, *Ein Politikerleben in Briefen, Reden und Bildern*. Bonn: Dietz 2011 – Rau, Johannes , „Plädoyer für eine Europäische Verfassung". Speech to the European Parliament 4 April 2001. (http://www.bundespraesident.de/SharedDocs/Reden/DE/Johannes-Rau-/Reden/2001/04/20010404_Rede.html (consulted 2 February 2018) – März, Stefan, *Alfons Goppel. Landesvater zwischen Tradition und Moderne*. Regensburg: Friedrich Pustet 2016, p. 132ff. – Cf. also ACSP München Goppel Papers – Gruner, Wolf D., „'Les Europe des Européens'. The Perception of Europe in the Debates of the Consultative Assembly of the Council of Europe 1949-1951", in Bitsch, Marie-Thérèse / Loth, Wilfried / Poidevin, Raymond (Eds.), *Institutions européennes et identitées européennes*. Bruxelles: Émile Bruylant 1998, pp. 82-122.
[26] Cf. inter alia: *Wiedervereinigungsgebot und Vertragsentwurf zur Europäischen* Union [1985/6] (*ACSP* München Aigner Papers 40).

"Germany in Europe" and "Germany and Europe" followed along federal lines, despite changing historical environments. This was true for the period between 1945 and 1949, for the formative period of the European construction between 1949 and 1957 as well as for the 1960s and 1970s and the new attempts since the late 1980s. German unity in 1990, added a new dimension to the necessity to proceed towards the 'finality' of the European construction. One aspect which came up over and again between 1949 und 1990 was the security of the Federal Republic, the fear of the military power of the Soviet Union and a strong anti-communism. In a press conference in Paris in 1953 Federal Chancellor Konrad Adenauer argued that from his view the only chance against Russian conquest of Europe will be the European integration of the democracies. Statesmen and politicians of the European states have to decide now whether to safeguard their freedom through European integration or stay alone and a Russian satellite state today or tomorrow. In order to prevent this European integration is in the interest of the free world. Any European integration demands from all members to give up sovereign rights. This resides in the character of integration. The "European Defence Community is a prerequisite for European Integration". No partner in the community will wage war against another member. There will no longer be national armies. There will be a European army only.[27]

The process of the integration of the European democracies since the early 1950 created two additional problems which have to be kept in mind and which came to the fore during the ratification debates in the German Federal Diet and the German Federal Council on the Paris Treaty creating the European Coal and Steel Community (1951), the failed Treaty on the foundation of a European Defence Community (EDC) and a European Political Community (EPG) in 1952, combined with the Germany Treaty or General Treaty (1952) and the Treaties of Rome (1957) establishing the European Economic Community and the European Atomic Community, namely,

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[27] Speech of Konrad Adenauer to the Association de la Presse Diplomatique in Paris on 11 December 1953 (Brochure of the Press- and Information Office of the Federal Government. Copy in *ACSP* München Goppel Papers 693).

- the wish of the German Lander to safeguard their rights and interests directly in community affairs[28]

- and the growing dilemma of the federal governments to ensure the obligation to work for German unity and at the same time to promote the process of economic and political integration according to the European "Community idea".

The dilemma German unity versus / and European integration since the mid-1980s provoked debates in the Federal Republic to eliminate the German unity clause from the preamble of the West German Basic Law.

The Federal Republic has to decide for European integration or German unification. It was Jürgen Schmude who in a speech at the Friedrich Ebert Foundation argued that there was no chance for German unification.[29] The unity clause of the Basic Law may also be interpreted as "dual statehood". The political priority of the Federal Republic should be to promote West European integration. German "unity in division" is capable of improvement. West German political reality is that the process of integrating the European democracies politically and economically is irreversible. Unity in division offers many chances for the future. Unity should be perceived in the "sense of a trans-border-crossing special togetherness" of the Germans.[30] Schmude's statement and views indicate that in many West German quarters the idea of the nation had changed, i.e. was the national question still a central issue or had it degenerated to Sunday speeches?

## 2.   A new Germany in a united Europe 1945-1989/90

At the end of the Second World War there was a totally different situation for Germany compared to 1813-1815 or 1848/49, 1870/71 and 1918/19. During the Second World War the allies of the anti-Hitler coalition were discussing the future role and political system of post-war Germany.

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[28] Cf. Wolf D. Gruner, "Les Länder allemandes et la création de la CECA, in Bitsch, Marie-Thérèse (Ed.), *Le couple France-Allemagne et les institutions européenes. Un posterité pour le Plan Schuman?* Bruxelles: Émile Bruylant 2001, pp. 35-61 – Gruner, Wolf D., „Das Verhältnis Bund – Länder – Europa in der Geschichte der Bundesrepublik", in Gruner, Wolf D. / Woyke, Wichard, Europa-Lexikon. Länder – Politik – Institutionen. München: C.H.Beck ²2007, pp. 73-79.

[29] Jürgen Schmude, „Keine Chance für die Einheit?" in *Vorwärts* 10/11.3.1989, pp. 27-29.

[30] *Ibidem*, p. 129.

They wanted to eliminate the Prussian problem in German political and constitutional history. The authors of a memorandum on Germany pleaded in favour of dismemberment of Prussia and not for a dismemberment of Germany. This was considered as a prerequisite for establishing a functioning federal and democratic state in Germany.[31] The Yalta Conference published a declaration on the future of a democratic and liberated Europe.[32] It stated that the wartime allies would have a say in the affairs of Europe. European economy and European politics were re-established at a national level.[33] Wartime plans of the governments in Exile, of emigrants and of the Resistance for a united Europe replacing the nation state were taken off the political and economic agenda. This left almost no room for European ideas and concepts. Nevertheless, between the end of the war and the foundation of two states in Germany there was a public exchange on the future constitution of a German state as well as on a constitution for Europe and on Germany's role and contribution for United States of Europe to be established.

As far as a united Europe was concerned it was quite clear that it should have some kind of federal organizational structure. Which model would suit best? Would the German, Swiss, American or other European traditions prevail in reconstructing post-war Germany in a European framework?

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[31] Cf. National Archives London – Public Record Office (in the following PRO), Foreign Office (in the following F.O.) 371/39080 "Confederation, Federation and Decentralization of the German state, and the Dismemberment of Prussia" (November 27, 1944) – Cf. also Gruner, Wolf D., *Die deutsche Frage in Europa* (note 8), p. 204ff. with more details and comments on sources and literature.

[32] Department of State (Ed.), *Foreign Relations of the United States. Diplomatic Papers. Conferences at Malta and Yalta, 1945.* Washington DC: US Government Printing Office 1945, Communiqué issued at the end of the conference February 11, 1945 Doc. 500 (Report of the Crimea Conference), part IV: Declaration on Liberated Europe, p. 972: The pressing political and economic problems should be solved "by democratic means. The establishment of order in Europe and the building of national economic life must be achieved by processes which will enable the liberated peoples […] to create democratic institutions of their own choice" – cf. also PRO CAB 119/11: Outward telegramme to the Dominions on the Results of the Yalta Conference (Argonaut) 12 February 1945.

[33] Cf. Michel Dumoulin, (Ed.), *Plans de temps de guerre pour l'Europe d'après guerre 1940-1947.* Bruxelles: Émile Bruylant 1995 – Laqueur, Walter, *Europe in our Time.* Washington D.C.: Viking 1992, p.7ff. – Mammarella, Giuseppe, *Storia d'Europa dal 1945 a oggi.* Milano: Editori Laterza ²1997, p. 3ff.

Politicians, experts in exile and in the resistance movement had developed ideas for a new Germany, the4 "other Germany" in a new Europe after the war. In all German zones of occupied they were discussing the best constitutional framework for "the other Germany", for a new and democratic Germany and how to integrate it into a united Europe. They all had their political and scholarly roots in Weimar Germany and in Imperial Germany. Against the background of their experience of National Socialism at home or in exile they were fighting old battles whether or not federalism or a central state would be the best form for German statehood. The federalists were pleading for a reformed and democratic 'German Confederation' which would become an integral member of a 'Federation of European States'.[34] The supporters of a unitary political system, like Otto Grotewohl, chairman of the Socialist Unity Party (SED), and Wolfram von Hanstein argued that the only solution for the German constitutional question would be a 'unitary German state'.[35] This was inter alia called into question in an article on "Unity of Freedom? Strong Criticism of the draft constitution of the Socialist Unity Party".[36]

The majority of the Social Democratic Party (SPD) also was in favour of some kind of unitary German Reich being part of a united European Federation of states. In 1925 the SPD was the first German party which wrote into its party programme the objective "to establish United States of Europe".[37] It was asking for the creation of "European Economic

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[34] Cf. e.g. Institut für Zeitgeschichte München, (in the following IFZ), Hoegner Papers ED 120/127 Richtlinie (August 1944), Züricher Erklärung (April 1945) – Doberer, Kurt Karl, *Die Vereinigten Staaten von Deutschland*. München: Willi Weismann Verlag 1947 (Original: *United States of Germany*. London: Lindsay Drummond 1944).

[35] Cf. Otto Grotewohl, *Deutsche Verfassungspläne*, Berlin: Dietz Verlag 1947 – Grotewohl, Otto, ,*Reden und Aufsätze. Vom Einigungsparteitag im April 1946 bis zum 1. März 1947*. Berlin: Neues Deutschland 1947 – Hanstein, Wolfram von, *Deutschland oder deutsche Länder: Eine geschichtliche Betrachtung.* Dresden: Sächsischer Volksverlag 1947 – I have discussed these aspects in more detail in: Gruner, Wolf D., „Deutschlandpolitische Grundsatzpositionen und Zielvorstellungen in den westdeutschen Besatzungszonen 1945-1949, in, Deutscher Bundestag (Ed.), *Materialien der Enquetekommission ‹Aufarbeitung von Geschichte und Folgen der SED-Diktatur in Deutschland›*, vol. V/2 *Deutschlandpolitik*. Baden-Baden: Nomos 1995, pp. 1404-1488.

[36] Richard Jaeger, „Einheit oder Freiheit? Kritik am Verfassungsentwurf der SED", in *Bayerische Rundschau* 1947, p. 106f. (*ACSP* München Jaeger Papers P 23).

[37] Parteivorstand der Sozialdemokratischen Partei Deutschlands (Ed.), *Das Heidelberger Programm. Grundsätze und Forderungen der Sozialdemokratie*. Berlin: Auer&Co Hamburg 1925, Abschnitt Internationale Politik, pp. 65-70, p. 70. – Schönhoven, Klaus, *Der Heidelberger*

Unity" in order to overcome the economic post-war problems and to achieve the solidarity of interests of all peoples and continents. The constitutional committee of the SPD in spring 1947 prepared guidelines for the organisation of a German republic. Germany should not be transformed into a federation of states. A federation of states (Staatenbund) "would hamper externally the future development toward European unity and would internally mean an unnecessary dismemberment […] A disintegration of Germany into independent states would be nonviable".[38]

This vote for a decentralized unitary state met with strong resistance at the Party Conventions of 1947 and 1948. Senior and influential Social Democrats like the mayors of Bremen and Hamburg, Wilhelm Kaisen[39] and Max Brauer[40] or the South German Prime Ministers Wilhelm Hoegner (Bavaria)[41] and Carlo Schmid[42] (Württemberg-Hohenzollern) instead were favouring a federal structure for the future German Reich in a united Europe. When the SPD was founded in Süd Württemberg in February 1946 Carlo Schmid was convinced he could imagine a future for the European peoples in some kind of "United States of Europe" only. "Building as new Europe" he said "can only be realized by a European Confederation. May be the will for a confederation can be encouraged when the German people finds its own political unity based on federalism".

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*Programmparteitag von 1925: Sozialdemokratische Standortbestimmung in der Weimarer Republik.* Heidelberg: Stiftung Reichspräsident-Ebert-Gedenkstätte 1995 – Winkler, Heinrich August, „Klassenbewegung oder Volkspartei? Zur sozialdemokratischen Programmdebatte 1920-1925", in *Geschichte und Gesellschaft* 1/1982, pp. 9-54.

[38] „Richtlinien für den Aufbau einer deutschen Republik" (13,14 March 1947), printed in: Benz, Wolfgang et al. (Eds.), *Bewegt von der Hoffnung aller Deutschen*. München: Dtv 1979, pp. 359-367, p. 359f. (Translation WDG).

[39] Cf. Wilhelm Kaisen, *Meine Arbeit, mein Leben*. München: List 1967 – Sommer, Karl-Ludwig, Wilhelm Kaisen. Eine politische Biographie. Bonn: Dietz 2000, p. 248ff.

[40] Erich Lüth, Max Brauer. Glasbläser, Bürgermeister, Staatsmann. Hamburg: Christians 1972 – Schildt, Axel, Max Brauer. Hamburg: Ellert & Richter 2014 – Fladhammer, Christa / Wildt, Michael (Eds.), Max Brauer im Exil. Briefe und Reden aus den Jahren 1933-1946. Hamburg: Christians 1998.

[41] Wilhelm Hoegner, Der schwierige Außenseiter. Erinnerungen eines Abgeordneten, Emigranten und Ministerpräsidenten. München: Isar Verlag 1959 – IFZ Hoegner Papers ED 120/127– Kritzer, Peter, Wilhelm Hoegner. Politische Biographie eines bayerischen Sozialdemokraten. München: Süddeutscher Verlag 1979.

[42] Cf. Friedrich Ebert Stiftung - Archiv der sozialen Demokratie (in der Folge: FES-AdSD) Private Papers Carlo Schmid (in the following NL C.S.) 1/CAAA002130 (1948).

Federalism would provide the natural unity of the people based on the laws. All members would keep their specific and beloved characteristics. If necessary, however, they would be enabled to act as a unity. Germany needs "healthy and strong Lander". They should be "united in new German federation. The administration should get the necessary authority for tackling community tasks". [43]

Because of the opposition of people like Hoegner and Schmid the 1947 Party Convention of the SPD in Nurnberg voted in favour of a federative political system for Germany.[44] A German federation with strong Unitarian elements should join a European Federation of States.[45]

The mainstream CDU, especially in the north of Germany, generally supported a unitary state. On 6 September 1946 the American Secretary of State James F. Byrnes delivered his Stuttgart "Speech of Hope". He proposed a federal system for all Germany. The United States, he said, were favouring a provisional German government. A German National Council should be formed "composed of democratically responsible minister presidents or other chief officials of the several states or provinces which have been established in the four zones".[46] The National Council should be "charged with the preparation of a draft of a federal constitution for Germany which [...] should insure the democratic character of the new Germany and the human rights and fundamental freedoms of all its inhabitants".[47] The German resources must be used "to rebuild a free, peaceful Germany and a free, peaceful Europe".[48] Byrne's speech

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[43] Carlo Schmid, „Rede anläßlich der Gründung der SPD in Südwürttemberg. Reutlingen 20.2.1946", in: Schmid, Carlo, *Die Forderung des Tages – Reden und Aufsätze*. Stuttgart: Klett 1946, p. 73f. (Translation WDG).

[44] SPD (Ed.), *Protokolle der Verhandlungen des Parteitages der Sozialdemokratischen Partei Deutschlands*. Hamburg, 1947, p. 225 – cf. also Rogosch, Detlef, *Europavorstellungen in sozialdemokratischen und sozialistischen Parteien in Deutschland und Belgien 1945-1957*. Hamburg: Kraemer Verlag 1995, p. 50ff.

[45] Protokoll der Verhandlungen des Parteitages der Sozialdemokratischen Partei Deutschlands vom 28. Juni bis 2. Juli 1947 in Nürnberg. Hamburg: Auer Druck 1947, Deutschland und Europa, S. 224f., p. 225 cf. also Gruner, Wolf D., Deutschlandpolitische Grundsatzpositionen (note 31), p. 1449ff.

[46] James F. Byrnes, "Restatement of Policy on Germany" (September 6, 1946), in: Oppen, Beate Ruhm van (Ed.), *Documents on Germany under Occupation, 1945-1954*. London New York: Oxford UP 1955, pp. 52-60.

[47] *Ibidem*.

[48] *Ibidem*.

underlined the importance of Germany for the economic reconstruction of
Europe. He considered the return of Germany in the society of European
democracies as a necessary development. Byrnes' speech set up a debate on
a German national representation, on the future political system of
Germany and its role in a new Europe. It was the chairman of the CDU in
the Soviet Zone of Occupation, Jakob Kaiser, who wrote an article on "The
German Way". His guiding idea was that Germany should become "the
bridge between East and West for the sake of Germany and Europe".[49] The
geographical position of Germany as the heartland of Europe does not
allow a separation between Eastern and Western Europe. The foundation of
United States of Western Europe would create a demarcation line in
Germany and Europe. Kaiser proposed that Germany should take on the
role of a bridge, a mediator between East and West. In 1947, less than two
years after the war this was unrealistic. It was too early to serve as a
mediator. At that point Europe was not in a position to play an
independent role, let alone a non-aligned Germany taking on the role of a
mediator. It was Kaiser's hope that his idea might be an option to save
German unity. In the present miserable state of Germany Kaiser was
convinced that it was not the right moment to call for United States of
Europe. He confessed that he was not "a man of federalism". Like other
German politicians of the time his priority was "Germany first and then
Europe".[50] We first have to master our own destiny. This is the common
task for all Germans living in the southern, western, eastern zones of
occupation and in Berlin. "We cannot wish that the commitment for a
European Community is proclaimed as a way out from German despair
[…] the strong will for United States of Europe should not be an escape
from German despair, but the readiness to work for the creation of an ever
closer European Community from a healthy and purified self-confidence".[51]

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[49] Jakob Kaiser, "Deutscher Weg 1947" (Translation WDG), in: *Neue Zeit* 1 January 1947 –
also printed in: Mayer, Tilmann (Ed.), Jakob Kaiser. *Gewerkschafter und Patriot*. Köln: Bund-
Verlag 1988, pp. 272-276.

[50] Jakob Kaiser, „Um Deutschlands Schicksal", in Mayer, Tilmann (Ed.), *Jakob Kaiser.
Gewerkschafter und Patriot*, pp. 250-264, pp. 259-261 (note 149),(Translation WDG).

[51] *Ibidem*, p. 261 (Translation WDG).

The Christian Democrats in the Southwest and the Christian Social Union (CSU) in Bavaria favoured a German federal republic.[52] There was a South-German federal tradition ever since the early 19th century. After the First World War the south German Lander had to fight against unitary tendencies in Weimar Germany which became visible during the debates on the reform of the Weimar Constitution and the future character of the Weimar Republic during the "Lander Conferences" of 1928, "Unitarism or Federalism", a Federation of German Lander, a decentralised Republic or a centralised German Reich.[53] After the Second World War politicians and historians like the Bavarian Prime Minister Hans Ehard and his speechwriter, the historian Ernst Deuerlein,[54] argued that a real federal structure of the constitution of Weimar Germany would have avoided the rise of National Socialism. Therefore, Ehard stated after the war, that a federal system of checks and balances would be the key for a democratic reconstruction of Germany.[55] As far as European unity was concerned he

[52] Cf. Hans Ehard, *Freiheit und Föderalismus*. München: Bayerische Staatskanzlei 1947 – Ehard, Hans, *Die europäische Lage und der deutsche Föderalismus. Speech on 3 April 1948*. München: Staatskanzlei 1948 (accessible in: *ACSP* Franz Elsen Papers 10.1.1 – Further Information on Literature and Sources cf.: Gruner, Wolf D., „Deutschlandpolitische Grundsatzpositionen und Zielvorstellungen in den westdeutschen Besatzungszonen" (note 24), p. 1449ff. – Gruner, Wolf D., „Der Föderalismus als Gestaltungsprinzip: Historische, philosophische und aktuelle Deutungen an deutschen Beispielen seit dem 18. Jahrhundert", in Timmermann, Heiner (Ed.), *Subsidiarität und Föderalismus in der Europäischen Union*, Berlin: Duncker & Humblot 1998, pp. 51-76.– Benz, Wolfgang, „Föderalistische Politik in der CDU/CSU. Die Verfassungsdiskussion im Ellwanger Kreis", in *Vierteljahrshefte für Zeitgeschichte* 25/1977, pp. 776-820 – Ley, Richard, *Föderalismusdiskussion innerhalb der CDU/CSU: Von der Parteigründung bis zur Verabschiedung des Grundgesetzes*. Mainz: Zabern 1978 – On German Europe Policy of Christian Democrats cf. also: Küsters, Hanns-Jürgen (Ed.), *Deutsche Europapolitik Christlicher Demokraten. Von Konrad Adenauer bis Angela Merkel (1945-2013)*. Düsseldorf: Droste 2013.
[53] Cf. Bayerisches Hauptstaatsarchiv München (in the following BHStAM) MA 103351 Reich und Länder – *Ibidem*., MA 99520 Protocol Council of Ministers 1926 – Bayerische Volkspartei (Ed*.), Unitarismus oder Föderalismus? Materialien zu dem Kampf um bundesstaatliche Gliederung des* Deutschen Reiches. München: Verlag des Generalsekretariats der Bayerischen Volkspartei 1928 – John Anke, Der Weimarer Bundestaat. Perspektiven einer föderalen Ordnung (1918-1933). Köln Weimar Wien: Böhlau 2012, p. 169ff. – Gelberg, Karl-Ulrich, „Föderalismus", in Historisches *Lexikon Bayerns* (http://www.historisches-lexikon-bayerns.de/Lexikon/Föderalismus consulted 10 January 2018).
[54] Cf. Alexander Wegmaier, „Karl Schwend und Ernst Deuerlein – Steuermänner im Schatten Ehards", in *Zeitschrift für bayerische Landesgeschichte* 76/2013, pp. 563-602 – Deuerlein's papers are stored in the Bayerische Staatsbibliothek München.
[55] Cf. Hans Ehard, *Föderalismus* (note 45), p. 20 – Deuerlein, Ernst, *Föderalismus* (note 13) p. 231ff.

underlined the indispensable importance of federalism for the construction of Europe.[56] In a lecture in 1954, written by Ernst Deuerlein, Ehard argued that federalism was an ideal model for a united Europe.[57]

The two major groups in the German debate – the federalists on one hand fighting for a federation of the German Lander ("Bund Deutscher Länder") and the protagonists of a German unitary state being understood as the best means to safeguard German interests in a European Federation – brought back into German politics on old conflict in German history ever since the mid-19th century which has not yet been solved.[58] Thus the passing of the German Basic Law in early May of 1949 by the Parliamentary Council ("Parlamentarischer Rat") was a compromise between a federation of states and a unitary state.[59] Hans-Joachim von Merkatz described the struggle between federalists and centralists in the Parliamentary Council:

The outcome was a Basic Law which contained "centralist as well as real federalist tendencies and thus allowed for further developments".[60]

The first constitution of the GDR, published on March 18, 1948, followed the ideas of a unitary state, but included, for all-German reasons, federal elements. There was no reference to Europe.[61]

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[56] Hans Ehard, *Die europäische Lage und der deutsche Föderalismus* (note 36), p. 25.

[57] Hans Ehard, „Die geistigen Grundlagen des Föderalismus", in Gelberg, Karl-Ulrich (Ed.), *Quellen zur politischen Geschichte Bayerns in der Nachkriegszeit*. Vol. 1 (1944-1957), München: Bayerische Landeszentrale für politische Bildungsarbeit 2002, p. 529-538 – Gelberg, Karl-Ulrich, *Hans Ehard. Die föderalistische Politik des bayerischen Ministerpräsidenten, 1946-1954*. Düsseldorf: Droste 1992 – ACSP München Franz Elsen Papers 9.3.18: Die geistigen Grundlagen des Föderalismus (3 June 1954).

[58] Cf. Wolf D. Gruner, *Historical Dimensions*, p.15ff. (note 7) and further literature on this topic.

[59] Cf. BHStAM St.K. 10001/1,2 – 10012 Constitutional Convention on Herrenchiemsee – Grundgesetz für die Bundesrepublik Deutschland May 8, 1949, facsimile print in: Limbach, Jutta / Herzog, Roman / Grimm, Dieter (Eds.), *Die deutschen Verfassungen. Reproduktion der Verfassungsoriginale von 1849, 1871, 1919 sowie des Grundgesetzes von 1949*. München: C.H. Beck 1999.

[60], Hans-Joachim Merkatz, *Föderalismus ohne Mißdeutung und Mißbrauch*. Lecture April 1957, in IFZ Nachlass ED 132/74.

[61] Cf. Verfassung der Deutschen Demokratischen Republik. Mit einer Einführung von Otto Gothewohl. Berlin 1949. – Constitution of the German Democratic Republic of 7 October 1949 (https://www.cvce.eu/content/publication/1999/1/1/33cc8de2-3cff-4102-b524-c1648_72a838/ pubklishable_en.pdf (consulted 16 January 2018) – Zur Einschätzung und Bewertung vgl. auch Gruner, Wolf D., „1849 – 1919 – 1949: Deutsche Verfassungstraditionen zwischen der Paulskirchenverfassung und dem Bonner Grundgesetz" and Müller, Werner, „Vom Volksrat zur Volkskammer. Der Weg zur ersten Verfassung der DDR 1948/49", in Gruner, Wolf D. (Ed.), *Jubiläumsjahre – Historische Erinnerung – Historische Forschungen. Festschrift für Kersten Krüger zu 60. Geburtstag*. Rostock: Universitätsdruckerei 1999, ²2000, pp. 271-340, pp. 327ff. and pp. 235-270.

On 13 June 1949 Carlo Schmid, a prominent Social Democrat and one of the most influential members of the Parliamentary Council gave a speech at the founding convention of the German Council for the European Movement (Deutscher Rat der Europäischen Bewegung) in Wiesbaden. Six weeks after the ratification of the Basic Law he spoke on "Germany and the Council of Europe in Strasbourg".[62] Schmid was arguing that by founding the Council of Europe we have not yet established the United States of Europe. In order to function, Europe needs unity in the political, economic, cultural and constitutional sphere, i.e. we need a transfer of sovereignty to a European authority. In the future we will have to give up the dogma that sovereignty is inseparable. "Sovereignty is as separable as anything invented by Men in this world, and I believe, that we should make righteous and ample use of the possibilities offered by this new idea".[63]

What Europe needs is a real and functioning government. When we talk about Europe, Carlo Schmid pointed out, we should not think in terms of the present "Little Europe" ("Klein-Europa"), "but we should remember the good old continental Europe which equally belongs to the East and to the West, this refers not only to the East of Germany but also to the East of the Continent!"[64] The Europeans should abandon the idea of a hegemonic Europe which will no longer be possible. They should work, however, for a Europe which will be a "European Federation" and not just a "Confederation of sovereign states"! Integrated Europe must be a place where people would love to live in. The European Federation must guarantee political and individual freedom and the rule of law as well as social justice according to the laws in force.[65]

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[62] Carlo Schmid, *Deutschland und der Europa-Rat in Straßburg*. Köln: Liga Verlag 1949 – printed also in, Lipgens, Walter (Ed.), *45 Jahre Ringen um die Europäische Verfassung. Dokumente 1939-1984. Von den Schriften der Widerstandsbewegung bis zum Vertragsentwurf des Europäischen Parlaments*. Bonn: Europa Union Verlag 1986, Doc. 60, pp. 271-273. For Carlo Schmid a „homme de lettre" cf. Weber, Petra, *Carlo Schmid 1896-1979. Eine Biographie*. München: C.H. Beck 1996 – On the debate concerning the role of the Länder within the federation during the sittings of the Parliamentary Council cf. Schmid, Carlo, *Erinnerungen*. Bern München: Scherz 1979, p.376ff.

[63] Schmid, *Deutschland und der Europa-Rat*, p. 13 (Translation WDG).

[64] Schmid, *Deutschland und der Europa-Rat*, p. 15f. (Translation WDG).

[65] Schmid, *Deutschland und der Europa-Rat* (note 62), pp. 14-16 (Translation WDG).

Carlo Schmid throughout his political and intellectual life supported the unification of the European continent.[66] He was member of the German Bundestag and of the Consultative Assembly of the Council of Europe. In a speech to the assembly of the Council of Europe he justified his party's the rejection of the project for a European Army: "The German Socialist Party […] refuses to agree to any plan for German rearmament in the present state of European organization, or rather, disorganization. It will refuse to agree so long as Europe, that is to say, a European supranational authority, has not come into being. Once this has been achieved, however, we shall re-examine the problem, if Europe is still interested". A European Army should be under the responsible control of a European government and of a responsible European parliament. His demand that in a Europe of solidarity the principle of an equality of rights, an equality of duties and an equality of financial responsibility should prevail faced strong resistance.[67] Europe for him as for other delegates of the Consultative Assembly was more than just Western Europe. It was the European continent, Europe East *and* West.[68] In an article "Europe as a National Task" Schmid justified the position of his party to reject the "Western Treaties". All attempts for a practical Europe policy starting with the Marshall Plan and the OEEC failed since it did not create a European economic space but sixteen national economies. The chances for a Political Authority of the Council of Europe which would have promoted the way to Europe were gambled away. The SPD therefore voted against West-German membership in the Council of Europe. The idea of the Schuman Plan to place European key industries under a common international authority for the benefit of all nations was abused in the treaty. The Schuman Plan would put major obstacles for the restoration of the unity of Germany. The same is true for the General Treaty and the Treaty for a European Defence Community.

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[66] FES-AdSD NL C.S. 1/CSAA002129-CASA002131 (1948-1949) – *Ibidem*, 1/CSAA002132b – *Ibidem*, 1/CSAA0022128 (1948)

[67] Council of Europe (in the following CoE) Consultative Assembly (in the following CA) Debates 1950, 10th sitting 10 August 1950, p. 154 – the German version in: FES-AdSD NL C.S. 1/CSAA002132b.

[68] Cf. Wolf D. Gruner, *Der Europarat wird fünfzig* (note 15), p. 130ff. – Gruner, Wolf D., „ 'Les Europe des Européens'. The Perception of Europe in the Debates of the Consultative Assembly of the Council of Europe 1949-1951", in Bitsch, Marie-Thérèse / Loth, Wilfried / Poidevin, Raymond (Eds.), *Institutions Européennes et Identités Européennes*. Bruxelles: Émile Bruylant 1998, pp. 89-122.

German Europe policy must avoid any steps which would prevent the reunion of Germany. "The road to Europe must go through all Germany. Europe cannot be built in one day. We shall accomplish this aim through preliminary stages only".[69] We have to revise the present European treaties. We have to find appropriate means which would "enable all states, which belong to Europe, to want to be in Europe".[70] Therefore it is necessary for the governments to find out to what extent the European nations are prepared to integrate with their neighbours and to enter into a cooperative community. The Social Democrats are "federalists", Schmid argued. They hope that it will be possible someday to realize "United States of Europe with a European government to pursue a European policy and a responsible elected European parliament".[71]

Fritz Erler, founding member of the German Council of the European Movement and member of the presidium of the SPD, in August 1949 wrote an article for the "Schwäbische Tagblatt" concerning the foundation of a European Federation. "Today's Utopia is the reality of tomorrow". He believed that a united Europe cannot be built without Germany. Europe used to be the battlefield of the world. Every twenty to thirty years there was a murderous war in Europe. The only chance for Europe to survive will be to take the first step toward European unity. "It must be a real unity [… i.e.], that the dream of complete sovereignty and independence of every single European people has come to an end. All European peoples, not only the defeated of the last war, must give up parts of their sovereignty and transfer this part to an all-European state".[72] In the long run there will be a "European economic unity" as a first step of a European federation. The federation will have real federal institutions, i.e. an all-European parliament and an all-European government. "The European parliament must be elected by the peoples of Europe in relation to its strength with directly elected members. They then should form groups according to political beliefs and not according to the peoples of the

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[69] Carlo Schmid, „Europa als nationale Aufgabe (1952)", in Schmid, Carlo, *Europa und die Macht des Geistes* (note 9), pp. 32-45.

[70] *Ibidem*, pp. 38-41, p. 43 (Translation WDG).

[71] *Ibidem*, p. 43f., p. 44 (Translation WDG).

[72] Fritz Erler, „Bundesstaat Europa", in Gaebler, Wolfgang (Ed.), *Fritz Erler. Politik für Deutschland. Eine Dokumentation*. Stuttgart: Seewald 1968, pp. 427-431, pp. 427-429 (Translation WDG).

members".[73] Erler was convinced that "the way toward Europe does not lead via a loose German Confederation but via a strong German federation which will be on equal terms with the other European States".[74]

The German delegates to the Consultative Assembly of the Council of Europe, with the exception of the German Social Democrats, supported the idea of a European army.

The Committee of Ministers of the Council of Europe was in favour of West Germany's accession to the Council. It should become an integral part of a united Europe. The majority of the German delegates to the Assembly during the session of 1950/51 had clear expectations and hopes for a united Europe. Despite political and ideological differences they favoured a Europe along federal lines. They were prepared to take away sovereignty from the national state and set up a European constitution with a bicameral system. Eugen Gerstenmeier from the Christian Democrats (CDU) in the Consultative Assembly explained the motion of the German Federal Diet on a European Federal Pact which was transferred to the Council of Europe:[75] It is "a fact of life that the leitmotif of all the ideas of the fee nations of Europe since the Second World War has been the notion of a constitutional economic and political union […] Victorious nations, no less than the vanquished, must realise that the period when ideas and actions operated only within the framework of sovereign nation states belongs to the past. A reconstruction of Europe based on the idea, whether avowed or unavowed, of re-acquiring as extensive a sovereignty as possible, or on a revisionist activity, could in no sense be a genuine reconstruction, but merely the dangerous restoration of a period which belongs to the past".[76] Gerstenmeier also stressed the point that the German national conscience as a result of the experience of the war has undergone a profound change. Germany is not asking for national advantages: "In declaring ourselves in favour of a united Europe, we are leaving aside all considerations of private advantage. […] [W]e Germans feel no more at home than you do in places where liberty and justice are

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[73] *Ibidem*, p. 429 (Translation WDG).

[74] *Ibidem*, p. 430 (Translation WDG).

[75] German Bundestag (in the following DBT), 1st Legislative Period 1949-1953, 179st Sitting 26 July 1950, Printed Document 1193. The motion was adopted unanimously – Document on a European Federal Pact also in: Politisches Archiv des Auswärtigen Amtes Berlin (in the following: *PA AA*) Abt. 2, 221-01 vol. 2.

[76] CoE CA 2nd Session Official Report of Debates, 3rd Sitting 9 August 1950, p. 128.

oppressed. We feel at home here, within the community of the free nations of Europe. We feel at home among those peoples to whom liberty and justice are more important than life itself".[77]

Kurt Georg Kiesinger and Carlo Schmid also pointed out the advantages of a federal solution for Europe.[78] Like Ronald Mackay Schmid pleaded in favour of a gradual shift from national sovereignty to supranational sovereignty.[79] After the successful negotiations for the establishment of a European Coal and Steel Community (ECSC) and the signing of the treaty establishing the European Defence Community (EDC) the Council of Europe and the ECSC set up an Ad-Hoc-Assembly which should draw up a constitution for a European Political Community. The Constitutional Committee was headed by the German Christian Democrat, Heinrich von Brentano.[80] It submitted a draft constitution for a European Political Community.[81] Since the Treaty of the European Defence Community was not ratified by the French parliament the EDC and the EPC did not come into force.

When the Basic Law was negotiated in the Parliamentary Council the mothers and fathers of the constitution did not consider the role and rights of the German Lander in European affairs. In order to achieve the status of an equal partner in European negotiations it was highly important for the

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[77] *Ibidem*, p. 130.

[78] Cf. *Ibidem*, 21st Sitting 28 August 1950, pp. 1202-1204 and 23rd Sitting 23 November 1950, pp. 1570-1572.

[79] Cf. Carlo Schmid, *Deutschland und der Europäische Rat* (note 46) – Mackay, Ronald William Gordon, *Western Union in Crisis*. Oxford: Oxford UP 1949 – cf. also Mackay's literary estate in the LSE Library Archives and Special Collection London: GB 97 Mackay.

[80] BHStAM St.K. 13206 Ad Hoc Versammlung (in the following AHV) EPG 1952/53 – *Ibidem*, St.K. 1035 – *Ibidem*, AHV-EPG Sten. Ber. 20.12.1952 (Report of the Constitutional Committee) – *Ibidem*, AHV-EPG Sitting January 1953 Doc AH 2, 6 January 1953 (Report v. Brentano) – Cf. Gruner, Wolf D., Der Europarat wird fünfzig – 'Vater' der europäischen Integration: Gründungsvorstellungen, Wirkungen, Leistungen und Perspektiven nach 50 Jahren, in Gruner, Wolf D., (Ed.), *Jubiläumsjahre – Historische Erinnerung – Historische Forschung. Festgabe für Kersten Krüger zum 60. Geburtstag* (Rostocker Beiträge zur Deutschen und Europäischen Geschichte 7). Rostock: Universitätsdruckerei 1999, pp. 117-234, p. 211ff. – Koch, Roland / Kroll, Lothar (Ed.), Heinrich von Brentano (note 25) – cf. *Ibidem*, Elvert, Jürgen, „Heinrich von Brentano. Vordenker einer Konstitutionalisierung Europas", pp. 159-181.

[81] CoE CA Doc 120 (5) 1953: Report on the Draft Treaty embodying the Statute of the European Community adopted by the Ad Hoc Assembly – PA AA 2/580 Bericht über die gemeinsame Sitzung der Mitglieder der Beratenden Versammlung des Europarates und der Gemeinsamen Versammlung der EGKS v. 22.6.1953 in Straßburg.

federal government to regain as much sovereignty as possible. The Bonn government in its European policies should, on the other hand, always take the national question into consideration. When the German Bundestag was discussing the Treaties of Rome in 1957, Walter Hallstein, at the time Undersecretary of State for Foreign Affairs, in a declaration for the federal government referred to "the deplorable fact that Germany is integrated into the new European Community burdened with the political mortgage of forced division. But it is also true that no German federal government, irrespective of its composition, will ever approve of a deepening of German division".[82]

Besides the national question there was another issue, which was on the agenda ever since the early steps of the Federal Republic towards European integration. It is still a problem in the relations between the Federation and the German Lander, i.e. the role, the rights and the obligations of the Lander *and* of the Federation in European integration policies, i.e. in the German case we have to deal with the Triad Federation – Lander – Europe.[83]

When the Parliamentary Council in 1948/49 was setting up a unitary federation ('Unitarischer Bundesstaat'), neither the members of the Council nor the Western occupying powers realized the long term consequences of the "constitutional compromise" agreed on in 1949, i.e. its impact on the rights, competences and jurisdiction of the Lander and of the Federation on issues of European integration. In the early 1950s West Germany joined the Council of Europe, in 1951/52 it became a member of the European Coal and Steel Community (ECSC), in 1957 it signed the Treaties of Rome. Until 1995 the Federal Republic was the only federation in the European

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[82] Presse- und Informationsamt der Bundesregierung, *Bulletin* 1957, No. 56, pp. 473-480, p. 475 (Declaration of the Federal Government to the Bundestag, 22 March 1957) – cf. also Gruner, Wolf D., „Die Bundesrepublik Deutschland und die Römischen Verträge in historischer Perspektive", in Gehler, Michael (Ed.), *Vom Gemeinsamen Markt zur Europäischen Unionsbildung. 50 Jahre Römische Verträge 1957-2050 – From Common Market to European Union Building. 50 Years of the Rome Treaties 1957-2007*. Wien Köln Weimar: Böhlau 2009, pp. 485-520.

[83] Cf. for the issue: Diedrichs, Udo, The German system of EU Policymaking and the Role of the Länder: Fragmentation and Partnership, and Elisabeth Dette-Koch, German Länder Participation in European Policy through the Bundesrat, in: Gunlicks, Arthur, *German Public Policy and Federalism*, pp. 165-181 and pp. 182-196 – Some key documents are printed in: Sekretariat des Bundesrates (Ed.), Bundesrat und Europäische Gemeinschaften. Dokumente. Bonn: Bonn Aktuell 1988 – Gruner, Wolf D., Les Länder allemands et la création de la CECA (note 20).

Communities. According to the provisions of the Basic Law the Federal government had the right to conclude international treaties. The participation of the Lander became an issue when the Federal Republic joined the Council of Europe. In the process of ratification the Lander were claiming half of the seats for the German Lander and a greater participation in European affairs. They did not go to the Supreme Court.[84] But already at this point the Lander were asking for equal representation of the Federal Diet and the Federal Council.[85] The ECSC treaty had a direct impact on the rights and jurisdiction of the German Lander. During the discussions in the ratification process the Federal Council was considering to take the government to the Supreme Court in order to safeguard the rights of the German Lander.[86] In 1951 the Lander did not succeed in their efforts to participate directly in any negotiations at a European level and to be informed in advance by the federal government on the upcoming issues European and problems. Since the 1950 battle over the ratification of the ECSC Treaty the German Lander improved their position in the triad of Federation – Lander – Europe. On 19 July 1957 die Federal Council after debates on the impact of the EEC Treaty on the national question and the influence of the Lander in European affairs adopted unanimously the 'Rome Treaties'.[87] The federal government was obliged according to article 2 of the law implementing the Treaties of Rome (The EEC Treaty and the EAC Treaty) to inform the Federal Council and the Lander about European projects, the government's Europe policy and initiatives in advance.[88] The right of the Lander provided by federal law in 1957 was not adequate, however, to keep up with the growing pace of European integration and necessary actions to protect the interests of the Lander. The speeding

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[84] The FRG was entitled to send 10 delegates into the Consultative Assembly of the Council of Europe.

[85] Cf. in more detail: Wolf D. Guner, „Der Europarat wird fünfzig – ‚Vater' der europäischen Integration. Gründungsvorstellungen, Leistungen und Perspektiven nach 50 Jahren", in: Gruner, Wolf D., *Jubiläumsjahre – Historische Erinnerung – Historische Forschungen*. Rostock: Universitätsdruckerei 1999, pp. 117-234.

[86] Cf. Wolf D. Gruner, Les Länder allemands et la création de la CECA (note 20), pp. 38ff.

[87] The respective documents can be found in: Bundesrat, *Bundesratsdrucksache* (in the following: BR-Drs.) 146/1957 B (Statement of the Federal Council) – DBT, *Bundestagsdrucksache* (in the following BT-Drs.) 2/3440 (Answer of the Federal Government) and proceedings of the Federal Council, Official Journal 181ˢᵗ sitting 19 July 1957, p. 742C – 726B.

[88] Cf. Bundesgesetzblatt 1957 II, p. 753.

process of European integration process since 1957 increasingly interfered with the jurisdiction of the Lander in their genuine competence like education, cultural affairs, regional policy and broadcasting corporations and the Federal Council on several occasions referred to this intrusion upon its competences.[89] When the "Single European Act" was signed in Luxembourg on 17 February 1986 the Federal Council had to ratify the respective bill with a 2/3 majority.[90] When the Federal Government was negotiating to complete the Single European Act the Bavarian Government filed a motion "for a resolution of the Federal Council concerning the revision of the Treaties of Rome".[91] Bavaria claimed that many wordings in the available documents are too vague and might have an impact on German standards. Bavaria requested that the sphere of educational policy should remain in the responsibility of the member states, in the German case in the responsibility of the Lander. This reservation should be included in the final wording of the treaty. It was also requested that the rights of the Lander concerning the transfer of sovereign rights to the EC must be improved. There should be no transfer of sovereign rights (Hoheitsrechte) without the approval of the Federal Council.[92]

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[89] Cf. e.g. Bundesrat (in the following DBR), BR-Drs. 95/1978 – BR-Drs. 418/1979 – BR-Drs. 432/1983 – BR-Drs. 414 and 469/1985 – BR-Drs. 45 and 186/1986 – A useful report on the growing role of the Bundesrat is: Konow, Gerhard, „Der Bundesrat und das Gleichgewicht zwischen Bund und Ländern. Anmerkungen zur und aus der Arbeit des Bundesrates von 1958 bis 1988", in Hrbek, Rudolf (Ed.), *Miterlebt – Mitgestaltet. Der Bundesrat im Rückblick.* Bonn: Bonn Aktuell 1989, pp. 244-265.

[90] DBT, BT-Drs. vol. 339 /1986 10/6013(17.9.) – BT-Drs. 10/6029 (19.9.) – vol. 341/1986, BT-Drs. 10/6226 (Report and recommendation of the Europe Committee, 22 October 1986) – vol. 342/1986, BT-Drs. 10/6380 (Report of the Federal Government, 7 November 1986) – DBT-Drs. 10/6392 Draft of Bill Single European Act (10. November 1986) – DBT-Rds. 10/6418 Information through the Federal Government. Reply to the statement of the Federal Council of 16 May 1986 (12.11.1986) – BT-Rds. 10/6414 (motion of the SPD parliamentary group of 12 November 1986) – vol. 343 BT-Rds. 10/6663 Report and recommendation of the Foreign affairs Committee and BUNDESRAT, BR-Rds. 150/86 (16 May 1986, adoptier) – Cf. also John, Anke, „Konzeptionen für eine EG-Reform: Der europäische Verfassungsdiskurs in der Bundesrepublik 1981-1986", in König, Mareike / Schulz, Matthias (Eds.), *Die Bundesrepublik Deutschland und die europäische Einigung 1949-2000. Festschrift für Wolf D. Gruner zum 60. Geburtstag.* Stuttgart: Steiner 2004, p. 559-575 with important Preference to the research on the 1980s.

91 DBR BR Drs. 50/86: „Antrag der Bayerischen Staatsregierung: „Entschließung des Bundesrates zur Änderung der Römischen Verträge", submitted 21 January 1986, also in: *ACSP* München Alfons Goppel Papers 674.

[92] *Ibidem.*

In the early stages of the Single European Act (SEA) ratification process the Federal Diet and the Federal Government were not prepared to concede rights to the Lander beyond the legal regulations of 1957. The Federal Council, however, insisted in its resolution of 16 May 1986 on immediate participation in the domestic ('innerstaatlich') decision-making process. This right should be inserted into the Basic Law.[93] Therefore the Foreign Affairs Committee of the Federal Council recommended to the Bundestag to adopt a revised version of the bill on the Single European Act by including article 1a. It committed the federal government to inform the Federal Council and the Lander at an early stage about plans of the EC that are of interest to the Lander and which have an impact on their rights.[94] Despite the strengthened position of the Lander in European affairs since 1987 the Federal government could and did bypass its obligations. Thus the Lander decided to set up their own "embassies" in Brussels, to lobby directly in the European Commission, to brief MEPs and to delegate their officials directly into directorates dealing with their Land-interests.

When the European Parliament sent its draft Constitution for a European Union to the German Diet with a request for its opinion, the problem of German unity and European integration was discussed again.[95] The conclusion of the Federal Diet was: "'The Draft Treaty for the foundation of a European Union' is compatible with the Reunification clause".[96] The all-German acquis is not changed.

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[93] The respective clause sub C reads: "3. Der Bundesrat verlangt, daß die Beteiligung der Länder an der innerstaatlichen Willensbildung für Entscheidungen im Rahmen der Europäischen Gemeinschaft nicht nur in dem Gesetz zur Einheitlichen Europäischen Akte, sondern darüber hinaus später in der Verfassung festgelegt wird. Außerdem darf die Übertragung von Hoheitsrechten nach Artikel 24 des Grundgesetzes auf zwischenstaatliche Einrichtungen in Zukunft nicht ohne Zustimmung des Bundesrates möglich sein, zumindest dann nicht, wenn es um Hoheitsrechte der Länder geht. 4. Der Bundesrat stellt die Zustimmung zu dem Gesetz zur Einheitlichen Europäischen Akte in Aussicht, wenn die von ihm verlangte Änderung des Gesetzentwurfs durch Einfügung eines neuen Artikels 1a erfüllt wird" – cf. from the Lander point of view: Hübler, Martin, *Die Europapolitik des Freistaates Bayern. Von der einheitlichen Europäischen Akte bis zum Amsterdamer Vertrag*. Munich: AACON 2002, p. 56ff.

[94] DBT vol. 644, BT-Drs. 10/6663 (3 December 1986).

[95] ACSP München Aigner Papers 40: „Wiedervereinigungsgebot und Vertragsentwurf zur Europäischen Union".

[96] *Ibidem*, p. 10.

After unification in 1990 and the signing of the Maastricht Treaty in 1992 the German Lander received a new chance to improve their status in the triad Europe – Federation – Federal States. There were fierce debates in the committee to insert a 'Europe' article into the Basic Law, which replaced the old article 23 that provided the constitutional basis for the accession of the Lander of the GDR to the Federal Republic of Germany on 3 October 1990.[97] The new article 23 of the Basic Law is vital for improving the constitutional position of the Lander in affairs of the EU. In the process Germany shifted to some extent from a 'unitary' federation towards a more 'federal' federation. The Europe article describes the rights and obligations of the federation and of the Lander.[98] The new article 23 of the Basic law improved the position of the Lander vis-à-vis the federation. Despite the strengthening of the position of the Lander in a long struggle since the 1950s the federal states are still dissatisfied with the slow process of information and communication in European affairs. Thus today the Lander are searching for an appropriate role of further deepening of the European Union, especially as far as the principle of subsidiarity is concerned.[99] How can it best be applied at a European level? In proposals and discussions leading to the 1996 Intergovernmental Conference,[100] the Committee of the Regions argued that article 3b of the European Union Treaty (Treaty of Maastricht) could be implemented only if the Committee of the Regions would receive a status equal to the European Commission.

This claim is still on the agenda for European reform. The German Lander support this demand. The improved constitutional status of the

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[97] For the original reading of article 23 cf. Limbach / Herzog / Grimm (Eds.), *Deutsche Verfassungen*, facsimile version (note 59).

[98] Quoted according to: Basic Law for the Federal Republic of Germany, text edition – Status: December 2000 (pdf-version): http://www.bundestag.de/htdocs_e/info/germanbasiclaw.pdf (consulted 5 January 2018).

[99] Cf. the interesting article by Ludger Kühnhardt, „Föderalismus und Subsidiarität" in *Aus Politik und Zeitgeschichte* B45/91, p. 35-45 – From a broader angle: Gruner, Wolf D., „Der Föderalismus als Gestaltungsprinzip: Historische, philosophische und aktuelle Deutungen an deutschen Beispielen seit dem 18. Jahrhundert", in Timmermann, Heiner (Ed.), *Föderalismus und Subsidiarität in der Europäischen Union*, Berlin: Duncker & Humblot 1998, p. 51-76.

[100] Cf. the Reflection Group Report (Westendorp Report): General Secretariat of the Council of the European Union (Ed.), *1996 Intergovernmental Conference (IGC'96). Reflection Group Report and other References for Documentary Purposes*. Brussels Luxembourg: Office of Official Publication 1996.

German Lander concerning their active participation in European integration and reform policies since 1994 had a positive impact on the German debate on the finality of Europe. People like the former Prime Minister of the state of Baden-Württemberg, Lothar Späth, or his successor Erwin Teufel who was the representative of the German Lander in the European Convention for establishing a European Constitution[101] and other politicians from federal states made useful and important contributions to the European debate.[102]

## 3. Walter Hallstein and Franz Joseph Strauss: Their version of Europe

Walter Hallstein ever since the early 1950s pleaded for a federal solution of the European question.[103] When the Treaty for the European Coal and Steel Community was signed on 18 April 1951 Walter Hallstein referred to the most dangerous enemy on "the way towards a European Federation", namely, "national egotism which divides people and which still has its supporters in all of our countries".[104] Like chancellor Adenauer Hallstein opposed a protectionist Europe and a Europe of the Fatherlands. He believed in the foundation of United States of Europe. He was confident that this aim will be achieved. The history of the foundation of the United States of America between success and the dangers of failure served as a model.[105]

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[101] Every member state was allowed to send 3 delegates into the Convention. Germany sent 1 member of the government (Joschka Fischer, Green Party), 1 member of the Lander (Prime Minister of Baden-Wurttemberg Erwin Teufel, CDU) and 1 member for the Bundestag (Professor Meyer SPD).

[102] Cf. Lothar Späth, *1992 Der Traum von Europa*. Stuttgart: DVA ²1989 – Späth, Lothar / Henzler, Herbert A., *Jenseits von Brüssel*. Düsseldorf: Econ 2001 – Späth, Lothar, *Strategie Europa. Ein Zukunftsmodell für die globalisierte Welt*. Reinbek b. Hamburg: Rowohlt 2005 – Palmer, Christoph E. (Ed.), *Europa in guter Verfassung. Erwin Teufel – für die deutschen Länder im Konvent*. Stuttgart: Staatskanzlei 2004 – Teufel, Erwin, *Europa bauen, den Wandel gestalten. Europa im Umbruch*. Stuttgart: Bosch Stiftung 2004.

[103] On Walter Hallstein cf. besides his books also his speeches: Hallstein, Walter, *Europäische Reden* (note 19) – also interesting: Küsters, Hanns Jürgen, „Adenauers und Hallsteins Vorstellungen von Europa", in Duchhardt, Heinz (Ed.), *Europäer des 20. Jahrhunderts*. Mainz: Philipp von Zabern 2002, pp. 91-113.

[104] PA AA 2 / Sekretariat für den Schuman Plan, 55: Address in French by Walter Hallstein on behalf of the German Delegation on 13. March 1951.

[105] Cf. Hans-Jürgen Küsters, *Adenauer und Hallstein* (note 103), p. 104ff. – Gruner, Wolf D., „Der Platz Deutschlands in Europa nach dem Zweiten Weltkrieg aus der Sicht Jean Monnets (1940-1953)", in Wilkens, Andreas (Ed.), *Interessen verbinden. Jean Monnet und die europäische Integration der Bundesrepublik Deutschland*. Bonn: Bouvier 1999, pp. 31-71, p. 67ff.

His vision was a federal solution for Europe, developed in his study "Europe in the Making". The German title, however, "Der unvollendete Bundesstaat" is more appropriate:[106]

The "Community must be seen not as a sovereign power made up of six parts delegated to it by six sovereign states, but as a Community venture equipped with a legal system of its own which its member-states have created in accordance and conformity with their national constitutions. [...] The conception sketched here is enough to leave many lawyers breathless. We have tried to rise above the legal forms and traditions of the past. Many would no doubt call our attempt 'revolutionary', and it may well be that future generations will come to regard the philosophical and legal concept underlying Europe's constitution as the most creative achievement in the evolution of jurisprudence in our age, and perhaps even as the most original feature in our effort to integrate Europe. While the Germans have welcomed this concept and influenced its application and evolution, because their history has made them familiar over the centuries with a wide variety of federations and confederations, our French friends have had the greatest difficulties in coming to terms with it, because their historical experience is dominated by the concept of a highly-centralized state [...] If some Frenchmen claim that a 'supranational' Europe means the end of the nation-states, then one cannot accuse them of unfairness – only of being wrong, illogical, and unrealistic. Many of the world's great states are federations. The citizens of such states are subject to two public authorities – that of the member-state and that of the federation. Admittedly, integrated Europe is not yet a federation, or a state; but it shares one important characteristic with a federation proper: the element of sovereignty of its own, conferred upon it by and derived from its member-states".[107]

It is difficult, he argues, to define the present status of the European Communities. According to Alexis de Tocqueville we will have to find a 'new word' to solve any semantic dilemma for a form of government "which is neither exactly national nor Federal".[108]

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[106] Walter Hallstein, *Europe in the Making* (note 19) – Hallstein, Walter, *Der unvollendete Bundesstaat* (note 19).

[107] Walter Hallstein, *Europe in the Making* (note 19), p. 37f.

[108] *Ibidem*, p. 38. Hallstein is quoting Tocqueville and his reference to the American model.

From his experience as a scholar, a negotiator and the long-term president of the EEC Commission Hallstein claimed to have the 'new word': "The Community Idea". The expression "Community Idea" was invented by Professor Ophüls, an expert and political adviser in the German Foreign Office. The basic question has been "what form should the union of Europe take? We had three choices open to us: unitary, international, and supranational or 'Community'".[109] What Europe needed was not a French style 'unitary structure' nor an international solution which would have created a 'partnership of states', but a 'supranational solution'. The Community idea is not aiming at destroying national identities and the nation state, but the "'Community' concept […] implies – and rightly – that states renounce merely a part of their sovereignty, or rather that they put parts of their sovereignty, or rather that that they put parts of their national sovereignty into a common pool which is controlled by 'Community' institutions whose decisions are in fact their own. One could this solution 'federal'".[110]

The expression 'Community Idea' should be preferred in the process of constructing Europe since the term 'federal' implies the notion of a state. Hallstein makes it quite clear – and this is the difference to de Gaulle's notion of a Europe of the Fatherlands.[111]

"The Community resembles a federation only in so far as its member-states transfer part of their national sovereign powers to a union to which they all belong but which has its own identity, different from that of any of its individual members. In this respect the Community is not dissimilar from a federation. It also serves the purpose for which it was set up, to achieve a balance between a central European authority, deriving its power from the parts of the national sovereignties transferred to it, and the separate national authorities of the member-states".[112]

In a special chapter Hallstein was also dealing with the reasons for Germany being part of a closely-knit Community: "The integration of the Federal German Republic into a united Europe is in the interest of all

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[109] *Ibidem*.

[110] *Ibidem*, p. 39.

[111] Hans von der Groeben in an interview pointed to the difference between his Europe and de Gaulles Europe: Groeben, Hans von der, *Europäische Integration aus historischer Erfahrung. Ein Zeitzeugengespräch mit* Michael Gehler, in: ZEI Discussion Papers C 108/2002, p. 60ff.

[112] Walter Hallstein, *Europe in the Making (*note 19*)*, p. 39f.

Europe. Like the other members of this ever more closely-knit Community, the Federal German Republic joined with all its assets and liabilities, and without any discrimination against it. The prospect of healing the division of the world, which has also caused the division of Germany depends entirely on securing peace in Europe and in the world, and in winning back for Europe a share in determining world affairs. These are the political aims of European unification".[113]

Looking back from the late 1960s Hallstein still believed in his dream, that, despite the struggles among member states, which lie in the nature of federal structures, the Community will continue "with patience and tenacity to work for a better understanding of what we are doing: already the integration of democratic Europe, a reliable safeguard for peace is becoming a reality and one which is also in the interests of the East European nations".[114] For him it was therefore "high time to go further. For there is no alternative, either in our objective – unity – or to the road we set out on twenty years ago, and of which today we have covered half the distance. William the Silent, of the House of Orange […] once said: 'One does not need hope to act, or success to persevere'. How much greater, then, is our obligation to act and persevere, for we have hope, and we have success".[115] Hallstein also referred to the Transatlantic solidary, "which has been forged not merely by an arbitrary decision but by a common destiny, based on a community of spiritual and material circumstances in the present state of the world",[116] a set of values which is still on the European agenda.

In the preface to the English edition, the third version of the book published in 1969, Walter Hallstein reflected on the "dynamic process of European integration, its progress and its setbacks, its ups and downs".[117] The EC summit at The Hague in December 1969 "formed a fitting conclusion to the European Community's transition period, and marked the beginning of a new balance of interests on the part of its member states: it confirmed their financial solidarity in the agricultural field, it decided to consolidate the Community by means of economic and monetary union, and it opened the way" to the entry of new members.[118] He was quite confident that the

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[113] *Ibidem*, p. 332.

[114] *Ibidem*, p. 333.

[115] *Ibidem*.

[116] *Ibidem*.

[117] *Ibidem*.

[118] *Ibidem*.

Community will succeed. The discussions in the early 1970s are a promising sign "about the tasks of the future. These include particular, economic and monetary union, the efficiency and democratic legitimation of the Community's institutions, and a constructive relationship with non-member countries, especially in Europe and the Mediterranean, with America and with the states of Eastern Europe. It is no less encouraging that this discussion already involves both Government and the public opinion in the countries that are now in the process of joining the European Community".[119]

Since the publication of Europe in the Making Europe Europe has changed dramatically. Many aspects touched in Hallstein's considerations have become real or are in the process of an "ever closely-knit [European] Community". A European constitution is still a desideratum, which is very difficult to be accomplished.

The Bavarian Franz Josef Strauss, member of the CSU, who for many years served in different political functions at the federal level as member of the Federal Diet, as minister of Defence and Finance, as chairman of the CSU and since 1978 as Prime Minister of Bavaria.[120] He was a politician adored and hated. Franz Josef Strauß was among three quite different Europeans whom Anthony Sampson featured and interviewed in his study on the Anatomy of Europe. Sampson choose personalities who as individuals had different ideas about Europe. Each has a "different picture of the continent, each with an important following, who have become symbols as much as individuals – Jean Monnet, Charles de Gaulle and Franz-Josef Strauss".[121] Strauss as a "protagonist of the European idea" is characterized as "the most controversial" of all protagonists.[122] He was "the rogue elephant of West Germany, and its present finance minister. Strauss has from the beginning been convinced of the need of a united Europe, but his political attitudes have been so autocratic, so militant and even blood-curdling, that he has frightened away many of his allies. He has sometimes

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[119] *Ibidem*, p.3.
[120] Cf. Carstens et al., Franz Josef Strauss (note 20) – Möller, Horst, Franz Josef Strauß. Herrscher und Rebell. München: Piper 2015 – Brügmann. Klaus / Höpfinger, Renate, Ministerpräsident Franz Josef Strauß, in Bayerisches Hauptstaatsarchiv (Ed.), *Das schönste Amt der Welt'. Die bayerischen Ministerpräsidenten von 1945 bis 1993*. München; Danuvia Neuburg a.d. Donau 1999, pp. 147-170 – Strauß was an ideal object for Cartoonists cf. Höpfinger, Renate (Ed.), Franz Josef Strauß oder 'der dickköpfige Satansbrätling'. Munich: Hanns Seidel Stiftung 2015.
[121] Anthony Sampson, *Anatomy of Europe*. New York Evanston: Harper & Row 1968, p. 6.
[122] *Ibidem*, p. 21.

seemed to embody a crude power-lust, and he has probably made more enemies than anyone in Europe. Yet, among the discreet and wavering German politicians he stands out as an authentic voice, who can comprehend and guide a country's ambitions".[123] In 1965 Franz Josef Strauss referred to the indissoluble intertwining of European integration and compensating the immediate German past and its consequences:

"Germany needs Europe more than any other country. In its post-war insecurity and solitude, it has seen in the European idea not only a way of compensating for the immediate past but an honourable outlet for its formidable energies".[124] Strauß argued that through "Germany's contribution for the foundation of a European federation Germany would find itself".[125] He called for an initiative for Europe. Europe needs to make progress, step by step, in the process of unity. "United States of Europe, with a nuclear deterrence of its own, must be in a position to defend itself, in order to become an equal partner of the United States. Europe thus united would be highly attractive for our Eastern neighbours under communist rule and the Soviet Union as well might be induced to seek a peaceful reconciliation with Western Europe within the framework of an all-European détente [...This would also make possible] German unification and remove the latent dangers of German division for world peace".[126] Strauß is still supporting the "magnet theory ", already out-dated at the time. His creed has been that Western Europe must set up a convincing model of a policy of independence and self-preservation being attractive for Eastern Europe, which would lead to the political unity of all Europe. The aim of the European process must be, as Strauss perceived it, to establish a "federal Europe of the people" that could defend the interests of the European nations against the superpowers. For Strauß the "Europeanization" of the German question is the 'key' for German unification and European political unity.[127]

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[123] *Ibidem.*

[124] Quoted from Sampson, *Anatomy of Europe,* (note 103), p. 21 – the original: Strauß, Franz-Joseph, *Entwurf für Europa* (note 20), p. 13.

[125] Franz Josef Strauß, *Entwurf für Europa* (note 20), p. 13 (Translation WDG).

[126] *Ibidem*, p. 7f. (Translation WDG).

[127] *Ibidem*, p.137ff. In this chapter Strauss is also dealing with Charles de Gaulle's view of a united Europe: „Erst wenn wir wirklich verstehen, unser nationales deutsches Teilungsschicksal in seiner Verknüpfung mit dem zerrissenen Europe zu erfassen, und an das Problem unserer Wiedervereinigung im Sinne einer vom Westen aus entwickelten europäischen Einigungspolitik heranzugehen, erst dann kann die von Frankreich eingeleitete Auflockerungspolitik gegenüber dem Osten zu einem wirklichen Erfolg führen", p.164.

Strauß did not have a European vision like Hallstein. His attitude to European unity, as Anthony Simpson realized from several long talks and interviews with Strauß, "is simple and fairly consistent. He believes (as he put it to me), that 'it's not natural for three hundred million Europeans to be dependent on either one hundred and ninety million Americans or two hundred million Russians'. He denies being anti-American, but insists that 'we want to be a partner of America, not a nuclear protectorate'. He believes that Europe must have its own nuclear force (ENF) and that a united Europe without it would not make much sense. With a strong nuclear Europe and an integrated European army he believes that the Atlantic alliance can be much healthier and stronger, and that the Atlantic can become the equivalent of the Mediterranean of ancient times. He denies that he is rigidly anti-communist, and supports the opening-up to the East. […] He believes that the European nations must give up some sovereignty to survive: 'For the outdated conception of a Europe of the nations we must substitute a Europe of its peoples. Not a melting pot, but a continent in which difference of character and temperament in the individual are preserved in a community which raises their standard of living without standardizing their lives and guarantees their security. In order to remain German, or British, or French, or Italian, we must become Europeans'. […] Strauss' vision of Europe is more aggressive, less idealistic than Monnet's; more straightforward and less nationalistic than de Gaulle's"[128] and more power-oriented.

In an article on basic questions of Europe, written in 1975, he was worried about recent developments in European politics. Ever since the late 1940s, Strauß believed, that a European policy would not be possible without the cooperation of many European democracies to establish an economic, political and military union. Thus Europe would have a voice in vital processes of world politics. This would mean, however, to give up the obsolete idea of sovereignty for small and medium-sized states and replace it by a pooling of sovereignties. This should happen through "the institutions of a European Federation!"[129] Today the free states of Western Europe are far off this aim. The EC is experiencing a standstill, especially in its monetary policy and also in other fields. He vehemently criticised that the EC is not making progress in its political and economic policies. It is

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[128] Anthoy Sampson, *Anatomy of Europe* (note 103), p. 24f.
[129], Franz Joseph Strauß, *Grundfragen Europas* (note 20), p. 103.

lacking commitment and insight concerning Europe's basic questions: The interaction between politics and economy. A political unity will not be possible without economic integration of the European states. Economic integration would remain a patchwork without the strong will for political union. At some point economic regulations will no longer be sufficient.

Therefore in the political domain the states will have to overcome egotism and be prepared to give up sovereignty in favour of a European federal state. The West Europeans have to take their chance, otherwise "Western Europe as a free continent would come to an end".[130] The topic of freedom is an important issue for Strauß when he speaks about Europe.[131]

In 1988 he answered a parliamentary interpellation of the CSU faction in the Bavarian Diet on Bavaria and Europe.[132] Since World War II Europe is divided by the Iron Curtain into a socialist and a democratic Europe. We should be aware of the fact that the states of real socialism with their different social and political systems also belong to Europe like the neutral states, e.g. Austria, Switzerland, Sweden and Finland".[133] Prime Minister Strauß in his speech heavily criticized the role and activities of the European Commission and of the Council of Ministers. Furthermore the European Parliament does not possess the competencies of a normal parliament. "Europe has reached a crossroad. It desperately needs to set a new course. It took the wrong way: The EC interferes into the rights of the member states and prevents independent political actions. This means that the federal structure of the Federal Republic of Germany will be increasingly undermined".[134] It was Bavaria which successfully fought against European centralism, Strauß argues. The ratification of the European Single Act provided a voice for the German Council in European decision making. In all European issues relating to responsibilities and interests of the Lander the Federal Government has to obtain the opinion of the Federal Council. Its opinion has to be observed in the negotiations of the Federal Government at a European level. On request representatives of the Lander

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[130] *Ibidem*, pp. 103-113, p. 113.

[131] Cf. Franz Josef Strauß, „Europa als Kontinent der Freiheit", in Strauß, Franz Josef, *Gebote der Freiheit*. Stuttgart: Gruenwald 1980. pp.255-280.

[132] ACSP München Heinrich Aigner papers 36: Rede des bayerischen Ministerpräsidenten Franz Josef Strauß zur Beantwortung der Interpellation der CSU-Landtagsfraktion vom 28.9.1987 am 3.2.1988 im Bayerischen Landtag.

[133] *Ibidem*, p. 3 (Translation WDG).

[134] *Ibidem*, p. 22.

have to participate in negotiations with the European Commission or the Council of Ministers. These provisions are "of historical importance for the preservation of German federalism".[135] Strauß pleaded for a European defensibility. Besides NATO there should be a European pillar. The main pillars of European security should be France and Germany. In his speech there was no reference to German unification. He only mentioned if the Bavarians quoting a modified saying of the Bavarian King Ludwig I. wish to remain Bavarians and Germans they have to become Europeans.[136]

Other than Hallstein, the political intellectual, the Professor of Constitutional Law, Franz Josef Strauß was a politician with instincts and a feeling for situations. For his concept it was important that Germany was provided with a field of action at a European level and at the same time he was picking up an idea that has been discussed in the Consultative Assembly of the Council of Europe, that a united Europe should take on the role as the third global force, an idea which came up in the early 20th century and in the new age of the "flat world"[137] is on the agenda again.

The dilemma of the 'fourth level', i.e. the question of unification and the relations between the Federal Republic and the GDR besides the European, national and German Lander level was solved by history in 1989/90. The dynamics of German unification as well as the transformation of Eastern and Central-Eastern Europe caught the EC by surprise. It changed the historical landscape of post-war Europe, closed the period of European history since the Paris peace treaties of 1919/20. It opened a new chapter in global history.[138] Which course will Germany follow in European politics? What political and economic role will it play in an emerging new Europe? How will it deal with the double task of domestic and European integration? Will Germany, the largest European economy and the most populous European state give up its restraint not to be the captain in the European driving seat, not just the Most Valuable Player, and take on the role of a leader? The German role in Europe since 1990 has been debated. Some demand that Germany "should show a little more economic and

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[135] *Ibidem*, p. 33.

[136] *Ibidem*, p. 55.

[137] Cf. Thomas L.Friedman, *The World is Flat. A Short History of the Twenty-First Century*. New York: Farrar, Straus and Giroux 2005.

[138] Cf. Thomas Friedman, *Flat World* (note 137), p. 49ff.

political leadership",[139] and a commentary in the Wall Street Journal put the central question, asking: Will Germany "act as Germania Rex, the haughty leading man who hogs the spotlight and steals the scenes? Or will it become more of an ensemble player, a willing partner of and respected spokesman for a more unified European Community?" [140] Recently Angelo Bolaffi offered a new interpretation of the new German question.

He argues that what we want is a Germany which is culturally and politically able to imbibe for Europe the difficult responsibility of the hegemony. Germany with its demographic, geopolitical central position and its economic strength is condemned from an objective point of view to take on the challenge. It does not make sense to contrast a German Europe and a European Germany. Germany has arrived in the West.[141]

## 4. United Germany and Europe since 1990 and the Finality of the European Process

German unification for many reasons speeded up the path towards an ever closer integration of the European peoples.[142] For the German land it was important to know how the European Union should be organized in the future and what concepts the European Commission would have. When Jacques Delors came to Munich to speak to the Bavarian Diet the former Prime Minister of Bavaria and Member of the European parliament, Alfons Goppel, submitted a memorandum of the Prime Ministers of the German Lander.[143] Bavarian Europe policy is aiming at a European Union

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[139] Timothy Garton Ash, "Angela Merkel needs all the help she can get. Few had anticipated the leadership dilemma of a European Germany in a German Europe", in *The Guardian* 8 February 2012 – Garton Ash, Timothy, "The New German Question", in *The New York Review of Books* August 16, 2013, p.1.

[140] Terrence Roth, Nelson, Mark M., "Germany Prepares for a Leading Role", in *The Wallstreet Journal*, Europe, 9 July 1990.

[141] Angelo Bolaffi, , *Deutsches Herz. Das Modell Deutschland und die europäische Krise*. Stuttgart: DVA 2014.

[142] Cf. The considerations in: Gruner, Wolf D., Germany in Europe: the German question as burden and as opportunity, in: Breuilly, John (Ed.), *The State of Germany. The national idea in the making, unmaking and remaking of a modern nation-state*. London New York: Longmans 1992, pp. 201-223 – Gruner, Wolf D., , Deutschland in Europa (note 1), p. 381ff. – Gruner, Wolf D., "Is the German question – is the German problem back?" (note 1)

[143] Cf. Positionspapier zur Weiterentwicklung der Gemeinschaftsverträge, 1 February 1991 (ACSP Munich Goppel Papers 684).

based on federal structures which preserve cultural identities, social diversity, a balanced economic development and ensure public accessibility. The EU should be based on democracy, the rule of law, federal structures and subsidiarity. Federalism would guarantee freedom and democracy. The European Union should have an independent third level below that of the member states. The lander have developed a model of a regional institution. This would allow the lander and regions more participation in the decision making process at a European level, based on the principle of subsidiarity. The German lander believe that in immigration and asylum policies there should be a harmonised common EC policy. The EC should have competencies for reintegration of refugees. The German lander will support the European integration process. They are prepared to examine which spheres of their competencies could be transferred to the European Communities.[144]

The "revolutions" of 1989/90, besides German unification, also raised the question as to how to pull closer the states of the former Soviet sphere of interests toward the EC. This initiated the debate on institutional reform and the 'finality' of the European Process. How can a reformed EU live up to its global and regional responsibilities for the people of Europe? After the ratification of the Treaty of Maastricht there was a lively debate in Germany among the major German parties and at a federal level.[145]

Discussion started with the so-called Schäuble-Lamers Strategy paper of the CDU/CSU parliamentary group in September 1994. It dealt with the interests of Germany and the best means to make progress in the process of European institutional reform and deepening of integration.[146] It was an answer to the ideas of the French Prime Minister Baladur on a

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[144] *Ibidem*

[145] Cf. Grosse Hüttmann, Martin / Knodt, Michèlle, Die Europäisierung des deutschen Föderalismus, in: *Aus Politik und Zeitgeschichte* B 52-52/2000, pp. 31-38 – Knodt, Michèlle / Kohler-Koch, Beate (Eds.), *Deutschland zwischen Europäisierung und Selbstbehauptung*. Baden-Baden: Nomos 2000 – Hrbek, Rudolf (Ed.), *Europapolitik und Bundesstaatsprinzip – Die Europafähigkeit Deutschlands und seiner Länder im Vergleich mit anderen Föderalstaaten*. Baden-Baden: Nomos 2000.

[146] Cf. *Bulletin Quotidien Europe 1994*, 7 September, p.11ff. For the German version cf. Pressedienst der CDU/CSU Fraktion im Deutschen Bundestag (Ed.), *CDU/CSU-Fraktion des Deutschen Bundestages: Überlegungen zur europäischen Politik* (1 September 1994) – I would like to thank the Archiv der Demokratischen Politik oft he Konrad Adenauer Foundation St. Augustin for providing the German version of this paper.

"Europe of different speeds",[147] of deepening and widening the EU. Balladur also discussed the issue of institutional reform. It was followed up by several contributions by European parties and politicians[148] and a project of the Tindemans Group.[149]

The Treaties of Amsterdam and Nice did not find a way out of the European deadlock. Thus, in the spring of 2000 the "finality debate" was renewed. The major contributions came from politicians in France and Germany. Foreign Secretary Joschka Fischer opened the debate with his "private" lecture "From Confederacy to Federation – Thoughts on the finality of European integration" at the Berlin Humboldt University on 12 May 2000.[150] It was in Germany's "supreme national interest", he argued, that enlargement was a "unique opportunity to unite our continent, wracked by war for centuries in peace, security, democracy and prosperity".[151] In order to be able to act the EU needs an appropriate reform of its institutions. Fischer favoured a model that would divide sovereignty "between Europe and the nation state" by setting up the European Parliament as a two-chamber system, the second "Chamber of States", representing the member states and the first chamber "for the elected members who are also members of their national parliaments". The Chamber of States could be established

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[147] Cf. *Bulletin Quotidien Europe* 1994, 3 September, p.1ff.

[148] Cf. the ideas of the SPD on "differentiating while "integrating": Friedrich Ebert Stiftung [Schmuck, Otto] (Ed.), *Die Reform der Europäischen Union. Aufgaben der Regierungskonferenz 1996*. Bonn: Bundeszentrale 1995 – Friedrich Ebert Stiftung [Dauderstädt, Michael / Lippert, Barbara] (Ed.), *Differenzieren beim Integrieren. Zur Strategie einer abgestuften Osterweiterung*. Bonn: Bundeszentrale März 1999 – For a collection of German and other European positions on the Intergovernmental Conference'96 (IGC'96) cf.: Vertretung der Europäischen Kommission in der Bundesrepublik Deutschland (Ed.), *Europäisches Forum: Die künftige Verfassungsordnung der Europäischen Union. Eine Dokumentation*. (Europäische Gespräche 2/94). Bonn 1994 – IDEM, *Reform'96. Positionen zur Regierungskonferenz'96*. (Europäische Dokumentation 2/95) Bonn 1995.

[149] Van Tuyll van Serooskerken, Sammy (Ed.), *Europe your Choice. 5 Options for Tomorrow's Europe. Report of the Tindemans Group on European Institutions*. London: The Harvill Press 1995 (published also in French, Dutch and German).

[150] Cf. Joschka Fischer, "Vom Staatenbund zur Föderation: Gedanken über die Finalität der europäischen Integration", German version printed in: *Integration* 3/00, p. 157-197; English version: http://www.auswaertiges-amt.de (sp120500 pdf. file) and in Joerges, Christian / Mény, Yves / Weiler, J.H.H. (Eds.), What kind of Constitution for what kind of Polity? Responses to Joschka Fischer. Badia-Fiesolana: EUI 2000, pp. 19-30.

[151] Joschka Fischer, *From Confederacy to Federation*, p.5 (pdf. file).

according to the model of the US Senate or the German Bundesrat.[152] There were two options possible for setting up a "European executive" by either reforming the European Council or the European Commission. From his point of view to set up a European Federation early on would be "an artificial construct which ignores the established realities in Europe". Thus it would be "an irreparable mistake in the construction of Europe".[153] He believed that only if European integration takes the nation-states along with it into such a Federation, only "if their institutions are not devalued or even made to disappear, will such a project be workable",[154] i.e. "the division of sovereignty between the Union and the nation-states requires a constituent treaty which lays down what is to be regulated at European level and what still has to be regulated at national level […] There should be a clear definition of the competences of the Union and the nation-states respectively in a European constituent treaty, with core sovereignties and matters which absolutely have to regulated at European level being the domain of the Federation, whereas everything else would remain the responsibility of the nation-states. This would be a *lean European Federation*, but one capable of action, fully sovereign yet based on self-confident nation-states, and it would also be a Union which the citizens could understand, because it would have made good its shortfall on democracy» ([155]) and the «last step will then be completion of integration in a European Federation".[156]

German and European reaction to Fischer's 'strategic speech' was differing according to the interests of the member state and the domestic situation. It was considered as a 'politically successful speech' at the right time given by Foreign Secretary of the largest member state. The renewed German confession to Europe and European integration forced the other member states to position themselves and discuss the implications of such proposals. The French Foreign Secretary and the French President Chirac reacted to Fischer's ideas. Chirac in a speech to the Bundestag declined a European super state, but underlined the necessity to discuss "what kind of Union" Europe needs. For initiating institutional reform France and

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[152] *Ibidem*, p. 8
[153] *Ibidem*, p. 7
[154] *Ibidem*.
[155] *Ibidem*, p. 8
[156] *Ibidem*, p. 12

Germany should form an "avant-garde".[157] The British press reacted hysterically whereas the smaller EU member states, especially in Scandinavia felt marginalized by the French-German initiatives.[158] In a speech at the Polish Stock Exchange on 6 October 2000 the British Prime Minister Tony Blair turned down the German and French proposals for a closer European Union, a constitutional federal system and a super state. From his view there was no necessity for a "legally binding document called a Constitution for an entity as dynamic as the EU". In practice "given the sheer diversity and complexity of the EU, its constitution, like the British constitution, will continue to be found in a number of different treaties, laws and precedents".[159] Blair argued that "Europe is a Europe of free, independent sovereign nations who choose to pool that sovereignty in pursuit of their own interests and the common good, achieving more together than we can achieve alone.[160]

Since Chirac in his speech to the Bundestag mentioned the necessity of a European Constitution and called it a Constitution for Europe, constitution making was on the agenda. One of the long-time protagonists for a European Constitution had been the German member of the Bundestag Jürgen Meyer (SPD) who also initiated a European Fundamental Rights Convention for adopting a 'European Charter for Fundamental Rights'. Meyer worked for this Charter to become an integral part of a European Constitution. The Bundestag sent him as its representative into the Convention on the Future of Europe (European Convention). The Convention replaced the method of setting up Intergovernmental Conferences, representing the governments. Its members were delegated into this forum by the national governments, the European Commission, the European Parliament and national parliaments. Germany sent besides Meyer for the Bundestag, Foreign Secretary Fischer and as the representative of the Länder the Prime Minister of Baden-Württemberg Teufel, into the European Convention. Jürgen Meyer, a professor of

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[157] Cf. http://www.bundestag.de/parlament/geschichte/gastredner/chirac/chiracq.html
Jacques Chirac „Notre Europe – Unser Europa" (27 June 2000) and http://www.europa-reden.de/chirac/rede.htm visited 8 February 2006.
[158] Cf. Peter Schwarz, *Streit in Frankreich über Chiracs Europarede*, 8 July 2000 (http://www.wsws.org.de/2000/jul2000/chir-j08_prn.html), (consulted 8 January 2018).
[159] Cf. http://www.number-10.gov.uk/output/Page3384.asp Prime Minister Speeches, Speech to the Polish Stock Exchange, p.5 (6 October 2000) (consulted 8 January 2018).
[160] *Ibidem*, p. 4.

constitutional law, favoured a constitution for Europe which would establish a "Federation of Nation States".[161] A European constitution as a basis for a reformed and federal European Union was on the minds of the majority of the German "classe politique" ever since the 1950s. In his important speech to the European Parliament on 4 April 2001 Federal President Johannes Rau made a "Plea for a European Constitution".[162] It will be the task of the European Parliament and of all other institutions of the EU to make the process of European integration more transparent and to answer questions of the citizens not academically but in a more practical way, questions such as "How can we organize the European Union in such a way that citizens can find their way around it better? What must we do to ensure that decisions made by the European Union have a broader legitimacy at European level? How, finally, should the organizational framework look? "[163] Despite the fact that Rau favoured a federal system for the EU, he referred to a "European Federation of nation states". This would be quite the opposite of a European super state, which, as people argue, would abolish the nation-states. He was convinced that "we need a European constitution. The European constitution is not the 'final touch' of the European structure, it must become its foundation.

The European constitution should prescribe that Europe will not become a centralized super state but, rather, that we are building a federation of nation-states".[164] Rau wished to avoid the impression – like Roman Herzog and Richard von Weizsäcker before him – that he was pleading for a 'Europe à la Federal Republic of Germany'. For him the transformation of «Europe into a federation of nation-states […] will enhance the democratic legitimacy for joint action while, at the same time, safeguarding the competences of the nation-state which they want and indeed should maintain".[165] Rau demanded that the constitution should comprise three parts:[166]

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[161] http://lists.infodrom.org/jef-verfassung/2002/0008.html Stefan Ulrich interviewing Jürgen Meyer on "Constitution for Europe. Between Confederation and Federation" (Verfassung für Europa. Zwischen Staatenbund und Bundesstaat) 3 February 2002.

[162] Cf.  http://www.europa-web.de/europa/03euinf/08VERFAS/rauengli.htm Rau, Johannes, Plea for a European Constitution 4 April 2001 (Europainformationen – Europäisches Parlament 5 April 2001), (consulted 8 January 2018).

[163] Johannes Rau, "Plea for a European Constitution", p.2.

[164] *Ibidem*.

[165] *Ibidem*.

[166] *Ibidem*, p.3.

1. the "Charter of Fundamental Rights" which should have a "binding power on the actions of European institutions and the member states where they implement European law",

2. a European constitution which «must divide competences between the member states on the one hand and the European Union on the other with the necessity of clarity. It would thus largely determine the relationship between the member states and the Federation. We should endeavour to anchor the principle of subsidiarity on a broader basis: only those maters should be decided at European level which the member states cannot better deal with themselves. That must be the guiding principle!"

3. All competences which are not referred to should remain a national competence. These national competences, reserved to the member states, must expressly be defined.

Rau proposed a "genuine bicameral parliament". The former Council of Ministers would be turned into a "Chamber of States", being responsible for preserving the sovereignty of the nation states. The directly elected European Parliament would serve as the "Citizen's Chamber". Both chambers "should make decisions on an equal basis in all spheres where legislation is made".[167] As far as the Commission is concerned, which would serve as a European government, there are two models as to how to elect the President of the Commission, either directly by the European people or by the two chambers of the European Parliament. Rau preferred the latter, because this would give stronger democratic legitimacy to the Commission and thus "the European idea with crucial new impetus".[168]

Rau underlined two others points, which from his personal and political experience and self-understanding were crucial:

1. The politicians should take care that the constitutional debate on the future of Europe is "not only conducted in expert circles", but should include all citizens interested, also in the candidate states. The future European constitution will be the constitution of the people of the present and the future member states.

2. The Europeans have without doubt great differences and diversities, but they are "basically of the same kind" (Luigi Barzini) and have common features. There is a common European heritage which is

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[167] *Ibidem*, p.4.

[168] *Ibidem.*

"made up of the Christian faith and ethics, of culture, the arts, philosophy and science from antiquity to modern times".[169]

Rau's approach to a future European constitution was based on German historical and constitutional federalist traditions. Like Rau his predecessor Roman Herzog belonged to the generation which experienced the war. Like Hallstein Herzog was a former Professor of Public Law. Coming from Bavaria he was a convinced federalist. He started his speech to the European Parliament in 1995 tuning his audience in: "We have a vision and it is called Europe. Time and time again visions of the future have emerged from the experience of a common history. That is the case again today … Every vision also entails the risk of failure, so we do well to understand what is at stake. I have come to Strasbourg to raise questions that citizens are asking in every nation on our continent. These three questions will have to be answered convincingly by the technocrats in Brussels and the political elites in our national capitals if they are not to suffer political harm".[170] He asked the vital questions early on, before there was a move to set up a Convention on the Future of Europe which should deliberate on a European Constitution: "Why Europe? What kind of Europe? Europe for whom?" He reminded the members 0f the European Parliament that Europe should not define "itself negatively as a mere reaction against external threat", but "also positively by drawing on its own inner substance". One answer is history, the revival after the War of the century-old vision of "reconciliation". The wealth of Europe is the diversity of the regions of Europe and the fact that ever since Greek and Roman times Europe has seen itself "as a single entity beyond the mere geographical definition".[171]

As a former President of the Supreme Court and a scholar Roman Herzog was highly supportive of "a political system that begins with the letter 'F' but which of late had become taboo in European debate […]

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[169] *Ibidem,* p.1., Rau is referring to Barzini and Churchill in his address cf. therefore Barzini, Luigi, *The Impossible Europeans*. London: Penguin 1983 and Churchill's Speech on 19 September 1946 at the University of Zürich "The Tragedy of Europe": http://www.europa-web.de/europa/02wwswww/202histo/churchil.htm (consulted 10 December 2017).

[170] Roman Herzog, *Speech to the European Parliament at Strasbourg*, October 10, 1995, printed in Herzog, Roman, *Lessons from the Past. Visions for the Future*. (American Institute for Contemporary German Studies. The Johns Hopkins University. German Issues 18). Washington: AICGS 1998, pp. 39-47, p.39.

[171] Roman Herzog, European Parliament 1995, p. 40 f., p. 42.

Nonetheless, I still consider that system – the one which begins with 'F' – to be the best history has ever had to offer […] Federalism […] is, after all, the opposite of centralism. Indeed, as exemplified in Germany's post-war history, it can almost be said to be a method of decentralization. For that reason our Anglo-Saxon Europeans need not to be put off. The fact that the arch centralist Alexander Hamilton founded a party in 1791 that he called the 'Federalist Party' can be blamed only on Hamilton, but not on federalism. On the other hand, federal decision-making procedures ensure the rationality and effectiveness that have always been at the heart of the great French political tradition. There is nothing to stop nation-states from forming a federation and still remaining nation-states. Europe as a 'motherland of motherlands' has always rung true in the ears of federalists, too. For it was not the advocates of German particularism who first spoke of a 'United States of Europe' […] but such great Frenchmen as Saint Simon and Victor Hugo […] [N]othing compels the members of the European Union to opt for, say, the Swiss, the American or the German federal system. And there is undoubtedly the reassuring alternative of coming up with a totally different model. This, I feel, is one of the great tasks of the European Parliament and a marvellous opportunity. The place to conduct the debate on Europe's future political organization is in Parliament. It is here that European sovereignty, if it already exists, should be articulated. And the more it is articulated, the more it will exist".[172]

Rau and Herzog underlined that we "will create a lasting, democratic Europe only if it sees itself as a Europe of the people, and really becomes that, rather than just talking about it" and that the prerequisite for any further development of the EU towards a federation will be its acceptance by "its citizens and it can only be given substance if it is firmly rooted in their hearts. Our actions must therefore be closer to the people they must be more transparent and have more democratic legitimacy".[173]

Herzog pointed to the necessity to provide orientations for the citizens of Europe by giving answers to the questions of why Europe and what kind of Europe, but furthermore that the Europe we envision will be a federal and democratic Europe of the citizens in an open society. Democracy is the prerequisite for an open society and who "would deny that democracy forms and integral part of the common European patrimony? [...] Democratic

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[172] *Ibidem*, p.44f.
[173] *Ibidem*, p.46.

legitimation also means ensuring that the citizens of all member states understand the process of European integration and can mentally keep pace with it […] It also appears essential to me that progress on the road to political union be tied to the tradition of human rights in Europe and the existing institutions for their protection. Democracy begins with human rights. Human rights are the foundation of what we call the European community of values".[174] Democracy combined with the strategy of federalism to Herzog seemed to be the right answers to the European challenge. Federalism offers opportunities for the geographically smaller states: "Precisely in the mobilization of their potential lies the critical advantage for federalism in the competition among the various forms of political organization".

Herzog was confident then that "we do not stand here without some sense of where we're going. The 'old-fashioned avant-garde' supplies us with powerful arguments. And the forty-year-history of the European unification shows us how one integration model can build on another. The European Union of the Maastricht Treaty is the politically enhanced form of the European Community of the Treaties of Rome. From now on we are travelling the road to the democratically enhanced form of the European Union – however it may ultimately look, and whatever it may ultimately be called".[175]

The gathering of the Convention on the future of Europe and its drafting of a European constitution was an important step into the right direction, despite all setbacks. There is no alternative to the European project, not only from a German point of view. The citizens of Europe need more orientation about the future organization of Europe and its historical and political traditions, they have to understand what is going on and they have to accept Europe. The finality of a democratic, political and social Europe of liberty and the rule of law needs to be "rooted firmly in their hearts", as Herzog put it.

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[174] Roman Herzog, The New Europe. Speech at the 1996 International Bertelsmann Forum, 19 January 1996, in Herzog, Roman, *Lessons from the Past, Visions for the Future*, pp. 49-57, p.53, p.56.

[175] *Ibidem*, p 57.

## 5. Conclusions

Within a changing historical and political framework the majority of the political elite of the Federal Republic has always been in favour of 'some sort' of federal solutions to the European project. Historical traditions, the German question, and experience of a federal system in the Federal Republic and a Europe ideology have contributed to these considerations. Walter Hallstein may serve as an example for the believers into a European Federation. Franz Josef Strauß' approach to European integration was differently. He also considered as the ultimate aim of the European project a European Federation, which could adopt the role of a third force in world politics. From Strauß's point of view "a new European architecture" allowed to "safely contain Germany's energies". For him the "strongest reason for uniting Europe has always been to absorb the danger of Germany".[176] The perception of Europe has changed after 1990, as Herzog's speech has shown. There will be an alternative to the ideas of the 1950s, a may be "totally different model". Thus, for Lord Ralf Dahrendorf, Monnet and Hallstein stood for the "old Europe'. Dahrendorf criticized the Hallstein approach as 'primitive', because he believed that, if you "start working on integration in one corner you will soon integrate the whole landscape".[177] During his time as a member of the European Commission he realized that the "first Europe" and its institutions had reached its limits.

The new Europe, the European Union he was envisaging, will need a constitution for democrats.[178] German policy aiming at the completion of European integration has become more active since the barriers for German European integration policy have been removed. The broadening of the rights and competences of the German Lander in Germany's Europe policy

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[176] Anthony Sampson, *Anatomy of Europe* (note 103), p. 21, p. 26.

[177] The interview of the author with Lord Dahrendorf on 2 September 1998 can be found in: https://archives.eui.eu/en/oral_history/INT642 Ralf Dahrendorf, p. 19 – For Dahrendorf's views on Europe cf. besides the interview inter alia: Dahrendorf, Ralf, *Plädoyer für die Europäische Union*. München: Piper 1973 – Interviews with German Europe politicians and their perspectives on Europe cf. e.g. Ernst Albrecht, Hans Apel, Manfred Brunner, Hans von der Groeben, Klaus Hänsch, Hans E. W. Hoffmann, Karl-Heinz Narjes, Helmut Schmidt and Horst Teltschik – can be found sub: https://archives.eui.eu/en/oral_history/# (consulted 6 February 2018).

[178] Ralf Dahrendorf, *Europäische Union* (note 160), p.209ff. – Cf. also Dahrendorf, Ralf, „Europa und der Westen", in *ZEuS* 2/2004, pp. 165-172 – Meiford, Franziska, *Ralf Dahrendorf: Eine Biographie*. München: C.H. Beck 2017.

contributed to the debate on federalism at a domestic and European level. At a domestic German level the Lander had to cope with a process of transformation and innovation. This level is closely connected with the necessity to discuss a reform of the institutions of the EU in order to safeguard the rights and interests of the Lander – the issue of subsidiarity – in a future European political organization. The German debate of adopting federalism to the needs of the present and preparing it for the future may have a fruitful impact on the debate on how to construct a functioning and effective future European Union which is close to the citizens. Today's Germany presents itself as a sensitive and creative player in the European debate on the finality of Europe. The contributions by politicians of all parties since the mid-1990s, the speeches of the Federal Presidents on Europe and the ideas of task forces and experts on the institutional framework of the EU initiated a discussion all over Europe, supporting or refuting these ideas. German views on Europe at present range from a "European Confederation" to a "European Federation of Nation States". We should not be satisfied, however, with the progress European integration has made since the late 1940s and we should keep in mind, as Jean Monnet reminded his contemporaries in the early 1960s that the European process "is not a static a static creation; it is a new and dynamic phase in the development of our civilisation".[179] Robert Schuman in a lecture in Luxembourg stated: "Europe is an enterprise of reason, but not of sentiment". Carlo Schmid reminded us in his 1949 speech on Germany and the Council of Europe, that we need a European vision, long-term concepts and creativity: "Nothing hampers the realisation of things considered as being right more than getting used to a situation leaning into the right direction for fifty or twenty five percent: what we have achieved is temporarily sufficient; or notions like: we need to be realistic and should not ask for more than is available. [We should have the courage] to seek new horizons, roads the stages of which we are not yet able to predict. We hope that the statesmen of Europe will have this [courage]".[180] Today, in 2018, we need this courage: visions and Institutional reforms.

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[179] Introduction to Richard Mayne, *The Community of Europe. Past, Present, Future*. New York: Norton 1963, p.5.
[180] Carlo Schmid, *Europa-Rat* (note 62), p.18f. (Translation WDG).

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# FROM CONSENSUS TO SKEPTICISM?: ATTITUDES OF POLISH SOCIETY TOWARDS EUROPEAN INTEGRATION

**Ewa Szczepankiewicz-Rudzka\***

**Abstract:**

*Public opinion surveys conducted in Poland systematically since 2001 confirmed a high, more than 80-per cent, support for our membership in the EU structures. While the need for Poland's membership in the European Union has never been questioned, the issue of the development of European integration has aroused controversy and is still a cause of dispute. The hypothesis of the paper bases on two statements: (1) Polish society attitude towards European integration is more skeptical than would be apparent from the data on general support for EU membership, (2.) Current government, which has established Euroscepticism as the main direction of its foreign policy does not diverge from the mood and social expectations.*

**Keywords:** Polish society, European Union, Euroscepticism

The beginning of the political transformation process was accompanied by the slogan "Return to Europe". Shortly afterwards, this idea was formulated further in the postulate of Poland's integration with European structures (first the EEC, then the EU). As early as February 1994, the European Agreement establishing Poland's association with the

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European Communities came into force (signed in December 1991). Ten years later, on May 1, 2004, six years after the start of accession negotiations, Poland became a member of the European Union[1].

The accession to the Union was perceived by many Poles as an unavoidable consequence of the system changes initiated in the late 1980s.

At the same time, it can be regarded as the culmination of the transformation process and simultaneously as a confirmation of Poland's place in Europe. The enthusiasm of the society in linking the political fate of the country with the structures of the Western world (including NATO) is confirmed by the results of social research in terms of support for our country's membership in the EU. During the whole period of Polish presence in the EU, with minor deviations resulting from the changing political and economic climate in Europe and Poland, our society showed one of the highest support rates for the EU project among the countries of the community. The latest survey conducted in April 2017 by Centre for Public Opinion Research confirms this trend. 88% of Poles are enthusiastic about our country's membership in the EU[2].

The non-decreasing pro-EU attitude of Poles, especially from the perspective of the last two years is, however, puzzling and it deserves a broader analysis. For since 2015, along with the creation of the majority government of PiS (Law and Justice party) a volte-face in the policy can be observed, unprecedented in the history of post-communist Poland, marked with even downright anti-EU measures in the domestic and foreign policy of the country. This is attested to by a growing dispute with the European Commission and other European institutions over the rule of law standards in Poland, the common ideological front with Viktor Orbán and the Parliament's resolution on the EU, postulating its transformation into a loose union of strong sovereign national states.

The dissonance that arises between the support for Polish membership in the EU and the political programme of the ruling party, which is supported by 40% of Poles, seems to prove thesis about conducting politics contrary to the expectations and attitudes of the majority of society.

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[1] *10 lat członkostwa Polski w Unii Europejskiej*, CBOS, Research Report, no.54/2014, p.1: [http://www.cbos.pl/SPISKOM.POL/2014/K_052_14.PDF], 20 January 2018.

[2] *Jakiej Unii chcą Polacy*, CBOS, Research Report, no. 50/2017, p.15: [http://www.cbos.pl/SPISKOM.POL/2017/K_050_17.PDF], 20 January 2018.

However, the discord between the opinions of Poles and the current line of government is apparent. In order to support this hypothesis, not only the surveys alone will be quoted indicating support for Poland's participation in the EU structures, which is undisputed, but also opinions on the implementation of specific EU policies. These are no longer accepted with such enthusiasm. In the further part of the study, the Batory Foundation's 2016 report: "Poles towards the EU: The end of the consensus" will be presented. Authors of the study place Poles on the axis marked by extreme attitudes- openness and reclusiveness- towards the reclusive one.

They thus demonstrate, on the one hand, their sceptical attitude towards European integration, and on the other hand, they point out that the current government's policy does not diverge from the mood and social expectations, as can be seen from the surveys of general support for our country's membership of the EU.

## 1. Social support for the European Union

The idea of Poland's integration with European structures met as early as at the beginning of the 1990s, ergo at the time of its emergence in the public discourse, with a very positive reaction of the society, obtaining high public support reaching up to 80% in polls. Opening accession negotiations and making the perspective of Poland's membership in the EU more realistic has contributed to a decrease in the number of supporters of integration. In the second quarter of 2001, support for it declined to 53%, the lowest of the previous quarter. In subsequent months it usually did not exceed 60%. After a short-term increase in support for integration in the period around the referendum (in 2003), doubts and fears related to integration increased again a few months before accession - the acceptance of accession to the EU had dropped. After our country's accession to the EU, Poles quickly felt the relief that the black scenarios related to integration did not materialise, and there was no "post-accession shock" expected by some. The reduction in uncertainty and fears of EU membership, and soon also the growing positive effects of EU presence in the EU, have led to growing public support for membership as early as in the first months after the accession[3].

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[3] *Ibidem*, pp. 2-3.

With the accession to the Communities on May 1, 2004, Poland and nine other countries joined the European Union. The event was followed by an increase in Poles' support for membership, which amounted to 71%, with 20% of respondents objecting.

Three years later, in 2007 it reached its climax: 89% of respondents were in favour of Poland's presence in the EU and only 5% of respondents were against it. Acceptance of Poland's presence in the EU decreased slightly in the following years, but still remained very high. The protracted crisis in the euro area and, probably, perceived as insufficient effectiveness of the EU institutions in overcoming it, resulted in a drop in support for EU membership in previous years.

After a clear decline in support for our country's presence in the Community in the first half of 2013, it has already started to grow in the last months of 2013, reaching a level of 89%, not noted for a long time, in 2014. At the same time, the percentage of opponents of our country's membership in the EU decreased to 7%. It seems that the pro-European attitude was strengthened by the events in Ukraine, which made Poles aware of the importance of the choice they made voting in favour of accession[4].

A recent survey of public opinion in the first quarter of 2017 indicates a return to an upward trend. The support rate for the European Union has reached 88%. However, it is worth noting that the survey was carried out before two important events that could undermine this result.

The decision of the European Commission, and the finalisation of a complaint against Poland about not applying the European Commission's decision to relocate refugees may have an impact on lowering the pro-EU's climate of opinions.

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[4] Jakiej Unii chcą Polacy, *op.cit*. p. 3.

**Table 1: Support of Polish society for EU membership**

| Social support for EU membership by years (%) | 2001 | 2004 | 2007 | 2009 | 2011 | 2014 | 2015 | 2016 | 2017 |
|---|---|---|---|---|---|---|---|---|---|
| For | 60 | 71 | 87 | 84,5 | 83 | 89 | 84 | 84 | 88 |
| Against | n/a | 21 | 5 | 10 | 11 | 7 | 11 | 10 | 9 |
| Undecided | n/a | n/a | n/a | 5,5 | 6 | 4 | 5 | 6 | 3 |

*Source: Own elaboration based on CBOS data 2001-2017*

## 2. Support for the EU policies.

The attitudes of Poles towards our country's membership in the EU are by no means as unambiguous as indicated by the above mentioned research. 37 % of the Polish people believe that our country could cope with the challenges of the future better, if it was outside the EU. A little more than half of the respondents are against it – 51 %[5]. It can be understood in this way that almost 40 % of the total number of people living in the country do not consider the EU to be a non-alternative framework for the development of Poland in the future, but it is likely that in certain circumstances this group of respondents would allow the possibility of operating outside them.

It seems interesting that compared to other countries, Poles are rather opposed to the idea of deepening of the integration. According to a study by the Pew Research Center, only 9 % endorses such purpose, while 39% is in favour of maintaining the status quo, while 38% are in favour of giving some of the competencies back to the national states[6].

The belief that protecting the independence of Member States is more important than ensuring the efficiency of the Union's action is predominant in the vast majority of socio-demographic groups analysed.

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[5] Standard Eurobarometer 85, May 2016,

[http://ec.europa.eu/COMMFrontOffice/publicopinion/index.cfm/] , 20 January 2018.

[6] Bruce Stokes, *Euroskepticism Beyond Brexit*, Pew Research Center,

[http://www.pewglobal.org/2016/06/07/euroskepticism-beyond-brexit/] , 20 January 2018.

Opinions on this issue are mainly differentiated by political orientation. While right-wing people more often than on average stress the importance of national sovereignty (57% versus 24%), left-wing political views prefer the Union's ability to act over the protection of Member States' independence (47% versus 36%)[7].

Depending on the degree of public approval for the part of the Member State's competence being exercised by the EU, two types of areas can be distinguished: 1) areas where, in the opinion of at least half of the respondents, Member States should share competences with the Union; 2) areas which, in the opinion of at least half of the respondents, should fall under the exclusive competence of Member States. The transfer of some or all of the competences to the European Union on security issues: the fight against terrorism (77% in total), border protection (67%) and defence policy (61%) is by far the most widely welcomed. More than half of those surveyed accept co-decision or decision by the EU on tariff rates for trade with non-EU countries (51% in total), environmental protection (53%), economic policy (51%). In the social assessment, each EU country should pursue its own tax policy. The majority of respondents considered that only the Member State should be responsible for the legal regulation of abortions (60%) and the functioning of the whole sphere of social policies: education system (70%), social welfare (60%) and health care (56%)[8].

Much can be revealed about what Poles think about the EU by examining their views on particular areas of EU integration. In March 2016, as many as 65% of respondents believed that we should not adopt the euro, but only 13%. was of the opinion that we should leave Polish zloty as soon as possible. The opposition to the single currency has been visible in Polish society for many years. 68% of the Polish population opposed the adoption of the euro in autumn 2014, including 27% which was rather reluctant. Less than 25 % opted for the project[9].

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[7] Beata Roguska, *Polska w Unii Europejskiej*, CBOS, Research report no. 31/2016, Warsaw, February 2016, p. 3, [http://www.cbos. pl/SPISKOM.POL/2016/K_031_16.PDF], 20 January 2018.

[8] Jakiej Unii chcą Polacy, *op.cit.*, pp.14-15.

[9] Beata Roguska, *Narastanie obaw związanych z wprowadzaniem euro*, CBOS, Research Report 151/2014, Warsaw, November 2014, p. 6,
 [http://www.cbos.pl/SPISKOM.POL/2014/K_151_14.PDF], 20 January 2018.

The crisis in the euro zone contributed to the doubt about the project of further deepening integration. From 2009 there were more and more voices in Poland claiming that the unification of Europe had already gone too far[10]. In 2015, this approach was fuelled by the migration crisis and a policy of European solidarity advocated by the EU institutions, reflected in the European Commission's decision to relocate refugees among EU countries.

In the opinion of more than half of respondents (54%), Member States should also have the responsibility for migration and asylum policies. A significant increase in the reluctant communitarisation of migration and asylum policy has been observed in Poland since 2015, which is directly related to the refugee crisis in the EU.

By autumn 2015, about half of Poles were opposed to receiving refugees from Africa and the Middle East, while about 35-40% were in favour. The attacks in November 2015 and the electoral campaign, during which the right wing forces intensified anti-Muslim sentiments, led to a significant increase in opposition to the reception of refugees. On average, since autumn 2015, more than two thirds of Poles have been against receiving refugees from the Middle East and Africa (on average, 25% of them turn out to be the opposite). They are supported by less than 30%[11].

According to a survey conducted by IBRIS for the "Polityka" weekly magazine in June 2017, 57% of Poles do not want Poland to accept refugees, even if this would entail the loss of some of the European Funds. When asked whether we should refuse to accept refugees if the price was to leave the EU, as many as 51% of Poles replied we should[12].

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[10] *Ibidem*, p.13.

[11] Agnieszka Cybulska, *Stosunek do przyjmowania uchodźców*, Research Report, nr 136/2016, p.4: http://www.cbos.pl/SPISKOM.POL/2016/K_136_16.PDF , 20 January 2018.

[12] *Sondaż IBRiS: 60,4 % Polaków, nie chce przyjęcia uchodźców* „Rzeczypospolita", 15.06.2017: [http://www.rp.pl/Spoleczenstwo/306159882-Sondaz-IBRiS-604-proc-Polakow-nie-chce-przyjecia-uchodzcow.html] , 20 January 2018.

## 3. „Reclusive attitude" as an expression of Eurosceptisim in Poland

In a report of *Batory Foundation*: "Poles towards the EU: the end of the consensus"[13], the authors convincingly prove that the public opinion polls against the EU give us a false sense of security, because they suggest that the PiS (Law and Justice party) government has a Eurosceptic policy against the euro-enthusiastic society. A more detailed analysis reveals restrictions on general support for the supranational vision of European integration, and proves that Poles are much more closer to a reclusive attitude whose profile fits in with the anti-European agenda of the current government.

Attitude of Poles towards integration processes is evaluated on the basis of the cultural paradigm whose author is R. Inglehart and P. Norris.

As provided by the proposed model, the attitude of the society towards the external world is defined by its position on the axis which could best be described as the continuum between OPENNESS on the one hand and RECLUSIVNESS on the other[14].

The use of openness and reclusiveness ideas, sets out a new paradigm of state foreign policy and internal politics. In the social and political divisions and party rivalry, the division between the right wing and the left wing begins to lose its importance. Determination of the voter's attitude to issues from the spectrum of economy and social problems (the role of the state in the economy, the scale of redistribution), ceases to be the dominant determinant of party systems. The conflict, which is starting to polarize Western societies most strongly, concerns cultural values. In the "cultural" paradigm that begins to rule the Western world, the attitude towards issues closely related to foreign policy plays a fundamental role.

The question of the identity of the community as defined in relation to the outside world has become crucial. Whether an individual considers

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[13] Adam Balcer, Piotr Buras, Grzegorz Gromadzki, Eugeniusz Smolar, *Polacy wobec UE: koniec konsensusu*, Fundacja Batorego, grudzień 2016, Warszawa, http://www.batory.org.pl/upload/files/Programy%20operacyjne/Otwarta%20Europa/Polacy%20wobec%20UE%20-%20raport%20Fundacji%20Batorego.pdf , 20 January 2018.

[14] Ronald F. Inglehart, Pippa Norris, *Trump, Brexit, and the Rise of Populism: Economic Have-Nots and Cultural Backlash*, Harvard Kennedy School, 2016, [https://research.hks.harvard.edu/publications/workingpapers/citation.aspx?PubId=11325&type=FN&PersonId=83] , 20 January 2018.

globalisation, regional integration, immigration and cultural and religious pluralism to be something positive or whether they throw away these phenomena as being contrary to national interests or threatening identity is one of the most important determinants of place on the axis[15].

"Openness" in this respect includes attitudes accentuating support for post-materialist values (the Ingelhart concept of authorship), such as universalism of human rights, secularism (private character of the religious sphere), individualism, the ability to self-criticism towards one's own nation, the definition of national identity in an inclusive way and support for the state's involvement in solving international problems.

"Reclusiveness"is defined in turn by: the idealisation of one's own nation and perception of its homogeneity as an ideal state, support for materialistic values (social security, survival orientation), traditionalism (meaning religion in public life), tendency to authoritarian and communal attitudes (collectivism), distrust towards inter- and supranational institutions, fear of strangers and primacy of pursuit of protecting the state from the influences of the outside world[16].

As the determinants of a given attitude of Polish society, the authors of the survez propose to explore three dimensions, which most strongly shape the polish society attitude to foreign policy and thus determine the legitimacy (or lack thereof) of the current government's actions on the international arena[17].

The first dimension, which is considered to be the key dimension for future mutual relations between public opinion and European politics, is the attitude towards further integration of Poland with the EU.

A clear conclusion can be drawn from the selection of opinion polling surveys, as shown in the previous section of the article, on the ambivalent approach to European integration. More than 39% consider that there are alternative forms of policy, non-European Community policies.

More than 50% declared support for the exit from the EU in case of excessive interference by the European institutions with the domestic affairs of the country.

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[15] *Ibidem.*

[16] *Ibidem.*

[17] Adam Balcer, Piotr Buras, Grzegorz Gromadzki, Eugeniusz Smolar, *op.cit.* p.4.

The second area of the research interest is in the future course of Poland's European policy and its social legitimacy is the attitude to the country's involvement on the international arena. The scale of isolationist tendencies in the Poles' views is particularly important. Isolationism or, in other words, the focus on internal affairs can be measured both in terms of the political-economic dimension (development aid, etc.) and political-military dimension (allied solidarity within NATO and the EU). In a study carried out by the Pew Reseach Centre in 10 countries of EU28, a vast majority of Poles (65% at 56% median) supported the opinion that "the state should first deal with its own affairs and allow other countries to deal with their problems as best as they can". On the other hand, only 21% considers that their country should "help other countries"[18].

Consequently, support from Polish citizens for military engagement abroad is limited. Although Poles are among the nations that attach the greatest importance to the North Atlantic Alliance (70 % of them regard it as positive), less than half of the surveyed would be prepared to support the participation of Polish troops in defending European NATO members in the event of Russia's aggression against them. Nearly 35% was against sanding troops to aid an invaded ally. In view of the historical experience and how important it is for Poland's security to have the issue of solidarity in response to possible Russian aggression, it is worth noting that support for sending Polish troops to help allies reaches a similar level as in Great Britain or Spain[19].

These results indicate a policy of consent to Poland's isolationist tendencies on the international arena. The reluctance of the public to intervene in matters that do not fundamentally affect us (including solidarity towards the refugee crisis) demonstrates attitudes of reluctance to engage externally in our country.

The third of the variables determining the position of the openness-reluctance axe, is the attitude towards foreigners and the national identity.

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[18] *Ibidem*, p. 9.

[19] Katie Simmons, Bruce Stokes, Jacob Poushter,
*NATO Public Opinion: Wary on Russia, Leery of Action on Ukraine*, Pew Research Center, 10.06.2015, [http://www.pewglobal.org/2015/06/10/1-nato-public-opinion-wary-of-russia-leary-of-action-on-ukraine] in Adam Balcer, Piotr Buras, Grzegorz Gromadzki, Eugeniusz Smolar, *op.cit.*, pp. 9-10.

The authors of the survey are interested in the level of nativism in Polish society, which we understand on the one hand as an attitude characterized by distance or reluctance to foreign, critical attitude towards ethnic and religious diversity, and on the other hand as a way of defining the nation in any ethnic category in particular.

According to the *Batory Foundation* study, ethnic and religious Homogeneity causes Polish society to define the national identity in a rather closed manner. Over 70 % of the Poles considered that Roman Catholicism is an important criterion for recognizing someone as a real Pole (more than 35% consider it quite important). Less than 30% was of a different opinion. Despite a stable economic situation, the absence of terrorist attacks or problems with mass influxes of immigrants, there has been a significant increase in xenophobia in Poland in recent years. It is larger than in many European countries. Between 2010 and 2016, in a regular CBOS survey of attitudes towards other nations conducted since 1993, the reluctance of Poles towards almost all 27 surveyed nations increased (from a few to more than 20 percentage points)[20]. The increase in xenophobic attitudes among Poles are proven by and on the other hand are driven by demonstrations directed against refugees or annual independence marches organized on November 11, under the banner of "Poland for Poles". The arguments presented by the organizers about the threat posed by Islam to Polish religion and culture, the alleged unwillingness of Muslims to assimilate or the burden that the immigrants will impose on the Polish economy and social system, point to one of the main mechanisms of reluctance towards immigrants and increase the more or less justified fear of the so-called strangers.

Based on analysis of variables performed above, three groups have been distinguished within polish society. The first of them, the "open group", are those who, in polls we consider to be important from the point of view of foreign policy, are unequivocally in favour of deepening integration, readiness to help other countries, openness towards foreigners, etc.

The surveys of public opinion, which are quoted above, allow us to put forward a thesis that about 30-35% of the Polish society is characterised by this approach. The size of the second opposite group, i.e. "closed"(putting pressure on defending sovereignty, feeling reluctant towards strangers and focusing on" their own backyard") is estimated approximately 40%[21].

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[20] Adam Balcer, Piotr Buras, Grzegorz Gromadzki, Eugeniusz Smolar, *op.cit.* p.10.

[21] *Ibidem*, pp. 11-12.

**Table 2. Scale of reclusiveness and openness of the Polish society**
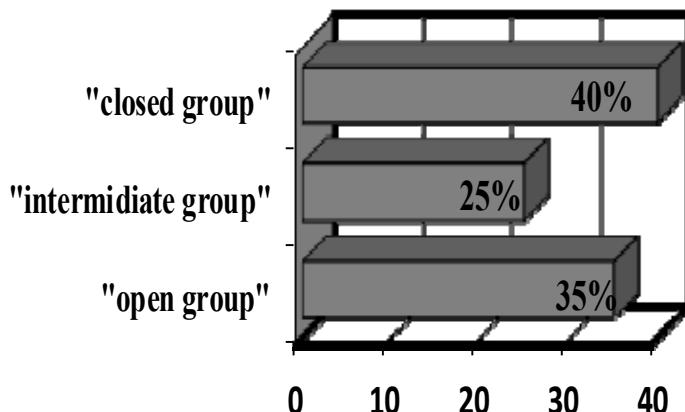


Source: *Own elaboration based on A. Balcer, P. Buras, G. Gromadzki, E. Smolar,*
*Polacy wobec UE: koniec konsensusu, Fundacja Batorego, Warszawa, grudzień 2016.*

There is still a third group - the "intermidiate" group, which includes almost a third of the population. It is of fundamental importance to the key question of the research: in which direction is the majority of Polish society is inclined towards, a more "open" or more "closed"? The attempt to describe this group has been taken by analysing research on three key issues relating to European policy (accession to the euro area, attitudes towards receiving refugees from the Middle East and Africa, and towards military support for European allies in the fight against Islamist terrorists).

On the first issue in the autumn 2014 survey 68% opposed the adoption of the euro, including 27%. which was rather reluctant. According to a survey conducted in June 2016, almost three quarters of respondents opposed Poland's military engagement in the ISIS war, including almost 35 % which were "rather opposed". On average, since autumn 2015, more than two thirds of Poles have been against receiving refugees from the Middle East and Africa, including more than 25% which remains "rather opposite"[22].

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[22] *Ibidem.*

The results of these studies lead the authors to conclude that the "intermidiate group" chooses the attitude of "rather closed" people on many key issues for European integration. Surveys indicate that the mood and opinion pendulum in Polish society tends to be more "closed" than "opened". This does not contradict the high support for Poland's membership of the European Union, the sense of which is undermined only by the extreme part of the "closed". Nevertheless, the willingness of Poles to adopt "rather closed" attitudes is very important from the point of view of the foreign policy of the current government. In other words, PiS and the forces close to it (e. g. Kukiz' 15) can assume (or at least count on) that the legitimacy of their European policies is stronger than would be apparent from the data on support for EU membership. The potential of sceptical attitudes towards transnational cooperation and behavioural attitudes towards international involvement in Poland is not less (and often even greater) than in countries where the support for EU membership turns out to be weaker than in the Vistula country[23].

## 4. Conclusions

The claims of the euro-enthusiasm of Poles, often cited by the media and politicians, should be revalued in the face of arguments put forward above. On the one hand, polls of support for the European Union place us among the top supporters of the integration project, on the other hand, even with a superficial analysis of public support for specific EU policies or stronger and deeper integration, the tendency of Poles to abandon pan-European ideas in the name of defending national values is revealed.

While Poland's exit from the European Union is such an unlikely scenario, the policy of the ruling camp, reluctant to integrate deeper, distanced from Western partners and focused on domestic affairs, may distract Poland from the mainstream of integration, leaving us on the EU's periphery. The "option" of the Union's exit from Poland, a country symbolising the successful integration of the former Eastern Bloc countries with the West, is increasingly real.

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[23] *Ibidem*, p.13.

The idea of constructing the Europe of many velocities has recently returned once again to public debate on the future of the European Union. Reflection on this subject is facilitated by the recent 60th anniversary of the signing of the Treaties of Rome in March 2017[24], but above all by the challenges facing the Union, such as the crisis in the euro zone, the migration crisis and the Brexit[25] Poland is most concerned by the implementation of the scenario of accelerating the integration of the countries concerned in selected areas leading to the development of a two or several velocities Europe and, as a consequence, threatening European cohesion by dividing Europe into a so-called hard core and the periphery.

Excessive attachment to the scale of support for Poland's membership in the EU as a measure of Poles' attitudes towards European integration distracts attention from an important fact: social consent to possible political decisions that will determine Poland's place in Europe in the future as secondary one.

This means that Poland, together with a few other countries outside the Eurozone, if it wishes to maintain access to the common market and other benefits, will have to comply with all EU laws and standards, while at the same time not having an influence on establishing and applying them. Relaxation of the ties with the "hard core" of Europe, when demonstrating distinctness in the sphere of values (especially in the context of the Court dispute with the European Commission) and the policy of "flexible solidarity" (e.g. lack of cooperation in the issue of refugees), will lead to our isolation and to the reduction of the European Union's involvement in the further development of our country.

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[24] The Rome Declaration: Declaration of the leaders of 27 member states and of the European Council, the European Parliament and the European Commission issued on 25 Of March, 2017: [http://www.consilium.europa.eu/en/press/press-releases/2017/03/25/rome-declaration/], 20 January 2018.

[25] See also: White Papar on th Future of Europe, Reflections and scenarios for the EU27 by 2025 European Commission COM(2017)2025 of 1 March 2017, [https://www.eda.europa.eu/docs/default-source/Defence-Procurement-Gateway/white-paper-on-the-future-of-europe.pdf] , 20 January 2018.

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*Jakiej Unii chcą Polacy*, CBOS, Research Report, no. 50/2017: [http://www.cbos.pl/SPISKOM.POL/2017/K_050_17.PDF], 20 January 2018.

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# A NEW DEAL BETWEEN DEMOSES AND THEIR ELITES NECESSARY TO SAVE EUROPE

**Janusz Węgrzecki***

**Abstract:**

*The article focuses on social, political and cultural evolution in Europe. It describes and interprets the deepest – cultural – cause of observing social and political changes. It analyses gradually a picture of the new demos and the elite that is beginning to emerge. It compares the ideological character of these demoses and elites. Previous one, his ideological character is democratic-liberal-leftist. Later one, his character is democratic-liberal-right. It analyses the new demos and new elite democratic-liberal-right that come in the political stage in EU. It proposes a new deal between both of demoses and elites necessary to save political peace in EU. If EU could survive it needs be a new deal between left and right attitude. Europe needs a new consensus establish new rules of a law-governed state, establish new values as liberal-left-right and establish new form of democratic state as liberal-left-right democratic.*

**Keywords:** European Union, Ideology, Liberalism, Left, Right

In the article, in form of essay I focus on social, political and cultural evolution in Europe. First, I describe and interpret the deepest – cultural – cause of observing social and political changes. Second, I analyse gradually a picture of the new demos and the elite that is beginning to emerge. Third, I compare the ideological character of these demoses and elites. Previous one, his ideological character is democratic-liberal-leftist.

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Later one, his character is democratic-liberal-right. Fourth, I analyse the new demos and new elite democratic-liberal-right that come in the political stage in EU. Fifth, I propose a new deal between both of demoses and elites necessary to save political peace in EU, peace between EU and member states, peace in member states and peace between member states.

## Contemporary political and cultural evolution in Europe

We can see political changes. New political actors appear. New leadership and new political parties. Some examples. Jarosław Kaczyński and "Law and Justice" party in Poland. Marie Le Pen and "Front National" in France. President Trump in USA. Elections in 2017 in Czech Republic and in Austria, even in Germany where important position has AFD party.

New political actors are very different to liberal-left in ideological character. But they are not homogeneous. The question is: what is the reason for political evolution that we observe in many countries in EU?[1] If the deepest reason is on cultural level? If political evolution is a sign of evolution of identity comparable with the one symbolised by the year 1968?

If it is a move away from cultural identity symbolise by the year 1968? I give answer yes for all the questions.

What is the nature of this cultural evolution? In the first sight it has anthropological and social character. This is evolution symbolised by the year 1968, so to new self-knowledge and social meaning. This new cultural identity focus on relations like families, local, national and religious societies. In positive way it refers to classical European tradition that symbolise three capitals Jerusalem, Athens, Rome. This cultural evolution has to do with classical universal values that were formed by Ancient Greek philosophy, Roman law and Christianity. According to the authors of "The Paris Statement" the role of Christianity is: "The true Europe has been marked by Christianity. The universal spiritual empire of the Church brought cultural unity to Europe, but did so without political empire. This has allowed for particular civic loyalties to flourish within a shared European culture. The autonomy of what we call civil society became a

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[1] From many works see: Jan Zielonka, *Counter-Revolution. Liberal Europe in Retreat*, Oxford: Oxford University Press, 2018; Douglas Murray, *The Strange Death of Europe*, London-Oxford-New York-New Delhi-Sydney: Bloomsbury Publishing Plc, 2017.

characteristic feature of European life. Moreover, the Christian Gospel does not deliver a comprehensive divine law, and thus the diversity of the secular laws of the nations may be affirmed and honoured without threat to our European unity. It is no accident that the decline of Christian faith in Europe has been accompanied by renewed efforts to establish political unity—an empire of money and regulations, covered with sentiments of pseudo-religious universalism, that is being constructed by the European Union.

The true Europe affirms the equal dignity of every individual, regardless of sex, rank or race. This also arises from our Christian roots.

Our gentle virtues are of an unmistakably Christian heritage: fairness, compassion, mercy, forgiveness, peace-making, charity. Christianity revolutionized the relationship between men and women, valuing love and mutual fidelity in an unprecedented way. The bond of marriage allows both men and women to flourish in communion. Most of the sacrifices we make are for the sake of our spouses and children. This spirit of self-giving is yet another Christian contribution to the Europe we love." [2]

Similar is the thought of Schuman, one of the fathers of European Union. According to Schuman: "During this long and dramatic process of Christian civilization, the most decisive democratic process was not and is still not always achieved by total believers. Christian ideas survived in the people`s subconscious and influenced men who gave up practising a dogmatic religion, but who were nevertheless inspired by its main principles. These principles have become the features of our civilisation, owing to which the XVIII century rationalists proclaimed and made popular human and citizen`s rights, which are essentially Christian." [3]

## Demoses and elites

First, we have to distinguish between demos and elite. Demos is the society whose members are citizens who have strong ideological identity.

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[2] The Paris Statement
[https://thetrueeurope.files.wordpress.com/2017/10/parisstatement172110_english.pdf],
30 May 2018.
[3] Schuman, "For Europe", pp. 43-45, in Mariet Krijtenburg, *Schuman`s Europe. His frame of Reference*, Leiden: University Press, Leiden 2012, pp. 169-170.

Demos has a strict relation to citizenship. The main factors civil European identity are cultural, religious, national and ideological identities.

Political elite is formed, on the one side, by politicians, political leaders, on the second side by around-political persons who have political influence. In the last group are persons express their opinions about political life like professors, judges, journalists, celebrities.

Second, what we can see is rather the clash of demoses and elites.

On the one side is demos and elite close to identity symbolised by the year 1968 On the second side is demos and elite that rebel against liberal-left identity and at the same time express own, positive identity.

This identity is not always clear and mature as political project of Jarosław Kaczyński and "Law and Justice" party in Poland or Victor Orban and "Fidesz" in Hungary.

Does general law about relation between demos and elite exist? We should answer yes to that question. There is a close relation between demos and elite. Specific domos, from identity point of view, is compatible to own elite. What we can observe now is that the main factor of evolution is political ideology, not religious or ethnic components. In both demoses and elites, liberal-left and liberal-right, their members are from the same denomination and nationality.

Now, we can ask about relation between democracy and political ideology. Democracy in EU countries is only procedural. This is rather a substantial democracy. What is this "substantial" mean? The main element is political ideology. From the year 1968 and with previous social and political processes only one ideology to get a status of hegemonic leader.

Contemporary democracy enter into matrimony with liberal-left ideology. In effect identity of demos and elite become liberal-left. But there are rather three dimensions. First, democracy. Second, liberalism. Third, cultural identity that symbolise the year 1968. We have to do with liberal-leftist democracy. Not only with procedural democracy but with substantial democracy. This "substantial" democracy has not only liberal character. Classical liberalism recognise individual reason as only and final authority decide what is rational, right and beneficial. Contemporary democracy is not as liberal as classical liberalism says. We can name this outside liberalism factor as leftist. This left identity has different to classical liberalism final authority that decides about criteria of rationality and decide how an individual has to think and act. This non liberal final authority determines border of correct thinking and acceptable action.

Political correctness is this device of liberal-left identity. Political correctness decides that there is a flock of citizens who think and act in the same way. It means that not individual reason decide what is rational and right but rather political correctness. According to Michael Foucault there exists power over reason, thinking, language and in effect over actions. We can say that political correctness is some of that kind of power.[4] According to Rousseau similar role has "Censor of Republic". So political correctness is a "Censor" of contemporary democratic life. According to Jürgen Habermas political system colonise free communications between citizens.[5]

We can say then, liberal-left identity colonise classical liberal identity. This is left identity that turns into non personal power over reason, thinking and action of citizens, specific "Censor" that colonises, reduces and gains control over liberal identity. In effect members of demos and elite are democrats, liberals and have left identity. These three dimensions shape axiological, moral and political rationality. Nowadays we observe relax identification demos to is elite. Demos expect a partial exchange elite. But one is constant. Liberal-left demos identifies only with liberal-left elite and accepts liberal-left democracy.

Is it right conviction, quite often articulate by supporters of liberal-left democracy that there is only one democratic demos and democratic elite? Are demos as supporters "Law and Justice", president Trump, Marie Le Pen, Brexit not democratic? Is elite connected with those demos not democratic? In their declarations they are democrats by all means. The right question is not: are demos and their elite democratic but rather: for what kind of democracy they are in favour? Is this liberal-not left democracy? We should answer yes. What is the most adequate correct name? It seems that acceptable name is liberal-right democracy. But rightist is amalgam attitude conservative, patriotic or republican. Rightist is different from country to country. Rightist vary between Great Britain, France, Czech Republic, Poland or USA.

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[4] Michael Foucault, *The Orders of Discourse*
[https://monoskop.org/File:Foucault_Michel_1970_1981_The_Order_of_Discourse.pdf.],
30 May 2018.
[5] James Gordon Finlayson, *Habermas. A very short introduction,* Oxford: Oxford University Press 200, pp. 56-7.

## Post-democracy versus populism

Supporters of changing call the current cotemporary form of liberal-left democracy "post-democracy". Supporters of status quo of liberal-left democracy, call this new social and political order "populism". They refuse to recognise populism as one of the kind of democracy. They preserve the late name only for themselves. Is it fair that supporters of the new political order are deprived the name of democrats? Or, they rather should be named as supporters liberal-right democracy? According to them contemporary liberal-left democracy turned into liberal-left post-democracy, in which relation between liberalism and democracy is important.

According to Patrick Deneen "while cultures are many and varied, their common features almost always include a belief in the continuity between human nature and the natural world; the experience of the past and the future as embedded within the present; and assurance of the sacredness of one`s place, along with depths of gratitude and responsibility to the care and preservation of one`s places. Liberalism was premised upon a reception of each of these constitutive aspects of culture, since to recognize continuity with nature, the debts and obligations attending the flow of time and generations, or a strong identity with one`s place was to limit one`s experience and opportunity to become a self-making author.

Culture was the greater threat to the creation of the liberal individual, and a major ambition and increasing achievement of liberalism was to reshape a world organized around the human war against nature, a pervasive amnesia about the past and indifference toward the future, and the wholesale disregard for making places worth loving and living in for generations. The replacement of these conditions with a ubiquitous and uniform anticulture is at once a crowning achievement of liberalism and among the greatest threats to our continued common life. The very basis of liberalism`s success again ushers in the conditions for its demise."[6]

We can say then, first, we have to deal with redefinition of liberalism. On the level of social practice contemporary societies although call liberal, is not as pluralistic as classical liberalism says. Quite the opposite there is more and more a consensus of opinions and conducts.

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[6] Patrick J. Deneen, *Why Liberalism Failed*, New Haven and London: Yale University Press, 2018, p. 90.

This is a sign that "liberal light culture" won the position of hegemon among ideologies. This culture is mixt, on the one side liberal and on the second side left values represent by Gender, LGBT, Feminism, Ecologism. All of them are kind of evolving post-Marxism. This present amalgam liberal and left values is euphemistic call "liberal values".

According to supporters a new social and political order some of these liberal values: and their defence have a face of fundamentalism. The post-democracy through mechanism of political correctness restrict freedom for these citizens who not assimilate so called liberal values. It means that "liberal light culture" claims the right monopoly about freedom. Revolt against it is called populism.

Democracy has changed into post-democracy when liberal values married left values. Demos loses its role and position then. Elite has more power but demos is of marginal significance. The power of demos and national parliament falls. The power of international corporations, judges who through the mechanism of activity not only interpret the law but rather do politics, increase.

In post-democracy the will of majority is not really important. In place of demos comes elite. According to supporters liberal-right democracy the power of elite guarantee mechanism mental cruelty and political correctness. Then demos acquires and not loses liberal-left character.

What does this situation mean? The correct answer is that there is a clash of values and appropriately the clash of different kind of democracy.

On the first hand the clash of liberal-left values with "liberal-right values". On the second hand we have the clash of liberal-left democracy" with "liberal-right democracy".

## Liberal-right democracy

What kind of redefinition does the idea of democracy need? There are four rules of contemporary democratic state. First, democratic procedures. Second, human rights. Third, law and order. Forth, welfarism.

The supporters of liberal-right values are not against these rules but they have a strong belief that such rules need to be redefined?

Democratic procedure. This area is not discussion. But in it there is tension between the role of demos and the role of elite. Liberal-left democracy give elite the power deciding about democratic procedures.

Rather there is no public discussion with participation of demos. In opposite to this, supporters liberal-right democracy are for considerable participation of demos in shaping legally binding democratic procedures.

Human rights. For all is important right of freedom. But rightist supporters are for changes in relation between demos and elite. Demos should has a higher status, to be more subjectively treated. There is strong opposition to subject of demos through social engineering using liberal-left values. According to Zbigniew Stawrowski: "in recent the dynamics of revolutionary change has greatly accelerated. The ethical resources of Europe, which for centuries were presented to the rest of the world as a universal civilizational model, are now being squandered. Telling examples of this tendency are recent legal innovations, which are irreconcilable with values that were once obvious. Seemingly, the new proposals are introduced in the name of freedom. Their proponents are apt to congratulate themselves, and to stress that they are in the vanguard of the truest and most progressive representatives of Western civilization.

However, heir specific definition of *freedom*, and especially their blatant breach of the value of charity (understood as caring for others), forces one to perceive their activities as a modern-day barbaric invasion.

This time, the barbarians are not primitive hordes coming from remote steppes. In the middle of the affluent and cultured world, there emerged *sleek Huns*, who are bent on destroying the foundations of western civilization, fuelled by an unwavering belief that they are blazing the trail of progress."[7]

Redefinition human rights denotes redefinition anthropology and meaning of society then. The human being is cucumber in local, regional and national society. Cucumber in cultural tradition, patriotic to territory, people, tradition and culture where he lives. Larger identity, for example European could be only based on narrow but more fundamental, local or national identity. There is expectation that human rights should be more objective and based on human dignity. In effect it means return to ONZ Declaration of Human Rights and rejection of voluntarism, subjective, arbitrariness recognition what human right is or not.

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[7] Zbigniew Stawrowski, *The Clash of Civilizations or Civil War*, Krakow: The Tischner Institute, 2013, p. 71.

Law and order. According to supporters liberal-right values redefinition should take rule check and balance. But the most important difference between left and right attitude concerns on judges. In liberal-left democracy special position obtain judges. They have status of elite. They are autonomous and they are upholders of democracy. They are active in their interpretations of the law, so their decisions in some cases have a strict political meaning. The not only interpret but establish laws. Liberal-right democracy is strong against activity of judges because it is not legal dominance elite (judges) over demos. Judge in Rousseau meaning is not a Censor of the will and expectations of demos. According to liberal-right attitude redefinition should be reference to relation between legislative, executive and judiciary. In EU relation between Brussels and member states. In these specific relations member states should be more sovereignty, domestic parliament should be more powerful and federal EU should be rejected.

Generally, there is primacy society over power and politics. Government and policies should be a wide emanation of the will of demos. Elite should follow demos. Ideally, it should be concordance the will of elite with the will of demos.

Welfare state. Main values are equality, solidarity, sustainable development. Liberal-left interpretation of these values goes to policies multiculturalism and immigration. Liberal-right redefinition says that multiculturalism should be only a natural social process but not a specific policy. Immigration movement need immigration policy but based on different rules as liberal-left. Territory, culture, religion is joint property, heritage. The people who live in this territory is homeowner.

## The clash of left/right liberal democracy

The current models of law-governed state, constitutional state and interpretations of these models and theirs rules were established by liberal-left elite. The role of guard these rules fulfil political representations, media, authorities and celebrities. If it is the last moment when it needs redefinition of model and interpretation of rules of a law-governed state. If it is the moment when it is need a new interpretation rules of constitution that are different from liberal-left?

Nowadays we have rather political war. If dialog is possible? If it is possible redefinition rules in democratic order, rules of a law-governed state? If EU could survive it needs be a new deal between left and right attitude. Europe need a new consensus establish new rules of a law-governed state, establish new values as liberal-left-right and establish new form of democratic state as liberal-left-right democratic.

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# VISEGRÁD FOUR OR GERMAN EUROPE
# TWO FICTIONAL STRESS TESTS ON AND FOR CENTRAL EUROPE

## Vladimír Goněc[*]

## Abstract:

*Contrast going on for decades: after old concepts of economic and political integration of central Europe, there has been a shift to the acceptance of the thesis that Central Europe is only a cultural area. After 1968, the mental direction switched to Austria and old Bundesrepublik which should play central role in complex restoration of Central Europe. New start after 1989, present situation and perspectives: V4 as an illusion and organisation verging on inefficiency from the beginning. Hardly perceived deep differences between individual V4 countries. Mental relations to the Great Britain as naive ideas or results of anti-German resentment. Expected consequences of brexit for V4 countries. Actual relations and connections between economies of V4 countries and Germany and their strengthening. Political relations between Germany and the V 4 countries. New activities of Austria in Central Europe. Austerlitz Triangle in cohesion of Central Europe; France and the Austerlitz Triangle. Currency euro in Central Europe. Migration or invasion? Experiences with the integration of migraants and failed integration of other migrants in Central Europe. Perspectives of Central Europe in EU.*

**Keywords:** Central Europe; integrated Central Europe; Visegrád Group+ Austerlitz Triangle; Germany in Central Europe.

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The drafts for economic and political integration of Central Europe after the WWI were provoked not only by the dissolution of Austria-Hungary, but also by other far reaching changes in borders, e.g. between Germany and Poland. Economic trouble at the beginning of the 1920s were not only the result of preceding war load and disruptions, but they were perceived quickly to be the consequence of the disappearance of old economic areas. Vast marketplaces were suddenly abroad.

Any stabilisation or conjecture after the end of the post-war crisis was seen as provisional and as short as possible. New borders were predicted to overload and disrupt economic processes, leading to new economic crises, whose character would have been more lasting.[1]

At the end of 1918, Rudolf Hotowetz demanded as close as possible economic convergence of the countries that replaced Austria-Hungary in the form of Central European custom area. A model of Central European custom union was suggested as the best solution for the near future. In the half of 1920s, Hotowetz analysed in detail the consequences of the division of Central Europe unto too small economic units that caused economic isolation, decrease in the ability to compete, decline in production, etc. He admitted that under new conditions – Central Europe was organized differently – a quick transition to custom union would have damaged some branches of economy even more. Therefore he suggested step-by-step approach, using well-planned procedures, starting with preferential tariffs between Central European countries, establishment of partial custom unions, and ending with full custom union in Central Europe.[2]

Hodža's ideas on the concentration of Central Europe were based on the goal to harmonize economic interests and cooperation. Furthermore, Hodža stressed that the will for union had to come from inside of the countries. Only then truly consensual common interest could be found and the will to converge and unite could arise. Any plans based on copying the

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[1] Near: Vladimír Goněc, "„New Central Europe" in *Co-operating and United Europe. Czechoslovak Ideas i 1920s and 1930s and Attempts at Co-ordinaton with Austrian and Hungarian Ideas*, in Wilfried Loth, Nicolae Paun (eds.), *Disintegration and Integration in East-Central Europe (1919 – post 1989)*, Baden-Baden: Nomos, 2014, pp. 78-92.

[2] Rudolf Hotowetz, *Hospodářské sblížení evropských států*, Praha: Česká národohospodářská společnost, 1926.

dead double monarchy were nonsensical and any plans coming from Paris or Berlin had to be identified as false and doomed to fail.[3]

Namely, Hodža's speech in National Assembly in May 1922 should be mentioned. Hodža spoke about the necessity to reach European „thought and political community"; key role would be played by the formation and then dominance of common „European conscience".[4] These ideas have to be perceived as significant parallel to the programme manifesto by RN Coudenhove-Kalergi, moreover, they appeared one year earlier.

Above mentioned as well as other models of new organization of Central Europe refused strictly any organization of Central Europe without isolating it from other parts of Europe and claimed that „economically united Central Europe within economically united Europe". Beside Hotowetz, Václav Schuster and his draft of Economically United States of Europe from 1919-1920 can be mentioned.

At the same time, the plans for integration of Central Europe stated clearly the notion of „Central Europe without Germany". This is easy to understand from political point of view because Czechoslovakia, Poland, Romania, and Yugoslavia were French allies after the WWI. However, such view is simplified because economists from these countries saw economic core of Germany at the Rhine and expected economic integration of Germany with France, Belgium, and the Netherlands.

In the 1920s, political union of Central Europe was discussed carefully because the public opinion in the new countries opposed strongly such an idea. Therefore, Hotowetz pointed out the possibility of strong economic union of Central Europe while retaining political sovereignty and free cultural development of particular countries. Other thinkers saw high rate of actual cultural interconnection and self-fuelled process of cultural

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[3] Milan Hodža, "O zemědělských clech", in *Venkov*, No 82, 1923 [10th Apr 1923], p. 1; Milan Hodža, "Podmínkou soběstačnosti je parita cel zemědělských a průmyslových", in *Venkov*, No 190, 1923 [16th Aug 1923], p. 1; Milan Hodža, "Agrarizmus a Slovanstvo", in *Slovenský denník*, No 206, 1924 (10th Sep 1924), pp. 1-2; Milan Hodža, "Hospodářskou novou střední Evropou proti „Dunajské federaci"", in *Venkov*, No 291, 1924 [13th Dec 1924], pp. 1-2. [Reedition: Milan Hodža, *Články, reči, štúdie*, IV, Praha: Novina, 1931, pp. 458ff, 449, 39ff, 237ff]

[4] Hodža's speech at 140th session of National Assembly, 26th May 1922. Digital Library of the Czech Parliament [http://www.psp.cz], 21 January 2018.

integration in Central Europe. Any visions concerning political integration were labelled strictly as „new Central Europe" so as to keep away from Austria-Hungary of old and any practical implementation of political integration was suggested for far future.

In spite of that fact, particular conditions for political integration were analysed in detail and as soon as in summer 1918[5] František Weyr demanded that member states of politically integrated whole would have had to be strictly democratic; any presence of a country with politically defunct government would have blocked the integration process.

A network of Central European institutes for the support of economic and cultural convergence, which was formed in 1929, was to harbour common ideas and serve as organisation base for top Central European activists in the field of European and Central European cooperation, coordination, and union. Mitteleuropainstitut zur Förderung der wirtschaftlichen und kulturellen Annäherungen was established in Vienna in March 1929 by Austrian and some Hungarian thinkers, followed by the institute in Brno in May 1929.[6] The statute defined clearly that the institute was founded to „bring prerequisites for economic and educational understanding and convergence of Central European nations and countries, while their political independence remains untouched". In contrast with German name Mitteleuropa, a new name came into being – „Donaueuropa" („l'Europe danubienne").

It is essential to point out personal connection between particular Central European institutes and local branches of Pan-European Union.[7] The ideas on Pan-European Union and economic convergence of Central Europe had the understanding of the same pool of supporters.

At the beginning of 1930s, the course and consequences of the economic crisis led to the formation of programmes based on analyses of individual tools to solve actual problems of particular countries. Economic union of the countries most affected by the crisis – Czechoslovakia, Austria,

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[5] That is, before the end of the war.

[6] Central European Institute in Budapest was formed paralelly as partner organization of Vienna Institute and other institutes were expected to be established, eg. in Bucharest.

[7] František Weyr was the chairman of Moravian organization of Pan-European Union as well as the chairman of Central European Institute in Brno.

Hungary, Yugoslavia, and Romania – was proposed.[8] In particular, Fritz Jellinek demanded more complex transformation of economic relations between above mentioned Central European countries. A mere custom union would not have been enough; the transition to the free movement of capital and workforce would have been necessary. Only in such a setting and using new mechanisms, the free movement of goods would have been feasible. That kind of transformation would have been able to fuel individual economies in Central Europe. Jellinek suggested to establish special fund managed by Central European Bank, a new purpose-established institution. The fund would have been used to restart economic relations among Central European countries. Jellinek demanded repeatedly the formation of a Central European parliament that would discuss Central European economic issues.[9]

Victor Bauer was one of the most prominent proposers of Central Europe as functional cultural community. Later, he became known for his analysis of Central Europe as functional both cultural and economic community. He had synthesised his ideas for some 20 years before publishing his work on Central Europe as living organism.[10] Bauer presents Central Europe as specific cultural and civilisational conglomerate. The nations had influenced each other culturally for a long time and had been influenced together by European Latin culture. On the other hand, they were somewhat isolated from seaside European cultures. This Central European conglomerate, including common town culture, was seen by Bauer as important value and its further development would have been desirable. This would have been possible only by forming supranational federation in the area naturally centred on Vienna. Bauer expected the naturally developing Central European unit to become soon fully integrated and organized. The crucial dimensions would have manifested itself not only in economic integration but also in political integration of the form of supranational federation.

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[8] Hans Tugendhat, *Ein handelspolitischer Konsolidierungsplan*, Brünn: Mitteleuropa Institut zur Föderung der wirtschaftlichen Annäherungen, 1930, p. 8.

[9] Fritz Jellinek, "Das Problem Mitteleuropa". A chapter in: Fritz Jellinek, *Die Krise des Bürgers*, Zürich: Europa Vlg., 1935.

[10] Victor Bauer, *Zentraleuropa, ein lebendiger Organismus*, Brünn-Leipzig: Irrgang, 1936.

The core of the most important inter-war Hodža's draft is his speech at the 21th interparliamentary economic conference held in Westminster Palace in October 1935.[11] The conference was focused on international trade and Hodža presented the closest possible economic cooperation in Central Europe as the interest of whole Europe and the goal of European politics.

The first level of Hodža's programme was based on sector integration of farming and food production. Further step-by-step levels would include deepening of economic cooperation, custom union, and federation. Rearranging of relations within Central Europe was the most acute task, in parallel to similar larger European regions and new relations within Europe as a whole.[12]

Hodža pointed out the role of politics and safety, warning that without economic consolidation of the countries between Germany and Russia, this area would pose political threat. In Russia, as well in some European countries, including those in the West, dangerous attempts to „replace healthy individualism by forced collectivism appeared."Hodža stressed the freedom of the individual as a value that builds the foundations of European peace.

The flood of integration plans during the WWII brought many completely naive plans, including Polish visions based on the mere idea that „if we have had federation here [in Central Europe], it [1st September 1939 invasion and subsequent occupation] would not have happened". However, it is easy to understand that safety motives stood firmly in the hub of ideas.

Significant qualitative shift was brought about by Czechoslovak exiled politicians, among others by Edvard Beneš, Milan Hodža, and Hubert Ripka. The goal of specific integration of Central Europe in the model „united Central Europe within united Europe" appeared already in Beneš's university lecture at Chicago in spring 1939.[13] Hodža presented his new plan on federation in Central Europe in 1942.[14] Beneš's idea is based on reworked idea of the „balance of powers", Hodža was inspired by „common history roots" of Central Europe.

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[11] At the conference, Hodža was the main speaker for agriculture. He spoke about main ideas on 1st October 1935, followed by detailed information on 3rd October. Official edition: Milan Hodža, *Le problème agricole en Europe centrale*, Prague: Imprimerie de l'Etat, 1935.

[12] Milan Hodža, *Le problème agricole*..., pp. 13-20.

[13] Edited: Edvard Beneš, *Democracy Today and Tomorrow*, London: Macmillan, 1939.

[14] Milan Hodža, *Federation in Central Europe. Reflections and Reminiscences*, London-New York: Jarrolds, 1942.

The importance of Hubert Ripka in exiled government and ideas lies in his original and typically Central European negative definition. He followed the principle that is essential to keep back and not to propose in detail the organization of future political integration. The structure of such an integration should have been discussed by properly elected state representations after the war.[15]

In spring 1939, in contrast with older Czechoslovak European thinking dominated by „united Europe as economic necessity", Hubert Ripka brought back the idea of „united Europe to guarantee European peace".[16] Only when nazism is destroyed, real and lasting peace can be found and it has to based on „free federation of European nations". At the same time, Europe has to be internally united by consenting with „humanitarian ideals of freedom, law, equality, and justice".[17]

During the war, exiled economist thinkers came with the idea of economic balance as equalizing of economic structure of „West" and „East Central" Europe. This idea was proposed mainly by Antonín Basch.[18] The process should run as transformation of backward strongly rural economic structure of East Central Europe under some specific „roof" as well as convergence of economic structures of West and East Central Europe. That is, chiefly the way from rural to industrial economy. There should not be static relation „one Europe and another Europe", with both of them fighting for their specific, different, even opposite economic interests, but finding tools to build common interests. At the same time, Basch warned against the idea of all-saving federation, respectively all-saving political integration. He revived the idea that immediately after the war it would be necessary to restart economic growth in all European countries under regional, European, and global coordination.

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[15] In full extent, this happened only in Austria. In Czechoslovakia and Hungary, this happened half-way and under Soviet pressure, however, the Soviet pressure helped soon to destruct these buds. In Poland, Rumania, and Yugoslavia, not even partial democratic restart occurred. (This is not perceived enough as an important difference to the decision of exiled Belgian, Dutch, and Luxembourg governments to start economic integration immediately after the liberation.) True liberation in Central Europe was missing for a long time, appearing firstly in Austria in 1955.

[16] Hubert Ripka, *Munich: Before and After*, London: Gollancz, 1939.

[17] Dtto, pp. 468, 480, 482-483.

[18] Antonín Basch, *The Danubian Basin and the German Economic Sphere*, London: Kegan, Trench, Trubner &Co, 1944; Antonín Basch, *A Price for Peace. The New European and World Markets*, New York: Columbia University Press, 1945; etc.

From the half of the war, the Soviet Union viewed any plan to integrate Central Europe as inimical act.

In the phase after the WWII, the idea of specific nature of Central European integration beside West European integration also followed some inter-war trends and accelerated with the arrival of new anti-communist exile. In autumn 1947, International Peasant Union was the first organization with this goal and its activities followed deliberately Hodža's ideas. His son Fedor Hodža was an active member.

New strong wave peaked in 1950s, its economic ideas running in parallel with ongoing economic integration of West Europe. Jan Wszelaki, Hubert Ripka, and Edward Raczyński worked on an important draft.[19] European Coal and Steel Community was their inspiration and incentive, however, they did not copy it. They formed original structure of their own, not excluding common organization in the future. Headed by Ripka, they reasoned that Central Europe is in dire need of integration and it has to be run faster than in West Europe.

Logically, the integration because of safety reasons, was put in the foreground. They claimed that safety should be the core of integration structure in Central Europe. In this field, the integration should be as fast and possible and full; specific intermediate plans were also devised, including Ripka's plan of neutralisation of Central Europe from 1955, innovated in 1957.[20]

This trend of specific motives for Central European integration was reflected by European Movement and its „Commission of Central East Europe" and close cooperation between West European politicians and exiles Central East European politicians ensued. Grigore Gafencu and Hubert Ripka were the most active thinkers. After their demise, Edward Raczyński and Pál Auer became the key persons in the circles of Central East European exile.

The specific reasons for Central European integration used to resurface with each new generation with slight variations until 1980s. After1968, the safety theme was accentuated again, arguing that safety of West Europe can be guaranteed only in this way.

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[19] See also: Vladimír Goněc, *An Eastern Schuman Plan? Project of Central and East European Coal and Steel and Political Community (1953)*, Brno: Masaryk University Press, 2009.

[20] See also: Vladimír Goněc, *Hubert Ripka: un européen*, Brno: Masaryk University Press, 2006, pp. 212-257.

From the territorial point of view it was always clear that there is only „Central Europe including Austria" and that there will be no functioning Central European integration without Austria.

Since 1980s, the cultural integration found its place, as well. This was incited by Czesław Miłosz being awarded Nobel Prize for literature. It was demanded that Central European culture be revived, its specifics and importance for whole Europe studied. Cultural liberation of Central Europe was perceived as necessity.[21]

Counting on Austria as integral part of Central European arrangement started with Czechoslovak projects by WWII exiles and was revived in 1950s in cooperation with exiled Hungarian thinkers. The activity of Austrian policy itself, that stood under Soviet pressure in the 1980s, was also important. Austria was able to help indirectly by supporting Czechoslovak and Hungarian exiles as well as directly by open and vast cultural cooperation.

Pronounced shift of the role of Austria grew in the first half of 1980s. Austrian political, economic, and cultural circles initiated the arrangement of Central European cooperation, aiming at the formation of organizations that would coordinate economy and politics. Austrian politicians opened the „problem of Central Europe"[22] and saw its solution in breaking up of existing bloc arrangement and influence zones in Europe.[23] The first real result was the „Adriatic Initiative" that was formed in 1989. After the fall of the Iron Curtain, Austrian policy reverted to careful attitude and refused to become „the bridge" between West Europe and countries that got rid of Soviet rule.

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[21] Near: Vladimír Goněc, "Central Europe as Common Area or More? Ideas of Czechoslovak, Polish, and Hungarian Exile from 1970s and 1980s", in: *Polska, Europa Środkowa, Europa zjednoczona. Księga jubileuszowa dedykowana Profesorowi Józefowi Laptosowi* (Andrzej Kozera, Wojciech Prażuch, Paulina Szyja, eds.), Kraków: Wydawnictwo Uniwersytetu Pedagogicznego, 2014, pp. 148-157.

[22] For example Erhard Busek, later vice-chancellor of Austria. See for example: Emil Brix, Erhard Busek, *Projekt Mitteleuropa*, Wien: Überreiter, 1986.

[23] Such goals were set also by France, but by nobody else. West Germany demanded maintaing „state of balance in Europe", any „disquiet" would have threatened budding relations between both German counterparts.

After the fall of the Iron Curtain, the public opinion in Czechoslovakia and Hungary (not so much in Poland) expressed renewed sentiments of Central European convergence and cooperation. However, the politics went not this way. Escaping the Soviet bloc meant also escaping one another. Do not forget that in 1991, the beginnings of Visegrád Group started as political demonstrations of the heads of states only, also in the form of political demonstration against home political elites, mainly in cases of „weak" presidents (from the point of view of their constitutional rights): Havel versus Klaus, Göncz versus Antall.[24] Wałęsa, too, felt the need to confront Polish government. Common steps of Central European post-communist countries to accelerate their entry in the NATO and the EU were stressed, however the reality was soon somewhere between competing and zero communication, mainly with respect to the entry to the EU.

Only much later, since 2013, Visegrád group grew to lasting cooperation model. However, the dimensions are limited. The most visible V4 coordination in recent time has been in problems concerning migration.

However, there is no full consensus and Poland is perceived as unpredictable under stress.

Low cohesion of Visegrád Group can be illustrated by Czech attitudes towards V 4: Some Czech politicians persist on ignoring V 4 or refusing any sense of its existence, e.g. Václav Klaus. Some politicians have pointed out for a long time that Austria has been the first and crucial partner in Central Europe. Slovakia thinks quietly the same. Some Czech politicians add Slovenia, which is nearer than Hungary and perhaps even Poland, both mentally and with respect to interests. The idea that Czechia, Austria, and Slovenia form the natural core of Central Europe is proposed. Slovakia is interested in joining the core. This idea is not new as it appeared already after the division of Czechoslovakia.

Instead of overestimating the importance of Visegrád Group it is advisable to identify actual internal barriers as well as true connecting lines in Central Europe. At the same time, it should be realized that any overestimation of Visegrád Group by West European politicians or EU organs fuels populist and Euroscepticist circles in these countries.

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[24] After the division of Czechoslovakia, also Kováč versus Mečiar.

The connection between Czech Republic and Germany is extraordinarily strong. Close economic relations have formed since the end of 19th century and have intensified immediately since 1990. The structure of industry, services, and finance sectors in both countries is almost identical, particular economic sectors are interwoven, including car and electronics industry, banking, etc. For many years the comments have been running that, economically, Czech Republic is simply one of *Bundesländer*, i.e. direct part of Germany. Recently, mental connection between inhabitants of Czechia and Germany have been on the rise. Most people think that the past, including the WWII, does not have impact on Czech-German relations any more.

Chiefly since the start of Trump's presidency, Czech public opinion have expected Germany to be the main safety guardian of Czech Republic (and of Central Europe in general). Following NATO exercises, Czech army perceives Bundeswehr as its key partner. Common military exercises are frequent. Actual political connection between Czech Republic and Germany is very high and forms a specific barrier between Czechia on one side and Poland and Hungary on the other. Czech Prime Minister Sobotka (2013-2017) and German Chancellor Merkel had similar ideas and new governments that should be established in 2018 should continue in this trend. Since 2014, there have been pronounced understanding with Bavarian government.

Between Slovakia and Austria, there is also strong connection. Czech-Slovak relations weakened economically, politically, and mentally immediately after the division of Czechoslovakia (with strong personal influence of prime ministers Klaus and Mečiar). In 1998, new demonstrative political convergence occurred. Economically, Slovakia became connected to Germany and Austria. The hub of all Slovakia lies in the southwest at Austrian border. Bratislava formed very quickly a united agglomeration with Vienna. This resulted in weakened relations with Poland and Hungary. Slovak mentality in general does not feel well in the space between Poland and Hungary and Slovak policy respects it. Czech Republic and Germany are perceived as Slovak supporters, while Austria lying at the forefront. This was confirmed by the fact that the first official visit of new Austrian minister of foreign affairs was to Bratislava, in January 2018.[25]

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[25] The speech of Slovak minister of foreign affairs one day earlier was even clearer.

It is important to note and acclaim that Germany is acting as the economic and political cornerstone of the whole V 4 area, with Austria playing the supporting role. Since 1990s, the economic structure of Germany and Austria has acted as important partner in the times of economic growth, as the source of incentives. In times of economic recessions or crises it plays the role of life line. Both countries are crucial partners in exchange of goods and services and bring investments.

However, they deal with each V 4 country separately.[26] These relations serve as a tool for transfer of Germany and Austrian ideas and technologies to Central Europe. Germany operates as reliable bridge between V 4 countries and the rest of West Europe. The interconnection of German and V 4 economy bids smaller West European countries – the Netherlands, Luxembourg, Belgium, Sweden, and Denmark – to enter the area, as well. Surprisingly steep increase of direct investment from the Netherlands and Luxembourg have occurred lately.

Direct economic relations between individual V 4 countries are of secondary importance, German and Austrian mediation is much more important. Rather than any V 4 country, Romania became important economic partner of Hungary.

What is the reflection of Brexit in public opinion in V 4 countries? Strong mental relations to the United Kingdom are present in Polish public opinion and politics only. When choosing from English speaking countries, Slovakia and Hungary prefer mentally USA and Canada. Czech public opinion is rather indifferent.

An internal generation gap has formed. After 2002, there was deep decline in teaching German and French (Italian and Spanish have never been practically taught at all) throughout V 4 countries. The reason is suggested easily. At Copenhagen negotiations preceding entry of 10 countries to the EU, EU member states gained right to ban free movement of workforce for as much as 7 years. While Germany and Austria used the whole period, some European countries opted for shorter obstructions, and the United Kingdom and Ireland refused the ban completely. New generations now prefer English.[27] Young people in media master English

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[26] Statistical data on the foreign investments see the web sites of National Banks of Czech Republic, Slovakia, Poland and Hungary. Statistical data on the foreign trade see the web sites of Ministries of Industry and Trade of those countries.

[27] Resulting in comic situations like Erasmus programme students from V 4 countries arriving to Italy or Portugal to find out nobody is going to teach them in English there.

only and are not able to pass information flow from other European countries. For these generations, Brexit came as shock.

On the other hand, Brexit will not bring significant economic load for any V 4 country. In that part of society of V 4 countries that has pro-British sentiments, these will disappear gradually. Brexit will not bring V 4 together. However, as direct consequence of Brexit, there will be deeper economic connection between individual V 4 countries and Germany, thus strengthening the position of Germany in Europe. This will not lead to „German Europe" as feared by nationalists because Germany is specific historically new „post-nationalist" element.

The lack of coherence in Central Europe was presented by Polish exile historian Oskar Halecki at the beginning of 1950s. His idea published in *West Central Europe contra East Central Europe* states that there is no single Central Europe, but two of them that do not belong together. There are political, cultural, mental, and social differences. *West Central Europe* includes Germany, Switzerland, Austria, Czech Republic, and Slovenia. *East Central Europe* contains Poland, Lithuania, old Hungary (in pre-1918 borders), and Croatia. His idea includes the contrast of skipping own neighbours: West Central Europe tends to cooperate with East Europe and East Central Europe is close to West Europe.[28]

New light on the cohesion of Central Europe was thrown by the Austerlitz Triangle (A 3). At first sight, this seems to be a substitute solution, as contemporary politicians in Hungary and Poland are not willing to discuss anything. Wider perspective suggests that this group is more convenient for both Czechia and Slovakia and helps to strengthen democratic environment in Europe.[29] The first movement can be attributed to Petr Drulák, the first deputy of the Czech minister of foreign affairs in 2014.[30] Austerlitz Triangle was established by prime ministers of Austria, Czechia, and Slovakia in January 2015. Some comments saw only a triangle of three social democratic prime ministers. However, this triangle brings together similar interests and long-term expectations.

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[28] Oskar Halecki, *The Limits and Divisions of European History*. London-New York: Sheed & Ward, 1950, chapter VII.

[29] Jan Hlavatý, *Může Slavkovský trojúhelník nahradit V4?* [August 2017, web site: http://hlavaty-jan.cz/politika/]

[30] At the moment, Czech ambassador in France.

For a long time, Czech government has been looking for a way to add Austria to Central European affairs. On political level, Austrian interest was very low and conflicts because of nuclear power plants have been long standing. Traffic and energy infrastructure (gas pipelines, electricity) are expected to become connected even more and implementation of Austrian experience with professional education and employment of young adults is sought after. Prime Minister Sobotka desired transborder cooperation programmes and coordination of attitudes on European level.

With Kurz as Austrian minister of foreign affairs, there was significant convergence between Austria and Czech Republic.[31] Beside very quick convergence with respect to migration crisis, there was mutual convergence in many points. New governments established in both countries in 2018 are supposed to follow this way. Poland is becoming nervous from the rate of Czech-Austrian convergence.

With respect to „East policy", Austerlitz does not work. In this field, Czech thinking is close to Polish support of Ukraine. In contrast, Hungary, Austria, and Slovakia support Russia.

Therefore, the discussion „Austerlitz Triangle + Macron" is not surprising. Another idea attributed to Macron by Czech and Slovak thinkers is the convergence with Romania as counterbalance to Poland.[32] Within East Central Europe, Romania is example of good historical experience of cooperation for Czech Republic and Slovakia. The talks of prime ministers A 3 + Macron in August 2017 put clearly A 3 forward, moving V 4 aside.[33] Slovak prime minister Fico said indirectly but clearly that Slovakia is interested in the EU, not in V 4.

From the point of view of Austrian policy, there is contrast between Austerlitz and Visegrád. FPÖ prefers obviously Austrian entry to the Visegrád group and its leader Strache perceives Orbán and Kaczyński as

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[31] At that time, Zaorálek was Czech minister of foreign affairs.

[32] Tomáš Prouza, "Macronova spanilá jízda do východní divočiny", in: *Aktuálně.cz*, 23rd Aug 2017. [Web site: http:// blog.aktualne.cz/blogy/tomas-prouza.php?itemid=29796]

[33] For the Czechs, the most sympathetic countries and nations are Slovakia and the Slovaks. This is the historical heritage of the former Czechoslovakia, which is still reborn. The second in turn in sympathies, the first really "alien" are France and the French. It is deeply embedded in the mentality and reproduces over generations. The best and happiest period in history was the inter-war-phase for the Czechs. France and Romania were then the best allies of Czechoslovakia. Both Czechoslovakia and Romania were strongly interconnected with French culture at that time, etc.

his key partners. On the other hand, ÖVP prefers Czech Republic and Slovakia as partners.

Is it possible to see A 3 as the return of Austria into Central Europe? Kurz, the new chancellor, refuses automatic attitude of pioneers to welcome anything different or new. That does not have to be positive. The ex-chancellor Kern claimed in the past as well as before last elections in October 2017 that it is essential to defend open, modern, democratic, and varied Austria. Both Austrian ÖVP and Czech liberals opposed him: Does this open Austria[34] want to accept a group, whose traditions, educations and behaviour patterns embody isolation, anti-modernism, refusal of democracy, and fight against variety (including any „apostasy" in religious behaviour)? Traditionalist Czech liberals are also inspired by the old adage of balance of powers and agree that: Austria is returning to Central Europe to counterbalance Germany.[35]

In West Europe, the relations with Russia are really underestimated. In Germany, „advantageous Russian-German cooperation" is mentioned often. In Europe „east of Germany" Russia is perceived clearly as threat. This concerns Russia as state. Top persons of Russian culture are welcome, even top Russian politicians have been welcome for some 100 years, but they have to „accept European values".[36]

The exclusion of Russia as state from Europe is accepted - „do not let Russia in". The dissolution of the Soviet Union was perceived as confirmation that Russia does not belong to Europe. This historical trend was also opportunity because Russia left Europe finally and true parts of Europe that used to be controlled by Russia could come back. In the 1990s „weakened sleeping Russia" was seen as Europe's neighbour with whom one can communicate. In the 21st century, Russia is again seen as threat.[37]

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[34] Within this kind of Europe.

[35] Zbyněk Petráček, "Kurzovo Rakousko", in *Lidové noviny*, 17th Feb 2017, p 10.

[36] P. Miljukov can serve as good example as he transformed himself into true European democrat (influenced by TG Masaryk). LN Tolstoj as „politician" and bearer of European values was later in conflict with Russian government.

[37] Nothing new in Central Europe. Before the end of WWI, Masaryk in his New Europe accentuated Russian danger for Central Europe and any German-Russian cooperation threatens whole Europe.

Political thinking in Central Europe was offered new theme in 2017: „Spain as worse neighbourhood than Poland or Hungary." What happened in Catalonia with respect to its independence referendum brought new expectations. Concerning the cases of Poland and Hungary, Rajoy is presented and evaluated as more negative person than Orbán or Kaczyński. The organs of the EU should act adequately, however, they behave selfishly which is unacceptable and cowardly. Not us, it is Spain who is the defunct part of Europe. Such proclamations by Polish and Hungarian thinkers were also presented in Czech and Slovak media.[38]

Czech and Slovak comments did not hesitate to label Spain government as neofrankist and cartoons depicting Rajoy kissing Franco were published. Another comparison is at hand: shooting with rubber bullets was not practised even by Czechoslovak communist police before November 1989.[39]

Other comments on dubious and rotten roots of Spanish democracy joined:[40] The steps of Spanish government are viewed as copy of South American governments of 1970s, that is, completely unacceptable and non-European. Spanish constitution and its use by the government are compared to Putin's Russia. In Slovak and Czech media, Spain and Catalonia were recommended to use the experience of „velvet division" of Czechoslovakia.

Central Europe remains disunited also in the case of common euro currency. Slovakia has been so far the only V 4 country to introduce euro and that happened 9 years ago. Common currency helped to accelerate Slovak-Austrian convergence. On the other hand, contemporary Polish and Hungarian politicians refuse euro.

The situation in Czech Republic is complicated. Euro has been operating as parallel currency there for many years. Medium-sized and large companies and many small companies lead their books in euro and

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[38] For example, the Czech daily *Mladá fronta Dnes* reprints the Hungarian commentaries more often. The Redactor in Chief of this daily, István Léko, is a Hungarian living in Prague.

[39] However, they did use water guns and rubber sticks.

[40] Example: weekly *Reflex*: Cover of issue 40/2017 from 5th Oct 2017 – large headline „Madrid thrashes Barcelona". Other headlines in the same issue: „Spain on verge of civic war" (understand: caused by Madrid). In the same issue, a series of reports headed across two pages „Bloody day". Conclusion of comments: Catalonia on inevitable way to independence, provoked by Madrid.

pay in euro – everything except wages and taxes, which have to be accounted in Czech crowns by law. The union of industry and traffic calls for fast introduction of euro in Czech Republic.

The largest Czech right wing party – Civic Democratic Party – has been agitating hysterically against euro since the times of Václav Klaus. The communist chime in. Populist parties share this idea and media are quick to adapt. 70 % of people used to consent with the implementation of euro in Czech Republic, now 70-80 % of people refuse it. The voters are warned and threatened that Czech Republic would end as Greece. Many parties choose not to choose, saying that future will tell and other parties refuse quick implementation of euro.

The guilt lies also with Czech National Bank.[41] The bank is suspected from fear of losing its power that would be inevitably brought about by the introduction of euro. A lengthy row of declarative intervention to weaken Czech currency demanded huge costs amounting to about one and half of Czech state debt. That was paid by Czech consumers.

Vast reserves of euro held by the bank threaten to cause loss as Czech currency is naturally rising. And that would be paid by Czech taxpayers. There is high risk of destabilisation for Czech economy in general. New board of Czech National Bank wants Czech crown to grow as slow as possible. In 9 months, the exchange rate for 1 euro fell from 27.020 to 25.520,[42] while natural rate is estimated to lie at 24 or even 21 crowns. The demand for full stabilisation of natural rate of Czech currency prior to the implementation of euro is logical.[43]

Using Greece as warning examples have been successful argument of right-wing as well as populist parties of all sorts for many years. In 2010 elections this threat help the right-wing coalition to win. The government led by Civic Democratic Party (after 2006 elections) caused the onset of finance crisis in Czech Republic even sooner than in West Europe. The government led by the same party after 2010 elections opposed those changes in economic policy that would have led Czech Republic out of economic crisis faster. Czech Republic was the last country from East

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[41] Governor and board named by the president. V. Klaus named his „boys".

[42] 12th Jan 2018.

[43] Nothing in common with populist speeches by president Zeman and his like that Czech Republic would enter eurozone only after expulsion of Greece.

Central Europe that disentangled itself from the crisis. This happened in 2013.[44]

When speaking about migration as binder between V 4 countries after 2015, specific dimension of public opinion in these countries have to mentioned. Without any populist manipulation, the public asks: „migration or invasion?" The population of East Central Europe is extraordinarily sensible to any entry of larger amount of „uninvited people" on its territory. This is textbook example of history-bound „collective memory" or „collective experience". The depth of these roots can be demonstrated by most popular Catholic pilgrimage sites at Legnickie Pole in Lower Silesia/Poland and Hostýn in Moravia/Czech Republic that are related to Mongol invasion of 1241, the former commemorates bloody and lost battle, the latter the fact the invasion missed the country. In the time of Ottoman invasion in East Central Europe, the Central European Habsburg-Ottoman front lasted from 1540 to 1688. In East Europe, the Polish-Ottoman front lasted even longer – 1485-1699. In both cases, it was Tartar cavalry, whose raids were exceeding the borders by as much as 250 km. Ottoman and Tartar incursions have remained deeply rooted both in folklore and literature of Central Europe. In East Europe this experience was by up to two centuries longer and Greece has been strongly nervous because its Turkish neighbour.

The Soviet invasion of Hungary in 1956 and of Czechoslovakia in 1968 are often compared to new Tartar or Tartar-Mongolian invasion.[45]

There are still many people who were affected by these invasions – deeply and for life. The Russian invasion of Crimea is a new case that reminded Central Europeans of their not so old experience of their own.

Unsuccessful attempt at coup in Montenegro in October 2016 that was organized by Russians is another example.

It is the public opinion in Central Europe that is sensible to the question: „Which wave of immigration can be expected in Central Europe in particular?" West Europe does not see migrants from East Ukraine that

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[44] After the demise of the government because of ridiculous cause and subsequent elections.

[45] The entry of the Soviet army into Central and Southeast Europe in 1944/45 is not openly called a raid, however, many people think it was so. Intellectually tuned and „politically correct" sentence runs: The Soviet army liberated us, that is, occupied us.

headed, with respect to their preferences, either for West Ukraine or for Russia. Their number is estimated at 4 million. The psychologists claim that refugees hope for return for 4 or 5 year at most. If they are not able to return within this period, they tend to „go further" and look for new home. Central Europe is at hand. Many Ukrainians have identified themselves with Central Europe since the division of the Soviet Union. Moreover, in Poland and in Czech Republic there are many Ukrainians working and living. In 1990s they were coming from West Ukraine. At present, there is as the first migration wave from East Ukraine.

Welcoming political exiles is not extraordinary in Central Europe.

At the beginning of 1920s, Czechoslovakia accepted some 100000 refugees from Bolshevism, and 30000 of them stayed. Other waves of refugees came from East Galicia in 1919, from Hungary in 1919, from Poland in 1926 and 1930, from Yugoslavia after 1929, from Germany after 1933, from Austria in 1934 and 1938. Austria accepted numbers of refugees from Czechoslovakia in 1948 and after 1968, and from Hungary in 1956.

However, there was always high rate of successful integration of immigrants in the accepting country.

Czech Republic and Slovakia have good experience with the integration of Vietnamese at the end of 20th century.[46] On the other hand, Czechs and Slovaks are frustrated by cumbersome or in some regions even impossible integration of Roma.[47]

While pointing out that West European politicians and EU representatives are perceiving feebly or incorrectly or even ignoring the specifics of Central Europe, it is important to stress that, after the Treaty of Lisbon, there has been no constructive discussion on European integration in Central European countries. The support of teaching European integration at universities was restricted and the funding became even

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[46] The second generation is integrated to such en extent that its members can be ranked among top Czech or Slovak film makers, artists, scientists, and even writers. The reasoning includes the thesis that Buddhism is not Islam or that Buddhism may be nearer to the Czech or Slovak culture than Orthodox Christianity.

[47] This problem is very complicated. It should not be forgotten that almost all Roma in Czech Republic and most in Slovakia immigrated only in the second half of 20th century. The most significant obstacle in their integration are persisting remnants of clan organisation in Roma society.

more complicated due to the shock from financial and economic crisis. Central Europeans perceived the activity of EU representatives and organs as puzzled and clueless. This fact was easily abused by populist and „Eurosceptiscist" forces. The example of Greece was abused repeatedly, too: „Greece is the victim of the EU". The Merkel-Sarkozy discussion on crisis was presented as a lack of democracy in the EU. The media were following this trend passively or kept quiet. Brexit is still used as populist argument that the Brits „decided correctly" that they should leave the union. We, Czechs (Slovaks, etc.) should follow suit.[48]

On the other hand, the future of European Union has to solve the rational dilemma: „Unification or unity in diversity?" Central Europeans perceive contemporary EU as „different than the union we entered in 2004". This generalization is based on particular steps that touched them.

This can be easily abused by populist politicians. At the present, the most sensitive problem is security. The population in general identifies this problem as the inability of the EU to guarantee safety or inability to agree on tools and steps to warrant it. This leads to simplified solution: it is only the USA who can ensure safety, only USA pays some role in NATO.

Surprisingly, the idea that Brexit is an important loss with respect to maintaining security, remains in background.

In contrary, the steps of EU organs towards linear unification are perceived as „hyperactivity disorder. "The unity in diversity", so much desired by „the Fathers of Europe", is lost. Europeanism is dissolving because anything „all members of the EU do not accept "does not allegedly form a part of Europeanism. To put theory in practice, such ideas should not be included in EU documents. Fallacy in the form of *petitio principi* follows: If it is not present in EU documents it is not Europeanism.

The return to „the unity in diversity "would have meant the consent that Europeanism can not be unified idea stream. It has to be a group of all relevant idea streams. The elementary values, that is European values, are not only those that form concordance, but also those that are combined or compete with each other. It was the competition between ideas and values

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[48] Namely, a great number of articles by Alexander Tomsky in the daily *Mladá fronta Dnes* and in other media.

that fuelled European spiritual development when it was possible to abandon violence as tool for the solution of „intraeuropean "relations.[49]

Internally pluralist Europe will be able to retain its dynamics. In contrary, linearly unified and administered Europe will lose it or there will be resurgence of „national identity "in its negative and aggressive sense.

Visegrád lacks the ability to be the foundations for any further deepening of cooperation, closer form of „Central European integration". Using „European roof "conditions would not help either.

Pragmatic cooperation in selected points will be likely, but it is the revival of Austrian policy in Central Europe that promises strong cooperation between Czech Republic and Austria, between Slovakia and Austria, and innovatively, Slovakia and Czech Republic. The triangle France-Austria-Czech Republic can also be based on reality and would be welcome by public opinion in Austria and Czech Republic. At the same time, economic importance of Austria and Germany for Central Europe will not change, which is positive. This can serve as a concrete example of European „unity in diversity".

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[49] Sentence provoked by the essay: László Öllös, "Európska identita", in *Fórum. Spoločenskovedná revue*, 2016, p 137ff.

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# Borders and Border Regions in Europe – Euregios as a Model of Cross-Border Co-operation for East-Central Europe?

## Claudia Hiepel[*]

**Abstract:**
*The present article deals with forms of cross-border co-operation that were established along the Dutch-German borders since the 1950s. They were testing grounds for new regional forms of governance and consolidated as one level within the European multi-level governance system. These so-called Euro-Regions also served as model in East-Central Europe after the collapse of the Communist system. The article intends to show similarities and differences between these traditional Euro-Regions and the later foundations in Eastern border-regions. It also aims to shed light on their potential to stabilize the system of open borders within the EU.*
**Keywords**: Borders; border regions; cross-border co-operation; Euro-Regions; governance.

Today there is hardly any border region in the European Union where there exist no initiatives of cross-border co-operation. The umbrella association of such initiatives, the Association of European Border Regions (AEBR), lists more than 200 organised co-operations. They are different in size and range, they look back to different traditions and pursue different objectives. They reach from small, bilateral co-operations in immediate border regions as far as to European Groupings of Territorial Co-operation covering the territories of several states.[1] This co-operation is supported by the European Commission which provides quite considerable funding from the INTERRREG programme. Started in 1990, the latter

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[1] On the list of AGEG members see: http://www.aebr.eu/de/mitglieder_regionsliste.php
Birte Wassenberg/Bernard Reitel, *Territorial Co-operation in Europe. A historical perspective*, 2015 [http://ec.europa.eu/regional_policy/en/information/publications/brochures/2015/territorial-co-operation-in-europe-a-historical-perspective], 9/3/2018.

serves as a structural fund for the support of cross-border, trans-national and trans-regional co-operation for the purpose of reducing economic disparities in the Union, of equalising living conditions and of strengthening the economic cohesion of the domestic market. For the current period 2014-2020, 6.6 billion Euros have been provided for co-operations in immediate border regions alone.[2]

In the context of this territorial co-operation, the *Euregios* or *Euro-Regions*, as the cross-border regions are called, are of particular significance. It is not only that they were the first and earliest examples of cross-border co-operations, starting out from the German-Dutch border region. Also they served as the model for other initiatives and, in contrast to many other ways of trans-national co-operation, they were characterised by a high degree of being institutionalised and statutorily regulated. Initially they were founded to solve local and regional functional insufficiencies. Then in the course of the domestic market project they gained influence on the EU´s regional policy which, from 1990 on, also intended to support cross-border co-operation. Thus, the Euregios were both a driving force of the territorial strategy of the EU´s regional policy and beneficiaries of INTERREG as a financing tool, allowing for the extension and continuation of cross-border co-operation.

If at the end of the 1970s there were just twenty Euregios or similar structures at the internal borders of the then European Community (EC), until the end of the 1980s their number grew moderately by another twelve regions. In the 1990s there happened a real boom of foundations: 54 new formations, most of all – but not only – at the borders to the states of Central and East Europe which, after the fall of the Iron Curtain and in the course of the intended eastward enlargement after the turn of the millennium, were supposed to be led towards the European Union. Today, European regional policy cannot be imagined without the element of the Euregios along Europe´s interior borders. Of all the above mentioned ways of co-operation, 73 are called Euregio or Euro-Region. These are small-scale units, reaching as far as to 100 km into the respective hinterland at the most. They have established reasonable spheres of action as well as a more or less close co-operation aiming at growing into one consistent cross-border region.

The here presented contribution will introduce these border regions by their double function: on the one hand, they represent a specific way of cross-border governance allowing for efficient politics in these regions. On the other hand, they have developed into an important intermediary element within the European multi-level system. This shall at first be explained by the example of the Euregios of the Dutch-German border region which, in a way, were a blueprint for

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[2] http://ec.europa.eu/regional_policy/de/policy/co-operation/european-territorial/, 9/3/2018.

the formation of further Euregios. After the collapse of the Communist systems, a number of Euro-Regions developed also in East-Central Europe. The existing Euro-Regions served as models for cross-border co-operation but could not be copied, due to the completely different situation.

### Borders – border regions – cross-border co-operation

There is no doubt that the removal of borders within the European Union is a "uniquely European achievement"[3] which cannot easily be transferred to other parts of the world. Borders as political, administrative and territorial delimitations are still an indispensable fact, and globally seen they have not lost their significance. On the contrary: since the end of the Cold War their number has even increased.[4] Insofar, what is happening in the European Union is a reverse development compared to other regions of the world.[5] The history of Europe demonstrates that borders may delimit yet connect. Cross-border co-operation requires the existence of borders. National borders cut through regions, establish division lines and literally make regions move to the fringes.[6] At the same time borders allow for contact-making which, after all, has become necessary only because of the specific border situation. They develop border milieus, with actors cooperating formally or informally, they create networks and new, regional identities. This phenomenon, which has been described as the "border paradox"[7], is quite a suitable description of cross-border co-operation in the Euregios. In the six founding states of the European Coal and Steel Community, soon coexistence in the immediate post-war period developed into a degree of interwovenness, going as far as to today´s "integrated border regions", so that national borders have hardly any separating effect anymore.[8] On the other hand, for decades the

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[3] James Wesley Scott, "European Politics of Borders, Border Symbolism and Cross-Border Co-operation", in: Thomas M. Wilson/Donnan, Hastings (Edits.), *A Companion to Border Studies*, Hoboken: Wiley Blackwell, 2012, p. 83-98, here: p. 85.

[4] Wilson/Hastings, Borders and Border Studies, in: ibid., p. 1-25, here: p. 1.

[5] However, this way rigid border regimes have not been removed but shifted to the EU´s exterior borders. Scott, European Politics of Borders, S. 85.

[6] Viktor Freiherr von Malchus, "Benachteiligungen in europäischen Grenzregionen - Ansätze und Initiativen zu grenzüberschreitender Zusammenarbeit", in: *Entwicklungsregionen in der EWG - Ursachen und Ausmaß der wirtschaftlichen Benachteiligung*, Bad Honnef 1973, p. 31.

[7] Erik van der Vleuten/Torsten Feys, "Borders and Frontiers in Global and Transnational History", in: *Journal of Modern European History*, no. 14, 1, 2006, pp. 29-34, here: p. 29.

[8] Referring to the four interaction types - „alienated", „coexistent" , „interdependent" and „integrated borderland" – described by Oscar Martinez. Oscar Martinez, *Border People: Life and Society in the US-Mexico Borderlands*, Tucson: Univ. of Arizona Press, 1994, p. 6-10. Extended and completed by the typing of the chronological development in Michiel Baud/Willem van Schendel,

proverbial "Iron Curtain" was a strict division line at the eastern boundary of the European Union which did not allow for any kind of cross-border contact. However, even between the officially allied Socialist states there were no cross-border contacts in border regions. This way there developed "alienated border regions" which experienced a sometimes difficult rapprochement only after the end of the Cold War.

Traditionally, historical research has perceived the existence of national borders an indisputable political fact which served for describing the international order but was no independent subject of analysis. Parallel to the establishment of constructivist approaches of nationalism research, also the border has become an *explanandum* instead of an *explanans*. This way, the dynamics of the processes of establishing borders and the development of border regions move into focus. As borders are nothing natural but manmade, the same holds for the reverse process of structural and functional change, from being a "tough", impregnable, to becoming a "soft", politically-legally more permeable border.[9] In contrast to "traditional" ways of international co-operation, such as by way of international organisations, in the context of which national borders are overcome in the sense of practical co-operation without these borders being the point of reference for co-operation, cross-border co-operation in the Euregios shows an actual, spatial and topical reference to the border. It is an alliance of neighbouring regions whose actors come together on the basis of a certain purpose of their interaction. Among this there count, in the stricter sense, the removal of the border as a physical entity, in particular border controls, and a higher permeability of the border itself. However, among this there also count steps aiming at joint regional planning. Overcoming the border and its delimiting effect is both reason and goal of cross-border co-operation, thus the border is the main topic of co-operation. However, cross-border co-operation is only possible if the border is permeable to a certain degree while at the same time, as it is a national border, being an obstacle for a region´s potentials for development, so that these obstacles are supposed to be removed by way of cross-border co-operation. As the actors of this cross-border co-operation are local and regional administrative bodies, sometimes semi-public or private actors, according to international law they are no legal entities, that is they cannot conclude any international treaty.[10] The more formally the encounters, the

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"Toward a comparative history of Borderlands", in*: Journal of World History*, no. 2, 1997, p. 211-242, who speak of „embryonic", „adolescent", „adult", „declining" or „defunct borderlands".

[9] David Newman, "The lines that continue to separate us: borders in our ‚borderless' world", in: *Progress in Human Geography* no. 30, 2, 2006, pp. 143-161.

[10] Markus Perkmann, "Cross-Border Regions in Europe. Significance and Drivers of regional cross-border co-operation", in*: European Urban and Regional Studies*, no. 10, 2, 2003, pp. 153-171, here. p. 156.

more they were thus happening within a legal grey area, from which there resulted the specific ways of institutionalised co-operation which shall be described in the following.

### Cross-border co-operation in the context of the EUREGIO (Rhine-Ems-Ijssel)

The Euregio was founded in the German-Dutch border region in 1958, and it is the oldest cross-border alliance. It developed on the initiative of municipalities, cities and districts on both sides of the border which agreed on cross-border co-operation. In 1965 the name EUREGIO pushed through which, from then on, has been common for this way of cross-border co-operation and has been copied along the German-Dutch border.[11] Parallel to this pioneering name, the municipal associations, which initially had only developed informal networks, started to cooperate more closely in the context of the EUREGIO, for the purpose of adjusting regional development on both sides of the border and of influencing the decision-making processes at the respective national levels. The structural change of the textile industry as well as the insufficient connection to the respective national traffic networks were a problem both on the German and the Dutch side of the border. However, for efficient cross-border action the municipal actors were lacking the necessary legal competences. Furthermore, there was a general lack of concepts and expertise of cross-border regional development. Cross-border regional development was a difficult topic whose legal boundaries were defined at the national levels. Not only the understanding of regional development and the thus connected competences was different on both sides, regional development was also considered a national task, and the inclusion of a sovereign neighbouring state´s territory into one´s own regional development was impossible as long as it required bilateral treaties. But even the Deutsch-Niederländische Raumordnungskommission (German Dutch Commission on Regional Development), which met since 1976 as the result of an agreement between the two governments, had no competences going beyond mutual information, cross-border stock-taking of the regional situation and adjustment.[12]

The actors from the Euro-Regions did pioneering work in every respect, and while doing so they faced a number of obstacles. They had to develop the necessary expertise at all, they had to work out co-operation projects and to plan

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[11] Euregio Rhein-Waal 1971, Euregio Maas-Rhein 1976, Ems-Dollart-Region 1977 and Euregio Rhein-Maas-Nord 1978. See also: http://www.aebr.eu/de/mitglieder/mitgliederliste.php, 9/3/2018.

[12] *Staatsgrenzen überschreitende Zusammenarbeit des Landes NRW*, edit. by Institut für Landes- und Stadtentwicklungsforschung des Landes NRW, Dortmund 1984, p. 12.

their implementation. For this purpose, teams for economy, labour market and regional planning were established which consisted of public administration servants from both countries and met every two months. An independent commission was in charge of socio-culturally bringing together the people on both sides of the border. By cross-border co-operation the actors meant more than just the removal of economic obstacles. The border regions were perceived as a kind of miniature Europe where the growing together of Europe was supposed to be anticipated at a small scale, by way of organising encounters of the people.

At the same time, legal and institutional foundations for this co-operation were established. The Euregios worked out a statute defining their goals: the support of cross-border development in the fields of infrastructure, economy, culture, leisure time and other societal tasks. As the most important body, the so called EUREGIO Council was established in 1978, which may be considered the first cross-border parliamentary municipal institution at the regional level. It equally consists of Dutch and German members. They are directly elected by those municipal parliaments and regional bodies as being members of the Euro-Region. Thus, their political structure reflects the political power relations of the cities and municipalities.[13] The EUREGIO Council has never had – and does not have still today – any law-making function. It is an advisory and coordinating body and may thus be characterised as a "para-parliamentary body".[14] However, it provided the Euregio with a democratic basis and legitimation and gave expression to the EUREGIO becoming increasingly politicised. A joint office, located on the border and with German and Dutch full-time employees, pulls at the administrative strings.

Apart from overcoming the national border, whose significance was, in a way, supposed to be downgraded to a sheer administrative border between the two border regions, the guiding principle of the Euro-Regions provided for the creation of a distinct regional unit, an independent cross-border region. The Euro-Regions defined themselves as functional regions being in charge of solving problems in the fields of labour, housing, and leisure time, while at the same time, however, also creating a regional consciousness and contributing to European integration. One intended "the broadest possible, intensive encounter and merging of Dutch and German experiences, knowledge and ideas as a regional input into the integration of Europe. The long-term objective is a bilingual population, free access to all public services, developing into a cross-border and not just national region based on joint organisation."[15]

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[13] Ibid., p. 90.

[14] Markus Perkmann, *The emergence and governance of Euroregions: the case of the EUREGIO on the Dutch-German border*, Paper presented at University of Barcelona, 2005, pp. 157-181, here: p. 165.

[15] From a report by the Mozer Commission, quoted after Verena Müller, *25 Jahre EUREGIO-Rat. Rückblick auf die Arbeit eines politischen Gremiums im „kleinen Europa"*, Gronau/Enschede, 2003, p. 25.

Accordingly, at first the improvement of the infrastructure was in the fore: connecting waterways or reviving cross-border railway connections which had been abandoned after World War II; making it easier to cross the border in the stricter sense – the extension of opening hours at the border checkpoints alone could be such a measure – and in the wider sense the removal of the problems of border commuters and cross-border work relations such as exchange rate issues, the recognition of educational qualifications, receiving public payments such as child allowance, to give just a few examples. Different national regulations and administrative practices as obstacles for cross-border business relations were on the agenda, just like cross-border co-operation concerning environmental issues, or energy and water supply. Finally in 1987 the great number of individual projects resulted in a cross-border action programme which was supposed to cover a planning period of 20 years. In 1989 this action programme was for the first time funded by the European Structural Fund and then, from 1990 on, transferred into the INTERREG programme. The EUREGIO was one of the first model regions to be funded this way.[16]

The INTERREG programme marks a break for the border region as well as for the work of the EUREGIO. At first it improved and stabilised the financial basis. From now on it was about bigger amounts of money which could be spent based on long-term planning, which led to an extension of the agendas and made work more professional. Accordingly, the institutional structure became more differentiated. For the current funding period 2014-2022, the EUREGIO alone has been provided with 30.4 million Euros of INTERREG funding[17], to which the same again must be added from national and regional funding. The loss of significance of the established Euregios, which was feared as a result of the fall of the Iron Curtain and the rapid growth of Euro-Regions at the borders to East Europe, has not happened, which also holds for the concern that funding for each cross-border region might be reduced. The EUREGIO in particular has gained significance because apart from its regular tasks it has also been entrusted with the regional programme management of European funding.[18] It is in charge of project development and administration, of collecting funds, and of cross-regional co-operation with other border regions.[19]

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[16] Ibid. p. 21.

[17] Ibid. p. 55

[18] Ibid. p. 6. The so called certification authority INTERREG V A as well as „First-Level-Control-Authority" for the INTERREG V A program belong to the EUREGIO.

[19] EUREGIO - Unterschiede verbinden, Imagebroschüre, o.D. [http://www.euregio.eu/sites/default/files/downloads/EUR110404%20Imagebrosch%C3%BCre%20web.pdf], 9/3/2018.

However, as still today "cross-sub-regional" or cross-border adjustment concerning the intended sustainable regional development "happens only partly"[20], basically the tasks are still the same: advice for border commuters, advice for enterprises and citizens about living and working in the neighbouring country, cross-municipal and cross-regional co-operation, and the support of encounters in the context of so called "people-to-people" projects. Economic and social objectives definitely balance each other. We can only partly speak of a shift of priorities, away from idealistic motivations at the beginning of co-operation and towards economisation under the influence of INTERREG.[21] Even if the structure has been adjusted to funding by the EU and the benefit of being funded by the European Regional Development Fund is undebated, there are many indications that the EUREGIO, just like other older Euregional structures, have developed an identity of their own and would have developed further even without money from Brussels.[22]

This is suggested both by the high share of regional co-funding and by the early institutionalisation of cross-border co-operation. Apart from internal cohesive factors, however, indeed also exterior factors influence the development of the Euro-Regions and characterise the specific profile of this way of cross-border co-operation. In terms of funding, it was the EU Commission which provided much of the material resources. Furthermore, the European Council played quite a significant role as a supporter of cross-border co-operation, providing the legal foundations for regional co-operation across national borders. One of the greatest problems of cross-border co-operation was its legal form and the search for a legal entity which would be valid on both sides of a border. Concerning this, by the Madrid Convention of 1980 the European Council passed a framework agreement on cross-border co-operation which formulated legal regulations which, however, became valid only by way of several bilateral implementation agreements. How difficult implementation is in each case becomes obvious by the fact that only as late as in 1993 Germany and the Netherlands, by the Anholt Convention, agreed on such a bilateral regulation which allowed public bodies to make agreements under public law also across borders.[23]

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[20] See the critical remark in the Annual Account 2016, ibid., p. 45.

[21] The situation is different on the Upper Rhine. Birte Wassenberg, "Qu'est-ce qui motive la coopération transfrontalière dans l'espace-franco-germano-suisse? Approche historique", in: dies. (Edit.), *Vivre et penser la coopération transfrontalière* (Vol. 1): les régions frontalières françaises, Stuttgart : Steiner, 2010, p. 95-115.

[22] Müller, 25 Jahre EUREGIO-Rat, p. 36.

[23] On this see Matthias Niedobitek, *Das Recht der grenzüberschreitenden Verträge. Bund, Länder und Gemeinden als Träger grenzüberschreitender Zusammenarbeit*, Tübingen: Mohr Siebeck 2001, p. 107 f.

**Governance in the EUREGIO and with the EUREGIO**

Since their founding, the Euro-Regions have been subject to a constant process of differentiation and institutionalisation. A great number of actors at the various levels have been involved in this, and they interacted in each specific ways. The driving force was the functional flaws in the respective regions where the traditional structures were no longer sufficient for solving problems, which was why the actors believed it to be necessary to develop new ways of co-operation. If at first governance is quite generally defined as a „process of steering society and the economy through collective action and in accordance with common goals"[24], certainly this applies to the Euregios. Furthermore, governance processes are characterised by growing from below, that is they develop in the course of a "bottom-up" process. The first contacts for pursuing common interests in the border regions were sporadic, unsystematic and case-related. After there had been first successes and ideas for joint projects had successfully been developed, this initially network-like co-operation was extended and institutionalised.

As in the Euregios governance is clearly geography-related, it may as well be called "regional governance" or be characterised as "network-like, intermediary ways of regional self-control".[25] However, we may speak of governance only when, beyond ad-hoc solutions for individual problems, co-operation is institutionalised in a region-related way, combined with a steering claim for the entire region. This can be exemplarily observed by the example of the EUREGIO which, starting out from initially being an only weakly institutionalised functional, i. e. referred to actual problems, institution, developed a long-term strategy for the entire region on both sides of the border.

However, not any cross-border co-operation inevitably develops into governance of a cross-border region. Factors supporting such a process are on the one hand already existing cross-border common grounds. These may be historical or cultural traditions or long-time socio-economic interdependencies.[26] The EUREGIO likes considering itself a region which, even after the Netherlands had gained their independence in the 17th century, formed a linguistic, cultural and

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[24] Jacob Torfing/Eva Sørensen, "The European debate on governance networks: Towards a new and viable paradigm?", in: *Policy and Society* no. 33, 4, 2014, pp. 329-344., here: p. 334.

[25] Dietrich Fürst, „Regional Governance - was ist neu an dem Ansatz und was bietet er?", in: Joachim Beck/Birte Wassenberg (Edits.), *Grenzüberschreitende Zusammenarbeit leben und erforschen (Vol. 2): Governance in deutschen Grenzregionen*, Stuttgart: Steiner, 2011, pp. 89-105, here: p. 89.

[26] Silvia Raich, *Grenzüberschreitende und interregionale Zusammenarbeit in einem „Europa der Regionen": dargestellt anhand der Fallbeispiele Saar-Lor-Lux, EUREGIO und „Vier Motoren für Europa". Ein Beitrag zum europäischen Integrationsprozess*, Baden-Baden: Nomos, 1995, p. 25.

economic unit and was interconnected in a number of ways, despite the border.[27] Also regions are socially constituted and thus require region-related action as well as an identity-creating narrative to be consciously rooted. Common grounds are an important precondition.

On the other hand, the actors contributed to the sustainable development of governance structures. In many Euregios there are most of all state actors from the sub-national level, from municipalities and regional corporations. This is the case in most of the Euregios along the German border, sometimes completed by civil-society or semi-public actors. The strong legal position of the municipalities, due to local self-government, makes them autonomous, legally responsible and thus independent actors.[28] Yet still, municipalities and regional corporations are no foreign policy actors. For example, they cannot enter into international treaties.[29] In this concern the national states have not handed over control. Neither do the Euregios displace other Euro-Regions nor do they replace other sub-national actors. And just the same, they do not pose any threat for the national state and its sovereignty, nor do they represent any territorial fragmentation. Rather, they have established themselves as an additional element of the European multi-levelled system. The Euregios are no new administrative level but a completion of existing structures, institutions and organisations.[30] Their role is defined by "the EU´s further differentiation, as a result of the increasing participation of the regions as well as the regionalisation of structural policy"[31] The administering of INTERREG funding and the implementation of programmes happen at several levels, which requires a high degree of coordination and delegation of tasks to the regional level. Within this network, for example the EUREGIO has an important function.[32] It considers itself a "cross-border `hub´" for all German-Dutch contacts and projects in the region, a task it takes over on behalf of municipalities, cities and

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[27] This identity-creating narrative is found in many publications by the EUREGIO, see e. g. EUREGIO. Eine europäische Grenzregion und ein Programm, edit. by EUREGIO/Gronau 1978.

[28] This is different in many European countries where the provincial level is more important, such as Italy, or the national government is more significant, such as in France. See also Perkmann, "The emergence and governance of Euroregions", p. 163.

[29] Niedobitek, Das Recht der grenzüberschreitenden Verträge, p. 62.

[30] On the aspect of the complementary see Joachim Beck/Eddie Pradier, "Governance in der transnationalen Regionalpolitik. Bestandsaufnahme und Perspektiven der Kooperationsbeziehungen in grenzüberschreitenden Verflechtungsräumen", in: Beck/Wassenberg, *Grenzüberschreitende Zusammenarbeit leben und erforschen*, 2013, Vol 2, pp. 107-135, here: p. 108.

[31] Arthur Benz, „Governance in Mehrebenensystemen", in: Gunnar Folke Schuppert, *Governance-Forschung. Vergewisserung über Stand und Entwicklungslinien*, Baden-Baden: Nomos, 2006, p. 95-120, here: p. 95.

[32] Ibid. p. 96

districts.[33] It holds a key position, in the context of which it connects horizontal to vertical networks, manages applications by and projects of other members, and hands them over and communicates them to the next-higher authority.[34] Indeed, the Euro-Regions have only little legislative and only limited executive power, yet still they have an important coordinating governance function. Meanwhile this institutionalised way of cross-border co-operation, which here has been exemplarily presented by the example of the German-Dutch Euregios and their historical development, runs around the Federal Republic of Germany like a „paragovernmental tier of transnational co-operation".[35]

### Euregios as a role model for East Central Europe?

During the Cold War the boundary between the East and the West was an insurmountable barrier preventing any cross-border contact in the border regions. However, even between the Socialist "brother states" there were no such contacts. Also this had to do with historical burdens. For example, territorial restructuring after World War II produced the result that on the German-Polish border many cities were separated along Oder and Neiße. Resettlements on the Polish side changed the structure of society on the border. After the rigid separation of the first post-war years, from the 1960s on developed a certain degree of coexistence and co-operation. However, very often these contacts were decreed, often at Party level.[36] The situation on the Polish-Czech border was not different until 1989, which was particularly a result of the marked centralism of the Socialist states. Only with the end of the Cold War there developed the prospect of removing the border. The then happening functional change of the border, in particular Germany´s border to its eastern neighbours, was rapid. As a result of German reunification, suddenly Mecklenburg-Vorpommern, Brandenburg and Saxony were at the EU´s exterior frontier, then as a result of the accession of the Czech Republic and Poland to the EU in 2004 these borders became a new interior border which, with the latter countries´ accession to the Schengen Area, became even more permeable.

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[33] Wim L.G. Schelberg, "EUREGIO. Grenzüberschreitende Zusammenarbeit in der Praxis", in: Heinz Heineberg/Klaus Temlitz (Edits.), *Münsterland - Osnabrücker Land/Emsland - Twente. Entwicklungspotentiale und grenzübergreifende Kooperation in europäischer Perspektive*, Hamm, 1998, pp. 55-61, here: p. 55

[34] Perkmann, "The emergence and governance of Euroregions", p. 170.

[35] James Wesley Scott, "Transboundary Co-operation on Germany's Borders: Strategic Regionalism through Multilevel Governance", in: *Journal of Borderlands Studies* no. 15, 1, 2000, pp. 143-167.

[36] Elzbieta Opilowska, "Zwei Städte auf der Suche nach einer gemeinsamen Identität im erweiterten Europa", in: Joachim Beck/Birte Wassenberg (Edits.), *Grenzüberschreitende Zusammenarbeit leben und erforschen (Vol. 5): Integration und (trans-)regionale Identitäten*, Stuttgart: Steiner, 2013, pp. 287-300.

Already in 1989 the PHARE programme was started, which served for bringing Poland and Hungary towards the European Union and was later extended to all accession candidates in East and Central Europe. In many cases Euregios were founded bottom-up, as a result of immediate cross-border contacts. Just the same, they were motivated by getting access to EU funding. Consequently, this was masterminded by the national governments.[37] In the Bavarian-Czech border region co-operation was started by an agreement between the Prime Ministers of Bavaria and the Czech Republic respectively. On the Saxonian-Czech border, on the other hand, it was initiated by actors from the immediate border regions where, between 1991 and 1994, there developed five Euro-Regions along the German-Czech border.[38] Also on the Polish border a number of Euro-Regions were founded within just a few years, which was made easier by the signing of bilateral or multi-lateral agreements between the states.[39] On the German-Czech border, cross-border co-operation was more difficult because of legal obstacles, as there was no bilateral agreement between Germany and the Czech Republic, such as the Anholt Agreement between Germany and the Netherlands. Municipal co-operation in the form of a cross-border special purpose association was legally impossible, as there was no treaty allowing for this. Thus, due to their legal flexibility, the Euro-Regions were the suitable organisational form, as joint municipal projects did not require any special legal basis, thus allowing for rather unbinding yet efficient, practice-oriented co-operation. Similar to the long-time practice on the German-Dutch border, they were organised according to the law of associations of one member, mostly the German one.

The trilateral Euro-Region of Neisse-Nisa-Nysa, founded on the German-Czech-Polish border in 1991, was particularly strongly oriented at the model of the traditional Euregios in the German-Dutch border region, and in some respects it shows similarities. There the development of cross-border co-operation was positively influenced by the fact that until World War II had been a united

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[37] Vladimir Goněc, "The Transborder Regions of the EU: a successful or failed tool for reconciliation and partnership. The experience in Slovakia and Czeck Republic", in: Nicolae Păun/ Sylvain Schirmann (Edits.), *Borders, Identities, Communities. The Road to Reconciliation and Partnership in Central and Eastern Europe*, Baden-Baden: Nomos, 2016, pp. 177-194.

[38] The Euro-Regions of Neiße-Nisa-Nysa, of Elbe/Labe, of Erzgebirge/Krušnohoří, the Euregio Egrensis and the Euro-Region of Bayerischer Wald-Böhmischer Wald-Mühlviertel

[39] A total of 16, 4 along the western border to Germany, 7 on the southern border to Czechoslowakia,, 3 on the eastern to Ukrainia and Belarussia, and 2 on the northern border to the Baltic states. Marek Olszewski, "Euroregional co-operation as a contribution to European Integration. The Example of the Eureoregion Śląsk Cieszyński (Cieszyn Silesia)", in: Birte Wassenberg/Joachim Beck (Edits.), *Living and Researching Cross-Border Co-operation (volume 3): The European Dimension*, Stuttgart: Steiner, 2011, pp. 269-282.

economic sphere and habitat. A negative effect, on the other hand, were the historical burdens from the recent past, the period of National Socialism and the subsequent expulsion of the Sudeten Germans. Thus, there was no basis for the development of any cross-border identity in the region.[40] And after Germany´s reunification it was most of all the different speed of socio-economic development which made the regions on both sides of the border move further apart from each other. On the German side the *Aufbau Ost* (Eastern Build Up) was successful, if not as rapidly and to the extent as expected, so that there was much emigration from the Saxonian border region to West Germany, to an extent that a clear asymmetry between the members of this Euregio had to be stated. Thus, the conditions were clearly less favourable than in the German-Dutch border region in the 1950s. E. g. there was a general lack of infrastructural preconditions on the Czech and Polish sides, such as mobility or means of communication. Furthermore, in the participating states happened an extensive social, political and administrative transformation process which was characterised by decentralisation and administrative reform and made continuous co-operation more difficult.[41] Nevertheless, it was there where the first socially accepted way of cross-border co-operation in Central and East Europe were established. Organisation and structure were oriented at the model of the German-Dutch Euregios. Members are the regional corporations, cities, municipalities, or the municipal associations. Like the EUREGIO, they are organised as registered associations. They have no law-making function but pass decisions and make recommendations which must be implemented by national bodies. This co-operation is characterised by a high degree of formalisation and institutionalisation, with statutes or rules of procedure, offices, differentiated structures including decision-making bodies such as councils or chairmanships. Subject-related work is done in teams whose topics are oriented at local requirements. On the German-Czech border these are e. g. security issues, which are of great significance, environmental issues or, like after the last Elbe high water, flood prevention.[42] The immediate transfer of the organisational form of the Euregio, however, proved to be difficult, as the region is less homogeneous than the models it is oriented at. Still today there is no joint secretariat. In this trilingual

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[40] Hartmut Kowalke/Milan Jerábek/Christian Preußscher, "Grenzüberschreitende Nachbarschaft und regionale Identität. Das Beispiel des sächsisch-böhmischen Grenzraums", in: Beck/Wassenberg, *Grenzüberschreitende Zusammenarbeit leben und erforschen (Vol. 5)*, pp. 233-254.

[41] Katrin Böttger, *Grenzüberschreitende Zusammenarbeit in Europa. Erfolge und Misserfolge der Kooperation am Beispiel der EUREGIO (Rhein-Ems-Ijssel), der Euregio Maas-Rhein und der Euroregion Neisse-Nisa-Nysa*, Tübingen: EZFF, 2006, p. 67.

[42] Thomas Groh, "Die grenzüberschreitende Zusammenarbeit an der deutsch-tschechischen Grenze", in: Beck/Wassenberg, *Grenzüberschreitende Zusammenarbeit leben und erforschen (Vol. 2)*, pp. 307-323.

region (including the Sorbian language there are even four languages), also language deficits prove to be a problem which does not only make the work of the bodies difficult. Interpreters are necessary even for the bodies of the Euro-Regions.[43] Also and most of all the people-to-people projects, which are so important for socio-cultural encounters, are more difficult to organise. In this region, the road to the distant goal of cross-border co-operation, to the growing together to one, unitary, region, is much more stony.

On the whole, like in other border regions in East and Central Europe, co-operation on the German-Czech border has become more intensive and has condensed to a network of cross-border relations, although intensity and density are not as marked as in the core states of the European Union and particularly on the German-French and German-Dutch borders. There, cross-border co-operation is more than 30 years ahead, and the new Euregios must still catch up with this.

**Conclusion**

Euro-Regions are often considered testing grounds for new regional ways of governance in the EU. At the same time they are considered – in particular by their actors – both "testing grounds" and "driving forces" of European integration.[44] Not without reason there is the objection that Euregios can indeed not serve as a model for the further development of the EU, as they are not supra-nationally structured but are based on ways of intergovernmental co-operation. Furthermore, their efficiency is doubted as, due to the different political-administrative structures at the national levels, different levels are in charge which will never come together to form unitary constellations of actors.[45] If in the former case the significance of the Euregios is overestimated, in the latter case their possibilities are underestimated. Cross-border regions are certainly no sure formula for solving the problems of the European Union, problems resulting from the balancing act between efficiency on the one hand and transparency, closeness to citizens and democratic legitimation on the other. However, the region makes the individual citizen see and feel the actual

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[43] Ibid. p.319.

[44] Landesarchiv Nordrhein-Westfalen, Abteilung Rheinland, NW 400, Nr. 202, Empfehlungen aufgestellt von der Konferenz aus Vertretern der auftraggebenden Ministerien und Gebietskörperschaften, 25.06.1969.

[45] Tobias Chilla, " Grenzüberschreitende Verflechtung - ein Fall von postsouveräner Raumentwicklung?", in: Ulrike Jureit/Nikola Tietze (Edits.), *Postsouveräne Territorialität. Die Europäische Union und ihr Raum*, Hamburg: Hamburger Edition, 2015, pp. 191-209. For example, in the Netherlands other administrative levels are in charge of regional planning than in Germany. Also the position of the mayor and the way in which he/she understands him/herself cannot be compared: in the Netherlands, mayors are appointed and not directly elected like in Germany. These are but two examples out of many.

material added value of Europe. At the same time, the cross-border regions are much more appreciated by European regional policy. And not at last, the existence of Euregios gives testimony to the regions being Europeanised. By help of the way of governance developed there they influence regional policy both at the national and the European level. They hold a crucial position within Europe´s multi-level system, which allows them to influence the cross-level coordination and network structures in two directions, vertically and horizontally. They thus play a role for the articulation and implementation of EU policies both at the level of the national states and the regions, just like they communicate EU policies to the regions and distribute funding. This happens partly by immediate contact to the Commission. Thus, even if the Euregios are no foreign policy actors in the classical sense, still they do "small scale foreign policy"[46]. As concerns the first foundations of Euregios, we may certainly speak of a success story. Concerning the Euregios founded after 1989/90, for the time being this may be stated only with reservations. Proven models, this has become obvious and may be demonstrated by further examples, cannot be easily transferred but must be adjusted to the respective situations and constellations of the individual border regions. Euregios are an integral part of Europe´s multi-level system and part of the governance of border regions. In this function they can indeed effectively contribute to politics, and in the long run they have the potential to develop cross-border systems of government. This sounds rather utopian at a time when we must wait and see if cross-border co-operation is capable at all of keeping the idea of open interior borders in Europe alive and of practicing open borders.

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[46] Birte Wassenberg, "Grenzüberschreitende Zusammenarbeit in Europa als Mittel der „kleinen" deutschen Außenpolitik: das Beispiel des Oberrheins", in: *Revue d'Allemagne et des pays de langue allemande* no. 47, 2015, pp. 77-96.

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# MIGRATIONS – CROSS-BORDER THREAT TO SAFETY OR CHALLANGE FOR THE MEMBERS STATES OF THE EUROPEAN UNION?*

**Marta Przeor****

**Abstract:**

*The article presents the issue of migration movements in the context of chances for and threats to the European Union. Due to the migration crisis of recent years and the resultant uncontrolled wave of migrants coming to the European countries, migrations have become an important element of social and economic reflections both on the domestic and international scale. The goal of the article was to present the threats and potential advantages that might stem from the presence of migrants and the occurrence of migration in the European Union states. The article is of general character and constitutes a synthesis of contents presented so far by the researchers of the migration phenomena along with the conclusions drawn by the author.*

**Keywords:** Migrations, advantages, threats, European Union, cross-border threats

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### Introduction

*"Migration is a process, not a problem"*
William L. Swing

Movement has been a companion of mankind since the dawn of times. At the beginning humans were nomadic, so travelling was a part of their nature. When the human beings decided to abandon such a lifestyle in favour of settlements, it soon turned out that further movement was necessary to settle down within new territories and improve a broadly-understood quality of life. Nowadays, in the era of dynamically changing world where, on the one hand, we constantly have to deal with growing disproportions between specific countries, conflicts in numerous states, the issue of ensuring basic living conditions and, on the second hand, with globalisation, digitalisation of large parts of the world, disappearing borders and considerable ease in crossing large distances, migration movements, both the voluntary and forced ones, are still a common occurrence. Over the last years, at the times of the migration crisis, this occurrence intensified to the extent making states and institutions take it up as one of the most frequent issues to discuss on an international forum.

The goal of this article is *to specify the potential advantages for and threats to the Member States of the European Union posed by migration*. The article is of a general character and constitutes a synthesis of contents available in the source literature, along with the conclusions drawn by the author. The main issue was formulated as the following question: *do potential advantages for and threats to the Member States arise from migration and, if so, what are they?* In the further part of the paper, the author attempts to answer the formulated question analysing the issue from the perspective of potential advantages for and threats to the European Union arising from migration movements.

### Migrations in the European Union in theoretical perspective

The term *migration* comes from the Latin word *migratio* meaning wandering (away). According to Władysław Kopaliński this term means *relocation, wandering population*[1]. Wielka Encyklopedia Powszechna PWN

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[1] Władysław Kopaliński, *Słownik wyrazów obcych i zwrotów obcojęzycznych*, Issue XVI extended, Warsaw: Państwowe Wydawnictwo Wiedza Powszechna, 1989, p. 332.

defines migration as *a wandering or movement of population being a form of spatial mobility meaning territorial resettlements associated with a relatively permanent change of settlement location*[2]. In the eyes of the International Organization for Migration, migration […] *is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification.*[3]

Paweł Lubiewski stresses that migration means the massive-scale wandering, relocation of population within the specific country or between different countries to change the place of stay permanently or for a specific period of time, as a result of political, ethnical, religious or economic factors[4] – pointing out a variety of factors that may cause migration movements, which are the causes for migration as a matter of fact. For instance, Justyna Frelak, in her study Dlaczego wyjechali, czy wrócą? Wyniki sondażu internetowego (Why they have left? Are they coming back? Results of the Internet poll) analyses the reasons behind the Poles migrating to the Western Europe.[5] According to the results of her studies, the most frequently stated reasons for migration include higher income, acquiring new experience and language, political situation in Poland, lack of job posts suitable for education, no possibility to develop professional career[6]. Therefore, as results from the presented study results the most frequent cause of the Poles' emigration is the economic factor. Nevertheless, the group of respondents mostly included young people, with good educational background and with occupational experience[7] – so based on the obtained results, it cannot be clearly stated that the economic factor was dominant among the Polish immigrants.

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[2] *Wielka Encyklopedia Powszechna PWN*, Warsaw: Wydawnictwo Naukowe PWN, 2003, Volume 4, p. 407.

[3] *Migration*, International Organization for Migration, [http://www.iom.int/key-migration-terms], 2 February 2018.

[4] Paweł Lubiewski, *Nielegalna imigracja. Zagrożenia bezpieczeństwa, część I*, Szczytno: Wyższa Szkoła Policji w Szczytnie (Police Academy in Szczytno), 2016, p. 13.

[5] Justyna Frelak, "Dlaczego wyjechali, czy wrócą? Wyniki sondażu internetowego", in Lena Kolarska-Bobińska (ed.), *Emigrować i wracać. Migracje zarobkowe Polaków a polityka Państwa*, Warsaw: Instytut Spraw Publicznych, 2007, pp. 83–94.

[6] *Ibidem*, p. 86.

[7] *Ibidem*, p. 85.

Currently, in the era of globalisation and relatively easy access to worldwide information, we hear of migration resulting from world curiosity, willingness to learn about other cultures more and more often, we may even speak of "migration being in fashion" – thus we may state that the cultural and social factor is prevalent. Whereas the migration crisis, understood as uncontrolled influx of immigrants mostly from east and south, outside the European Union, is rooted not only in willingness to improve the quality of life, but survival in general. Only after ensuring the basic need of safety, the migrants pursue economic improvement of living conditions in their country of migration. Therefore, the reasons for migration movement are complex and multi-faceted, making it difficult to single out one specific factor causing the immigrants to visit other countries.

Multitude and ambiguity of *migration* definition result from the fact that this occurrence is investigated into by researchers from many areas and spheres of science, such as sociology, anthropology, psychology, cultural studies, social studies and other. Each of the researchers sees the migration from the perspective of her/his own study discipline. All the ways of perceiving the migration are brought together by the nature of the phenomenon –the movement, translocation of people. On the global scale, this movement leads to change of residence countries, resulting in mixing of nationalities, cultures, societies. Europe has felt the results of such movements particularly strong over the last couple of years.

Professor Nikolaos Zahariadis, in his article Migrexit and its Consequences for the European Union[8] pointed out a specific paradox of the migration crisis: the migration crisis has brought to the surface fissures tearing the EU apart and at the same time bringing Member States closer together.[9]

Professor Nikolaos Zahariadis based his studies on the situation of two European countries where the migration crisis is felt mostly – Greece and Italy. In the part titled "Quo Vadis Europe?" the author posed three noteworthy questions:

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[8] Nikolaos Zahariadis, "Migrexit and its Consequences for the European Union in European Policy Analysis" in *Contemporary Issues of Policy-Making across Europe*, Volume 3, Issue 1, Spring 2017, pp. 11-19.

[9] *Ibidem*, p. 11.

1) Are the Member States able to deal with the consequences of growing xenophobia and racism?

2) Are the Member States able to solve the safety problems caused by illegal migration properly?

3) Do the Member States safeguard and integrate the visitors properly?[10]

According to Nikolaos Zahariadis, the Member States of the European Union still devote too little attention to those issues.

Additionally, the author expresses his concern about solidarity of the EU states in the sphere of nationalistic parties gaining power[11]. He also points out that the asylum system of the EU, according to the Dublin II Regulation, turned out insufficient to deal with the crisis (due to a vast number of people seeking asylum), which resulted in temporary return of periodically recurring border checks in Poland, Hungary and Slovenia starting from 2015 and the governments of France, Malta, Germany, Austria, Denmark, Sweden and Norway still conducting such checks.[12] At the same time, the author stresses that the migration crisis is possible to be transformed into a positive scenario – however, for this to happen, society's perception of immigrants needs to change – a short-term perspective needs to give way to the long-term one, and focus should shift from immediate losses to possible future gains. This conviction was used by the author of this paper as a basis for further considerations of perceiving migration in the context of threats, but also possible benefits.

## Migration crisis in Europe – an overview of current state of studies

Undoubtedly, intensified migration movements present a challenge for the European Union and are a subject of many discussions on an international scene. Because of the cultural and social differences brought in along with the immigrants, migrations may cause unrest among native citizens and in their massive, uncontrolled form they can be a source of real threats for countries. Following the migration crisis dating back to the mid second decade of the 21st century, the social opinion in many European

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[10] *Ibidem*, p. 17.

[11] *Ibidem*, p. 18.

[12] *Ibidem*, pp. 18-19.

countries has grown significantly radicalised, marking the migration with negative undertones and the migrants themselves have become unwelcomed for many Europeans. In the Member States of the European Union and around the globe radical, right-winged parties with their anti-immigrant programmes started to gain momentum. These parties began to accumulate more and more support from their electorate, especially among the older persons and among the ones with lesser educational background.

In November 2016 a report was published titled *Attitudes towards Immigration and their Antecendents: Topline Results from Round 7 of the European Social Survey*[13] by the European Social Survey European Research Infrastructure Consortium (ESS ERIC). The 7th edition of the report includes the studies carried out in 2014 and is a certain comparison with the report of 2002, but taking account of the new social circumstances and changes occurring between subsequent editions of the studies. Therefore, the 7th edition study was expanded with the most recent issues associated with social perception of migration movements.[14] As stated by the Director of ESS ERIC Rory Fitzgerald, 7th edition of the *European Social Survey Topline Results* report emphasises one of the most frequent subjects of researchers' analyses – the attitude of European communities to the issue of migration[15].

As results from the report, the bodies of the European Union decide that the Member States are to accept the immigrants according to political decisions, while the Member States' communities are not clearly in favour of such decisions. The report might be seen as an attempt to find an answer to the question: why the European Union decides to accept massive amounts of immigrants within its borders, while the Member States reached no consensus as to the conditions of accepting the immigrants. It is therefore worth to consider whether the European Union's policy and the sense that the Member States' communities have little effect on the decision to adopt such a migration policy could have affected the public image of migration and, resultantly, resound negatively among the society when it comes to attitudes towards the immigrants?

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[13] *Attitudes towards Immigration and their Antecendents: Topline Results from Round 7 of the European Social Survey*, London: European Social Survey ERIC, Issue 7, 2016, [https://www.europeansocialsurvey.org/docs/findings/ESS7_toplines_issue_7_immigration.pdf], 2 February 2018.

[14] *Ibidem*, p. 3.

[15] *Ibidem*, p. 2.

As a consequence of the conference in the European Parliament on 19.06.2017, based on the 7th edition of the European Social Survey and in agreement with the Migration Policy Group a post-conference paper was drawn up titled *Attitudes towards immigration in Europe: myths and realities*[16], summing up the current trends among the European states in perceiving the issue of immigration. The authors of the publication search for the dependencies between the migration policy of the countries and the public opinion on immigration. They ask the question whether the immigration policy determines public opinion or it is rather the consequence of public opinion and, straight away, they stress that there are no conclusive scientific proofs that one of the factors is more dominant than the other – therefore, they propose defining the dependencies between public opinion and immigration policy as a circle[17]. The policy-opinion circle also shows a two-direction feedback, so the public opinion affects the immigrant policy in the European states, thus, the immigrant policy applied by a country shapes the opinion of its citizens. According to this assumption more integration-oriented policy applied by a state evokes more positive social opinion. However, the authors point out that there is still no uniform empirical method that would allow to research into this phenomenon in various countries. Different scientific studies use variable indicators of the migrants level of integration[18], which makes it difficult to draw up conclusions reflective of the phenomenon in its entirety.

The authors of the publication *Attitudes towards immigration in Europe: myths and realities* also underline a strong polarisation of opinions among the Member States' societies[19]. Rob Ford claims that the citizens of the European Union Member States have the tendency of turning to extremities in their opinions on migrations. This division is based on such variables as age, education, social class and certain migration heritage background. He thinks that an extremely positive attitude to migrants is displayed by young people, with good education, coming from middle class, with migrants, for instance,

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[16] *Attitudes towards immigration in Europe: myths and realities, conference proceedings, European Parliament*, 2017,
[https://www.europeansocialsurvey.org/docs/findings/IE_Handout_FINAL.pdf], 12 February 2018.
[17] *Ibidem*, p. 4.
[18] *Ibidem*, p. 6.
[19] *Ibidem*, p. 10.

among their ancestors. Contrastively, the most negative opinions are expressed by the elderly, with worse education, coming from lower social strata[20].

The report by Uuriintuya Batsaikhan, Zsolt Darvas and Inês Goncalves Raposo, *People on the move: migration and mobility in the European Union[21]*, created as a part of Bruegel think tank, is also noteworthy. The report includes an analysis aimed at investigating into popular beliefs and opinions of the European Union regarding migration and comparing them with the facts. The report presents the demographical data, statistics regarding migration as well as beliefs and opinions concerning this occurrence. It shows that among the most significant issues the European Union immigration, just next to terrorism, is currently the most crucial problem[22]. Interestingly, unemployment, economic situation or financial policy of the Member states in 2017 were far less frequently pointed out by the respondents. The situation has changed dramatically over the last couple of years – even in 2011 the greatest problem of the European Union indicated by the respondents was the economic situation[23]. The authors of the report also emphasise global tendencies regarding the social perception of the migration. In comparison with other continents – Africa, North America, Latin America and the Caribbean, as well as Oceania, the respondents of the European Union claimed that it is necessary to lower the number of immigrants most often – such an answer was provided by 49% of the respondents from the European Union, whereas only 8% of the surveyed stated that a number of migrants in the European Union should grow[24]. Interestingly, it is yet another report where the authors point to the fact that negative opinions on the migrant's presence are expressed mostly by the elderly, less educated persons and individuals from the countries with high unemployment rate. The persons with higher education and the younger ones (up to the age of 54) show more positive attitude towards migrants.     The authors of the reports also investigated into public opinion on the matter of immigration depending on

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[20] *Ibidem*.

[21] Uuriintuya Batsaikhan, Zsolt Darvas, Inês Concaloves Raposo, *People on the move: migration and mobility in the European Union*, Brussels: Bruegel, 2014 [http://bruegel.org/wp-content/uploads/2018/01/People_on_the_move_ONLINE.pdf], 1 March 2018.

[22] *Ibidem*, p. 23.

[23] *Ibidem*, p. 24.

[24] *Ibidem*, p. 25.

the country of immigrants' origin – it turned out that the respondents are more often positive about the immigrants being the citizens of other European Union countries. The immigrants outside the European Union are perceived decisively more negatively among the EU societies[25].

The report *People on the move: migration and mobility in the European Union* also attempted to answer how the citizens of specific, selected states of the European Union assess the manner the Union deals with the migration crisis. As a part of the studies conducted for the needs of the report the respondents were asked the following question "Do you approve/ disapprove of the way the European Union is dealing with the refugee crisis?"[26] According to the obtained results the states which are critical of activities of the European Union with reference to the migration crisis to the largest extent include Greece (90%) and Italy (80%). These are the countries suffering the most from the economic crisis of the last couple of years. The obtained results allowed to hypothesise that the states disapprove of the European Union supporting migrants due to the sense of injustice done to them, which is allocation of insufficient EU funds for aid in the economic crisis. The high percentage of answers indicating no support for the activities of the European Union was also recorded among the respondents from such countries as Hungary (66%) or Poland (65%) – the countries mostly known from promoting anti-immigration attitudes.

Over the last couple of years these states struggled with the issue of sanctions placed by the European Union as a result of refusal to accept the immigrants.

Starting from 2000, the International Organisation for Migration publishes the report with comprehensive outlook upon the current migration situation around the globe along with the most recent migration problems every 2-3 years on average. The goal of reports created by IOM is to provide a better understanding of the migration issue by the politicians, scientists and broadly-understood public opinion. The latest publication by IOM *World Migration report 2018* deals with an interesting issue of shaping the public opinion on migration by the media.[27] The authors provide an example of the

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[25] *Ibidem*, p. 28.

[26] *Ibidem*, p. 35.

[27] International Organization for Migration, *World migration report 2018*, Geneva: International Organization for Migration, 2018,

opinion poll conducted in Europe and the United States showing that the persons with knowledge about the exact number of migrants (some of the surveyed persons were provided with such information by the researchers) think that their country is overpopulated with immigrants less frequent. The citizens who were not given the information on the exact number of citizens in their country spoke in favour of decreasing this number.[28] It is yet another study showing how volatile is the public opinion on migration and how easily it may be influenced by external factors.

The quoted examples of studies, reports and scientific publications indicate that in the migration crisis, in addition to the presented issue in the form of uncontrolled influx of migrants, the greatest problem is posed by the social opinion in the European Union states. The European community is becoming more and more radical, and media contents deprived of thorough verification and misguided, additionally cause the citizens to assume increasingly negative attitudes towards the migrants. Therefore, the basis for creating a new migration policy by the governments of the Member States and the EU bodies should be formed by an educated society, aware both of threats and potential benefits resulting from migration movements.

### Threats resulting from migration movements

The European Union was formed as an institution aimed at associating and bringing together the countries of the modern Europe.

However, in the course of years it turned out that in addition to many opportunities and advantages that it offers its Member States, the European Union also has to face numerous problems and threats, both the internal and external ones. In the era of dynamically transforming world, the social, political and economic crises are also reflected in the functioning of the European Union. In 2017 the uncontrolled influx of migrants to Europe became an issue so serious that working over its solution, and improving external borders safety at the same time, became one of the legislative priorities of the European Union for that year.[29]

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[https://publications.iom.int/system/files/pdf/wmr_2018_en.pdf], 1 March 2018.

[28] *Ibidem*, pp. 199-200.

[29] Marta Przeor, "Poprawa bezpieczeństwa granic w świetle priorytetów legislacyjnych Unii Europejskiej na 2017 rok" in *Zeszyty Naukowe Obronność*, Warsaw: War Studies Academy, 2017, 1(21)/2017, pp. 125-141.

Threats associated with migration movements may be of variable character and can be considered multi-facetiously; they can also concern different entities, which may include threats for accepting states, threats for emigration states. Threats for the society and the migrants themselves. In this article the author focuses on migrations as the cross-border threat for the Member States of the European Union, therefore, it will be justifiable to further on investigate into the threats resulting from the migration movements through the lenses of two entities: the union states as the states of migration and the societies forming these states. It is also worth to consider the international consequences of the migration movements, posing a threat to the European Union as a whole. Due to the character of threats, the author of this article suggests a division into social, demographic, economic and cultural threats. The author finds such a breakdown as the most exhaustive one as far as the issue of the most current threats associated with migration movements is concerned.

The social threats are those directly affecting the standard and quality of social life and, in more detailed terms, causing such social problems as poverty, diseases and such psycho-social problems as marginalisation of certain groups and social exclusion. In broader context, the social threats may concern not only the citizens of specific countries but the European Union in its entirety. As results from the most recent analyses and reports concerning migration, the social threats are the most problematic area, mostly due to their character, which is not fully structured yet, and due to their dynamic changeability – the manner of perceiving migration issues by the society is changing rapidly and, as mentioned in the publication *Attitudes towards immigration in Europe: myths and realities,*[30] it affects the policy of the Member States of the European Union. The most frequently occurring social threats include:

- Social divisions stemming from attitudes of the citizens towards immigrants (division among people showing a positive attitude to immigrants and those who oppose their presence) that may lead to social tensions and, as a consequence, to protests or riots.

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[30] *Attitudes towards immigration in Europe: myths and realities, conference proceedings*, European Parliament, 2017, p. 4,
[https://www.europeansocialsurvey.org/docs/findings/IE_Handout_FINAL.pdf], 12 February 2018.

- Increase in crime, both committed by the migrants and the crimes committed by the citizens of accepting states in relation with migration movements.
- Crimes with ethnic background.
- Pluralistic society may lead to decreased sense of national unity.
- Forming of immigrant ghettos and diasporas.
- Large ethnical and racial differentiation.
- Negative patterns of behaviour adopted from less developed countries.
- Social inequalities, marginalisation of migrants, natives viewing them as people of worse sort, e.g. because of lack of language knowledge.
- Occurrence of social pathologies.

The demographic threats are all the factors exerting a negative impact on social structure. In the case of the migration crisis, the most frequently mentioned demographic problem is the overpopulation of Europe, both due to excessive number of influx population and increase in birth rates in European countries as a result the European citizens engaging in relationships with the immigrants.

The economic threats have a negative effect on the functioning of national economy. They are as follows:

- Assigning funds from the European Union to aid the immigrants, which bring in negative effects, not only the economic ones, in the form of cash loss (immigrants try to provide financial aid to the families staying at their homelands), but also the social ones, in the form of increasingly negative perception of migration policy among the citizens of the European Union.
- Labour market segmentation.

The social threats are the factors leading to vanishing of cultural identity, merging of cultures, adopting negative cultural patterns from the foreigners. The most often cultural threats include:

- Religious conflicts and excessive influx of foreign religion, which is especially evident in the case of Muslim population influx to the European countries with Christian background.
- Conflicts between the ethnical groups.
- Excessive development of mass culture.
- Diffusion of cultures and the resultant diminishing of cultural identity.

- Problems with acculturation of immigrants.
- Lack of respect to cultural values of other nationalities and the resultant conflicts between the natives and the immigrants.

The problem of illegal migration poses a particular threat to the European Union. It has gained momentum over the last couple of years due to the migration crisis and the issue is especially noticeable in the countries with the external European Union borders, such as Poland.

The European Border and Coast Guard FRONTEX publishes the quarterly reports concerning illegal migrations within the European Union on regular basis. Additionally, every year FRONTEX presents a detailed analysis of risk. The latest publication Risk Analysis for 2018[31] includes the summary of illegal migrations in 2017, especially considering the external borders of the European Union and the forecast for 2018. The tendencies are optimistic – in 2017 a total number of revealed cases of illegal migrations at the external European Union borders dropped down significantly – in comparison to 2016 a 60% decrease was reported, and when compared to the peak of 2015, the decrease was 89%[32]. As a result, the number of illegal migrations in 2017 was the lowest one since 2014, i.e. since the moment the crisis erupted. However, the analytics of FRONTEX stress that these numbers are still significantly larger than the periods before the migration crisis. Despite the fact that the illegal migrations intensity decreased, it still poses a real threat to the European Union.

The threats presented by the author of this publication are merely an introduction to considering the migration movements in the context of the European Union member States' safety. As it has been already mentioned above, migrations are a dynamically volatile occurrence, which makes it impossible to precisely define a set of their accompanying threats.

It needs to be remembered that only a thorough tracking of the current threats resulting from the migration movement can be kept at the level acceptable for the European societies.

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[31] European Border And Coast Agency (FRONTEX), *Risk Analysis for 2018*, Warsaw: FRONTEX, 2018,
[http://frontex.europa.eu/assets/Publications/Risk_Analysis/Risk_Analysis_for_2018.pdf], 1 March 2018.
[32] *Ibidem*, p. 8.

### Migrations as a challenge to the European Union – potential advantages stemming from the migration movements

In the political debates, both at the national and international level, migration has begun to be referred to as a problem and a threat, not a challenge that should be a stimulus for development of the European societies. Yet, the migration movements, both the influx and the outflow ones, may also bring potential benefits for the European Union societies, at the national level and at the level of the whole European Union as a community.

Potential benefits resulting from the migration movements need to be considered assuming many perspectives. Firstly a division criterion needs to be applied – for example Jarosław Oczki, in his article *Migracyjne efekty integracji Polski z Unią Europejską* (*Migration Effects of Integration of Poland with the European Union)*, made a division into potential advantages obtained in an emigration country by immigrants, companies and society, and into potential advantages for an immigration country obtained by particular citizens of the immigration country, companies, society[33]. The potential advantages for the emigration country mentioned by the author are as follows:

- For immigrants: employment, higher income, training and education, getting to know a new culture, meeting new people.
- For companies: skills of returning emigrants, additional revenue of communication and transport companies.
- For society: lower unemployment rate, knowledge and skills of the returning population, establishing international communities, money transfers from abroad, reducing the pressure exerted by a number of population[34].

As far as potential advantages obtained by the immigration country are concerned the author mentions:

- For specific citizens of an immigration country: services allowing women to engage in professional activity, cheaper goods and services, possibility to get promoted for managerial posts, enrichment of cultural life, acquiring knowledge on other countries.

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[33] Jarosław Oczki, „Migracyjne efekty integracji Polski z Unią Europejską" in *Rynek Pracy*, no. 4, 2002, pp. 124-125.

[34] *Ibidem*.

- For companies: supplementation of manpower insufficiencies, availability of cheaper and more flexible employees, bigger ready market and using economies of scale.
- For society: lower inflation, educated individuals, more varied and energetic society, capital invested by the immigrants, additional tax income from young employees, society getting younger.[35]

However, it is necessary to point out that Jarosław Oczki came up with this division in 2002, in times of different social and political conditions, and most of all, before Poland joined the European Union, and in times before the migration crisis, when international-scale travelling of migrants was significantly less intensified and better controlled. Due to its dynamic volatility, migration is not only evolutional in nature, but even downright revolutionary, and the factors considered as potential benefits in the past may today be viewed as threats. At the same time, the migration threats may bring both objective and subjective perception of effects, and assessment of specific migration effects may be affected by personal beliefs of a given researcher of the occurrence, as well as the traits characteristic to a specific field of science represented by a researcher.

In light of the above, the author of this paper suggest a more universal division of potential advantages, converging with the division of threats resulting from migration movements and associated with spheres of social life impacted by specific consequences. Considering the contents of previously quoted reports and analyses, the potential advantages from the migration movements may be divided into the advantages of social, demographic, economic and cultural character.

The social advantages allow better integration and broadly-defined development of a society, they also lead to decreasing a number of social pathologies. The potential social benefits include:

- Blurring of level-based structure of society due to the immigrants' presence.
- Educational function, especially for the youngest generations. Presence of the migrants who do not show negative behaviour allows the natives to gain a better understanding of other nationalities and to accept them.

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[35] *Ibidem*.

The demographic advantages are those which exert a positive effect on the demographic structure of a state. Due to unfavourable demographic tendencies in most of the European countries over the last couple of years, the potential demographic advantages are especially significant for development of the European Union states. These are as follows:

- Possibility of rejuvenating the ageing European societies by influx of citizens at productive age.
- Equalising gender proportions.
- State urbanisation.
- Increase in population – conditioned by a regulated influx of immigrants, to avoid Europe overpopulation.
- Influx of qualified persons, also leading to economic benefits.

The economic benefits are all the factors exerting a positive impact on the functioning of national economy. These include:

- Immigrants filling up a gap on the labour market resulting from ageing societies.
- Influx of manpower.
- Increase of employees supply at the European Union labour market.
- The Brain Drain phenomenon – it is believed that some areas are lacking in specialists and the Brain Drain allows to obtain a fresh perspective and skills of employees outside the European Union. [36]
- Influx of highly skilled specialists from various areas.
- Scientific, technical and technological progress due to broader perspectives is an example of a positive impact.
- Development of global labour market, especially in the case of free flux of manpower.
- Increase of demand for products and services, fuelling the national economy.

The cultural benefits lead to development and positive changes in a given country's culture, assuming that a cultural identity is preserved.

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[36] *Brain drain*, European Commission [https://ec.europa.eu/home-affairs/content/brain-drain_en], 8 March 2018.

These are the factors that culturally enrich a country, and at the same time, they do not negate its previous achievements and tradition. The main cultural advantages include:

- Expanding the thought horizons as a result of meeting new cultures.
- Shaping of new standards and values.
- Acquiring knowledge on other countries.
- Enrichment of cultural life.

The potential benefits quoted by the author brought in by the migration movements are only a collection of examples, not a closed set – they may change over time and depend from the current situation in the European countries. It is also noteworthy that migration from the countries outside the EU to the European Union territory should not be associated solely with the migration crisis. The migration movements, with their positive and negative effects, had been occurring a long time before the onset of migration crisis – what has changed over the last couple of years is their intensity. This change may lead to change in perceiving some of the consequences of the migration movements as threats or potential advantages; however, irrespective of a number of immigrants coming to the European states, it needs to be remembered that only the shaping of proper migration policy by the Member States and the EU institutions will help to arrive at the consensus at the crossroads between the unrest resulting from threats caused by the migration movements and the potential benefits that might be obtained by the European states due to the immigrants presence.

## Conclusion

Attempting to answer the formulated issue question – *do potential advantages and threats to the Member States arise from migration and, if so, what are they?* – the author of this publication presented both the threats and the potential advantages that the migration movements may bring. Nowadays, considering dynamic social and economic changes in the European Union states, it is impossible to classify the migration movements as an occurrence that is clearly negative or positive. Despite numerous threats and still growing aversion towards visitors outside the European Union, we need to remember about the potential advantages that might result from migration.

We also need to consider significant volatility in perceiving possible results of the migration movements - what might initially seem to be a threat can turn out a potential advantage depending on the current social or political atmosphere.

The European Union immigration policy should thus be based on perception of migrants in a long-term perspective, accounting for possible threats and advantages that might be caused by the migration movements, especially the influx of population to the European Union. Skilfully shaped immigration policy should pursue an improvement of the manner the migrants are perceived by the European society and, most of all, it should treat the migration movements as a challenge which, given the right direction, will not be a threat but a stimulus for the European Union development.

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# LA COOPERATION POUR LE DEVELOPPEMENT EN REPUBLIQUE DE MOLDAVIE: ENTRE EUROPEANISATION ET POLITISATION

## INTERNATIONAL COOPERATION IN THE REPUBLIC OF MOLDOVA: BETWEEN EUROPEANIZATION AND POLITICIZATION

### Clara Mikola[*]

**Abstract:**

*This article analyses the European road of the Republic of Moldova trough the development policies of Romania and the European Union. In order to analyze the Europeanization process in Moldova, we are going to use a comparative approach. Romania's bilateral development policies sustain the Europeanization of the Republic of Moldova as much as the multilateral European Union policies do. Nevertheless, we identified a difference of perspective between the two actors. The core of our argument is provisionally anticipated by the common history of Romania and Moldova that suggests how the relationships between external boundary and internal structuring can be used in order to explain the national preferences of bilateral development policies. This article explores the difference of perspective between the EU and its Member-State by describing structural profiles for individual choices showing how much can be gained by bringing together two similar, but different perspectives of development.*

**Keywords:** The Republic of Moldova, Romania, European Union, Development Policies.

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**Resume:**

*Cet article analyse la gestion du parcours européen de l'Etat moldave à travers la coopération pour le développement roumaine et celle de l'Union européenne. L'analyse se fera selon une approche comparative à l'égard des finalités visées par les politiques de développement en République de Moldavie. Nous allons prendre appui sur l'Union européenne en tant qu'acteur supranational et sur la Roumanie comme acteur bilatéral. La différence de perspective à l'égard de la gestion du parcours européen de la Moldavie relève de l'histoire commune que la Roumanie a eue avec cette dernière. Pourtant, les deux bailleurs ne poursuivent pas une approche différente de la coopération pour le développement. Tant l'Union européenne, que la Roumanie focalisent l'aide au soutien de l'Etat de droit, à la paix, à la sécurité et au développement durable. Malgré de perspectives différentes, la Roumanie et l'UE ne déploient pas de stratégies différentes. La coopération bilatérale de la Roumanie en République de Moldavie ne fait pas concurrence à celle de l'Union européenne. L'Etat roumain renforce ses capacités à travers la légitimité que lui confère l'identité européenne et apaise les critiques unionistes à son égard.*

**Mots clés:** République de Moldavie, Roumanie, Union européenne, politiques de développement.

La coopération pour le développement menée par l'Union européenne et la Roumanie dans la République Moldavie repose sur une relation étroite entre la démocratie et le développement. Plus précisément, l'aide reste conditionnée par les évolutions démocratiques du pays. La coopération pour le développement de l'Union européenne ainsi que celle des Etats-membres, repose sur le principe de la conditionnalité politique. L'aide européenne est une aide politisée, conditionnée. L'aide accordée par les chaînes bilatérale des Etats-membres de l'Union européenne, tels que la Roumanie ou par l'UE elle-même, est conditionnée par l'extension des libertés humaines des Moldaves ainsi que par le développement des capacités: tant humaines, qu'institutionnelles. L'extension de ces libertés représente pour Sen, *l'objectif prioritaire et le vecteur du développement.*

L'année 2007, c'est la première année pour la Roumanie en tant que donateur d'assistance pour le développement. Dans cette même année, la République de Moldavie devient le principal pays bénéficiaire d'aide, recevant ainsi 22% de l'aide bilatérale roumaine, l'équivalent d'un million d'euros. Elle est suivie par la République de Géorgie avec 15% du budget

AOD, et la Serbie avec 5%. La Roumanie est le premier Etat à reconnaître le *status quo* de la République de Moldavie ainsi que le premier Etat à y établir une mission diplomatique lors de la désintégration de l'URSS.

Le lancement du Partenariat oriental par l'Union européenne permet un « *reset* » des relations bilatérales moldaves: tant avec la Roumanie, qu'avec l'UE. En dépit du chantage énergétique et l'embargo russe sur les importations du vin, la République de Moldavie fait le choix de l'Europe en 2013 à Vilnius. La libération des visas du 28 avril ainsi que la résolution du Parlement européen du 17 avril 2014 à l'égard des pressions exercées par la Russie sur les Etats du Partenariat oriental, sont la preuve d'un soutien européen constant aux évolutions démocratiques de ses partenaires orientaux. L'Accord d'Association signé le 27 juin 2014 inclut tant la libération des visas de court séjour, qu'une zone de libre-échange. La Roumanie se fait la porte parole de la République de Moldavie à l'Union européenne. Toutefois, son profil de donateur international ainsi que sa légitimité européenne, ne l'ont fait pas gagner en capital de sympathie parmi la population russophone présente sur le territoire moldave. Aux mythes unionistes se joint l'image de l'alliance faite par la Roumanie avec l'Allemagne nazie à l'encontre de l'Union soviétique pendant la Deuxième Guerre Mondiale. Toutefois, la proximité de la République de Moldavie avec la Roumanie n'est pas seulement géographique. Elle est historique, linguistique et culturelle. Cela est susceptible d'entretenir un malentendu constant en Transnistrie concernant les velléités supposées de la Moldavie d'être intégrée à la Roumanie. La coopération bilatérale roumaine fait appel à sa légitimité européenne afin de peser dans ses visées régionales. La Roumanie focalise l'aide et soutient les efforts de la République de Moldavie vers l'obtention du statut de pays candidat à l'Union européenne. A travers la signature de l'Accord d'Association, l'UE vient à l'appui des politiques commerciales des Moldaves, ouvrant le marché européen à leurs produits. L'Accord d'Association signé et ratifié par la Moldavie, dont le texte a été paraphé en novembre 2013, succède aux accords de partenariat et de coopération signés en 1994. La signature de l'Accord d'Association marque un aboutissement au terme de deux décennies de rapprochement. Elle ajoute une nouvelle dimension à l'action extérieure de l'Union européenne en Moldavie. D'après Herman Van Rompuy, il s'agit des relations extérieures les plus ambitieuses jamais développées par la République de Moldavie avec l'UE.

Le Partenariat oriental comprend six pays: l'Ukraine, l'Arménie, l'Azerbaïdjan, la Géorgie, la Moldavie, la Biélorussie. Pourtant, seulement la République de Moldavie et la Géorgie ont parafé les Accords d'Association à Vilnius en novembre 2013. Les partenaires orientaux restent divisés. Néanmoins, la signature des accords par la République de Moldavie, l'Ukraine, et la Géorgie représente une victoire du Partenariat oriental. Trois pays parmi les six, sortent du périmètre privilégié de la Russie. Les pays de l'ex-espace soviétique, ou la troisième Europe de la transition, représentent désormais pour l'UE un intérêt stratégique, en tant que nouveaux voisins. La signature des Accords d'Association peut être analysée comme une nouvelle politique d'endiguement menée par l'Europe politique au moment où *la fin des idéologies* semble lever autant d'interrogations que la *fin de l'histoire* de Francis Fukuyama.

*Le Partenariat oriental veut donc rapprocher ces pays de l'Union européenne, sans pour autant que soit déterminé à l'avance le degré de rapprochement. Le texte fondateur du sommet du Partenariat oriental, adopté à Prague il y a deux ans, indique d'ailleurs clairement que ce Partenariat sera développé sans préjuger des aspirations de chaque pays quant à ses relations futures avec l'UE. C'est une ambiguïté, mais une ambiguïté constructive*. Serge Smessov, Ambassadeur français chargé du Partenariat oriental et de la Synergie de la mer Noire, Paris, le 12 novembre 2010.

Pour l'Union européenne, la République de Moldavie reste la bonne élève du Sommet de Vilnius de novembre 2013, tandis que pour la Roumanie, ce pays doit avoir droit à une perspective d'adhésion.

## L'Assistance Officielle pour le Développement roumaine en République de Moldavie

La stratégie nationale de coopération pour le développement est lancée par la suite de la décision du gouvernement n° 703 du 31 mai 2006. Conformément à cette stratégie, la Roumanie soutient le développement des Etats des aires géographiques identifiées comme prioritaires dans le cadre de sa politique étrangère. Ses priorités se dirigent vers l'Europe de l'Est, les Balkans de l'Ouest ainsi que vers le Caucase du Sud. Il est important

de mettre en relation les priorités géographiques, voire les enjeux géopolitiques et les priorités sectorielles de la Roumanie dans sa politique de coopération pour le développement. Les priorités sectorielles mettent l'accent sur la bonne gouvernance, la consolidation de la démocratie et l'Etat de droit. La politique nationale de coopération pour le développement est pensée en complémentarité avec la politique étrangère et les relations commerciales.[1] Les objectifs sont définis comme étant complémentaires avec ceux adoptés à Bruxelles. Pour la période 2012-2015, les principaux bénéficiaires de l'aide bilatérale roumaine sont: la République de Moldavie, l'Ukraine, la Biélorussie, la Géorgie, l'Arménie, l'Azerbaïdjan, l'Egypte, la Tunisie, la Lybie, l'Irak ainsi que les territoires palestiniennes. Nous retrouvons les six pays du Partenariat oriental - la République de Moldavie, l'Ukraine, le Belarus, la Géorgie, l'Arménie, l'Azerbaïdjan – ainsi que ceux qui intègrent la politique européenne de voisinage, tels que l'Egypte, la Tunisie, la Lybie.

Membre de l'Union européenne depuis janvier 2007, la Roumanie est le premier avocat à plaider pour un rapprochement de la République de Moldavie avec l'UE. L'Etat roumain appuie à travers des politiques de coopération bilatérale le parcours européen de la Moldavie. La relation privilégiée avec celle-ci constitué *la priorité 0* de sa politique étrangère. Sur le budget AOD du Ministère des Affaires étrangères, 53% des fonds sont alloués à des projets moldaves. En dehors de cela, il se déroule un important programme de bourses pour les étudiants Moldaves. La Roumanie a mis en route le Grand programme de 100 millions d'euros dont le but est de financer des projets de développement dans la République de Moldavie. Elle soutient constamment les efforts de la Moldavie de se rapprocher de l'Union européenne. Un groupe informel de soutien à l'action européenne de la République de Moldavie est créé en janvier 2010 sur l'initiative de la Roumanie en marge du Conseil Affaires étrangères. L'objectif se traduit notamment par le soutien roumain en vue d'intensifier le dialogue au niveau communautaire sur la perspective européenne de la République de Moldavie. Cela entraîne la mise en œuvre d'une politique de coopération bilatérale roumaine qui vise le retour de la République de Moldavie à l'Europe.

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[1] Doina Doroftei, *Raport realizat de către Unitatea Asistență pentru Dezvoltare din cadrul Ministerului Afacerilor Externe al României,* Bucureşti, PNUD, 2011, p. 47.

### La nouvelle dimension de la coopération européenne à l'Est: le Partenariat oriental

*Le Partenariat oriental est une politique de l'UE désignée à rapprocher nos voisins de l'Est de l'Union européenne. Les instruments du Partenariat sont utilisés pour aider les pays partenaires dans leurs transformation.*[2] Stefan Füle

Au fil des élargissements, l'UE devient de plus en plus soucieuse de ce que ce passe à ses frontières. Les élargissements successifs de 2004 et de 2007, poussent les frontières et les politiques de développement de l'UE vers l'Est sous la pression des nouveaux Etats membres. *L'Est* devient le nouveau *Sud*. Néanmoins, tel que le souligne Charlotte Bué dans ses les travaux sur la concurrence, il y a une tension entre les partisans d'une politique européenne de développement centrée prioritairement sur le Sud, et ceux qui défendaient la coopération à l'Est. La définition du *«Sud»* fait l'objet de nombreuses tensions au sein de l'UE. Pourtant, la nouvelle configuration géopolitique de l'Europe de l'Est renforce la dimension orientale de la politique de voisinage. Le but principal reste celui d'aider les pays partenaires *dans leur transformation*.

Les relations entre la Moldavie et l'Union européenne sont réglementées dans un premier temps, par l'Accord de Partenariat et de Coopération, signé le 28 novembre 1994. Cet accord entre en vigueur seulement le 1er juillet 1998. En mars 2003, la République de Moldavie est inclue dans la politique de voisinage, et depuis 2009 dans le Partenariat oriental. Le Partenariat oriental représente une nouvelle dimension de la coopération européenne pour le développement. Parmi les Etats-membres, il est important de remarquer le soutien constant de la Roumanie envers le parcours européen de la Moldavie. Les résolutions du Parlement européen ainsi que les messages en faveur de la perspective européenne du pays sont largement soutenus par les eurodéputés roumains. Le soutien passe au-dessous des clivages partisans. Titus Corlatean, ancien Ministre des Affaires étrangères de la Roumanie, salue le fait que les Accords d'Association ne constituent pas un objectif final des relations entre les Etats du Partenariat oriental et l'UE.

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[2] Declaration of the Eastern Partnership Summit (Riga, 21-22 May 2015) http://eeas.europa.eu/eastern/index_fr.htm, page consultée le 03.07.2018

Les visions du Parlement européen à l'égard de la Moldavie, l'Ukraine ou la Géorgie convergent avec celles des Etats-membres de l'Europe Centrale et Orientale. Néanmoins, les visions du Parlement européen à l'égard de ces pays ne convergent pas avec celles de la Commission européenne ou avec celles des anciens Etats-membres de l'UE, tels que la France et l'Allemagne, qui ne partagent pas la perspective volontariste de la Roumanie à l'égard d'un nouvel élargissement à l'Est.

## La Roumanie: le passage de l'Etat assisté à l'Etat donateur

Après 1989, la Roumanie devient un pays bénéficiaire d'aide au développement, notamment dans le cadre du programme européen PHARE. Toutefois, une fois que le pays devient membre de l'Union européenne, il devient aussi un Etat donateur. La politique de coopération devient une obligation pour la Roumanie en tant que membre de l'UE.

Après l'adhésion, la Roumanie change de statut. Elle passe d'Etat assisté à celui d'Etat donateur. Il est important de préciser aussi que cette transition prend en compte le niveau économique des nouveaux entrants, tels que la Bulgarie et la Roumanie. Dans un premier temps, l'aide doit attendre 0,33 % du RNB et non pas 0,7%. Néanmoins, si les Etats-membres sont encore loin d'atteindre le 0,7%, exceptant les pays scandinaves, la Roumanie est encore loin du 0,33%. L'aide bilatérale de la Roumanie est de 111 millions d'euros en 2012, l'équivalent du 0,085% de son RNB. La coopération reste localisée à l'Est. Bien que les objectifs de la Roumanie soient complémentaires avec ceux déterminés à Bruxelles, nous pouvons observer qu'il y a une mise en valeur sélective de ceux-ci. La Roumanie va mettre en valeur ses bonnes pratiques dans le processus de transition.

L'Etat roumain considère qu'il peut apporter une contribution active dans la coopération pour le développement dans des domaines comme la bonne gouvernance ainsi que le management économique. Conformément à la stratégie nationale de coopération adoptée en 2006, la Roumanie soutient le développement des Etats des aires géographiques identifiées comme prioritaires dans le cadre de sa politique étrangère. Ses priorités se dirigent vers l'Europe de l'Est, les Balkans de l'Ouest ainsi que vers le Caucase du Sud. Il est important de mettre en relation les priorités géographiques avec les priorités sectorielles de la politique de coopération.

La politique nationale de coopération pour le développement «est pensée en complémentarité avec la politique étrangère et les relations commerciales de la Roumanie.»[3] Dans les rapports de l'Assistance Officielle pour le Développement, élaborés en 2011 et en 2012, la Roumanie énumère parmi ses objectifs stratégiques la lutte contre la pauvreté. Par la suite, ce sont présentées une série d'actions entreprises dans les pays où le pays a des intérêts géopolitiques. Une lecture plus attentive du budget, nous met en garde sur l'importance secondaire accordée à l'aide humanitaire. Dans un communiqué officiel de l'Unité d'Assistance pour le Développement, les domaines prioritaires pour le budget du 2014 sont: la transition démocratique, l'Etat de droit, la bonne gouvernance, la reforme administrative, le renforcement de la société civile ainsi que le développement durable. Les domaines secondaires sont l'éducation et la santé. Il y a une cible géographique même dans le discours officiel de la coopération roumaine. La Roumanie utilise son savoir-faire dans les pays de l'Est. Face à la Géorgie qui reçoit 15% de l'aide bilatérale en 2012, la République de Moldavie reçoit 53%. L'*Est* de la coopération roumaine reste encore plus ciblé. Les discours officiels ainsi que le choix des domaines prioritaires légitiment la coopération privilégiée que l'Etat roumain entretient avec la Moldavie en vue de soutenir le parcours européen de celle-ci. Il est important de remarquer la distance entre les pratiques et les discours. Bien que les pratiques telles que l'expérience de la transition démocratique et le renforcement de l'Etat de droit sous-tendent les discours officiels, les politiques de développement rencontrent des limites sur le terrain de l'Etat moldave.

La prise en change par la coopération roumaine du parcours européen de la République de Moldavie dérive de l'histoire commune que la Roumanie a eue avec cet Etat. L'oscillation des Moldaves entre l'Est et l'Ouest est aussi le résultat d'un conflit identitaire. A ce titre, l'utopie identitaire représente une entrave à la gestion du parcours européen de la République de Moldavie ainsi qu'une limite de la coopération pour le développement.

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[3]Doina Doroftei, *Raport realizat de către Unitatea Asistență pentru Dezvoltare din cadrul Ministerului Afacerilor Externe al României,* Bucureşti, PNUD, 2011, p. 47.

## L'auto-perception ethnique des Moldaves: une entrave ou une opportunité à l'égard de la voie européenne

Dans *« Les haines modernes. Les politiques symboliques de la guerre ethnique »*, Kaufman analyse les conflits du Haut-Karabagh, de l'Ossétie et de l'Abkhazie, de la Transnistrie ainsi que ceux de l'ex-Yougoslavie. Il interroge plusieurs cadres d'analyse, dont chacun fait appel à un autre facteur explicatif. Le facteur historique des haines ancestrales est combattu par le fait que celles-ci ont un caractère moderne et récent. Le facteur des dirigeants manipulateurs, bien qu'il soit censé à jouer un rôle important reste insuffisant pour expliquer une guerre ethnique, qu'elle soit gelée ou chaude. Les facteurs économiques ou la recherche de la sécurité, facteur cher aux réalistes, sont également des facteurs explicatifs importants de prendre en compte. Toutefois, tous ces facteurs trouvent un terrain d'explication dans la République de Moldavie. Pris dans leur ensemble, ceux-ci dressent mieux la trajectoire d'un Etat marqué par un conflit gelé.

Le territoire situé entre le Prut et le Dniestr prend le nom de Bessarabie après le nom du Prince Alexandre Basarab au 14ème siècle[4]. Néanmoins, il est important de préciser que l'ancienne Bessarabie ne recouvrait pas à l'intérieur de ses frontières la Transnistrie. Le gouvernement soviétique crée le 12 octobre 1924 sur les territoires situés à l'Est du fleuve Dniestr, la République Autonome Soviétique Socialiste Moldave - la RASSM. Pourtant, seulement 30% de la population est composée par des Moldaves.

En 1929, la capitale devient Tiraspol. En 1940, Bessarabie est ré-annexée par les Russes suite au pacte Ribbentrop-Molotov. Le 2 août 1940, le gouvernement soviétique proclame la République Soviétique Socialiste Moldave dont la capitale se trouve à Chisinau. Celle-ci, recouvre à l'intérieur de ses frontières tant la Bessarabie, que la Transnistrie, territoire ukrainien. Il est important de remarquer que si en 1812 la Russie tsariste annexe la Bessarabie roumaine, ancien territoire de la Principauté moldave, la Transnistrie ne fait pas partie de cette annexion. Il convient aussi de prendre en compte que la Bessarabie est un *borderland* dans l'Empire Tsariste, voire une *« gubernie »*[5] russe. Pourtant, son statut ne change pas en

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[4] Ion Costaş, *Transnistria 1990-1992: Cronica unui razboi ″nedeclarat″*, Bucureşti, Rao, 2012, p. 520.
[5] Florin Constantiniu, *O istorie sinceră a poporului român*, Bucureşti, Universul Enciclopedic, 1997, p. 263.

1918 avec l'intégration au Royaume de la Roumanie. Les autorités de Bucarest de l'entre deux-guerres prennent l'habitude d'y envoyer les moins compétents fonctionnaires.

Le processus historique met sa marque sur l'auto-perception ethnique des Moldaves. Prenant en compte le facteur historique, il est important de remarquer que si la Bessarabie est roumaine depuis ses origines, la Transnistrie reste slavophile. Ainsi, le facteur historique divise la conscience nationale des Moldaves. La langue, un autre marqueur identitaire important est aussi source de division parmi les citoyens. Les Gagaouzes turcophones appuient les russophiles, adoptant tant le russe, que l'alphabète cyrillique. Le roumain remplace l'ancienne langue moldave instaurée par les Soviétiques et maintenue sous le régime Voronine seulement en novembre 2013. Les cantons ethniques sont doublés par ceux économiques. En 1918, la Bessarabie est la moins développée province roumaine. En même temps, l'ancienne République Soviétique de Moldavie est caractérisée par un développement économique à géométrie variable.

La Transnistrie reste la plus industrialisée province moldave. En 1990, elle fournit encore 90% de l'électricité. Elle produit également 40% du PIB.

En 2010, l'Alliance pour l'Intégration européenne de Chisinau lance un appel pour que les années 1812, 1940 et 1944 soient reconnues comme des années d'occupation russe. L'espace « reste un sorte de polygone, où se sont confrontés et où continuent de se confronter deux vecteurs : l'expansion de l'Europe politique vers l'Est et celle de la Russie vers l'Ouest ».[6] Les divisions profondes présentes au sein de la société moldave au lendemain de l'effondrement de l'Union soviétique, révèlent l'existence de deux « Moldavies ». Le clivage centre-périphérie dévoile une société plurielle et divisée.

*Pour l'Européen de l'Est, le passé n'est pas seulement un autre pays, mais un archipel réel de territoires historiques vulnérables, à protéger des attaques et des distorsions perpétrées par les occupants d'une île de mémoire voisine. C'est une question d'autant plus cruelle que l'ennemi se trouve presque toujours à l'intérieur*[7]. Tony Judt

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[6] Ion Costaş, *Transnistria 1990-1992: Cronica unui razboi "nedeclarat"*, Bucureşti, Rao, 2012, pp. 520-521.

[7] Tony Judt, *The past is another country: Myth and memory in postwar Europe,* Daedalus, n° 2, 1992, pp. 83-118.

La République de Moldavie est un Etat en quête de nation. Les identités ethniques sont exacerbées par la situation économique. Elle reste le plus pauvre pays d'Europe avec 30% de la population sous le seuil de pauvreté. La Moldavie se situe au 114ème rang de l'indice du développement humain, selon le classement du PNUD de 2013. La République de Moldavie est confrontée à la difficile tâche de repenser son modèle national. Le choix de la population pour une majorité communiste lors des élections de février 2001 n'a fait qu'exprimer un espoir déçu d'intégration rapide à l'Ouest. Le passé soviétique resurgit comme garantie des conditions de vie décentes. Néanmoins, la République de Moldavie bénéficie d'un des plus forts taux d'aide européenne de tous les voisins orientaux. Il est important de souligner que l'UE lève au cours de l'automne 2013 les quotas d'importation sur le vin moldave ; supprimés, à compter du 1 janvier 2014. Pour renforcer le soutien envers l'intégrité territoriale de la Moldavie, de 2003 à 2012, l'Union européenne a mis en place des sanctions, telles que les restrictions de circulation aux dirigeants de la Transnistrie. L'objectif principal est de les inciter à adopter une attitude plus constructive dans la négociation du format 5+2.

L'inauguration du Partenariat oriental montre que l'Union européenne se dote d'une vision plus claire des liens qu'elle veut entretenir avec ses nouveaux voisins. En même temps, il nous paraît important de préciser que la coopération dans la République de Moldavie est différente, l'Etat étant identifié culturellement à la Roumanie.[8]

## Le renforcement du profil de donateur de la Roumanie dans la République de Moldavie par le biais de la légitimité européenne

La Roumanie exerce une influence sur la Moldavie, prenant appui sur la conditionnalité européenne. L'UE peut être considérée comme facteur de ré-légitimation de la *diplomatie coopérante* roumaine. La Roumanie « *passe par l'UE* » pour légitimer sa coopération pour le développement dans la République de Moldavie, afin qu'elle échappe au déterminisme historique dû au courant unioniste, instrumentalisé particulièrement par les Gagaouzes et la minorité russe.

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[8] Ewa Kulesza-Mietkowski, *Economies et géopolitiques à l'Est*, Politique étrangère, n° 1, 1994, pp. 233-245.

En 2009, les relations entre Bucarest et Chisinau sont plus tendues que jamais, ce dernier ayant expulsé l'ambassadeur de la Roumanie. Dans ces conditions, le pays donateur se voit confronté à une situation difficile.

Néanmoins, l'aide roumaine n'est pas retirée, mais réorientée vers la société civile, les *think tanks*. Le fonds du développement de la République de Moldavie est soutenu par plusieurs gouvernements européens, parmi lesquels celui roumain. Au moment où la Roumanie devient un donateur *illégitime* aux yeux du gouvernement Voronine, elle fait appel à sa légitimité européenne, afin de pouvoir rester sur place. Le *soft power* européen s'impose face à l'hostilité du gouvernement communiste de Chisinau. *L'Est* reste principalement une cause des nouveaux Etats-membres, notamment des vagues de 2004 et 2007. Les élargissements successifs contribuent à la multiplication d'influence européenne dans l'ex-espace soviétique. La conditionnalité se trouve dans une construction constante depuis le rejet du système ferrandien. La diplomatie européenne redéfinit *le Sud* suite aux nouveaux élargissements. Aujourd'hui, *le Sud* de l'Europe se trouve aussi dans les territoires de l'ex-espace soviétique. Le Partenariat oriental donne une nouvelle dimension à la coopération européenne. Il est tant un contributeur à la consolidation de la conditionnalité, qu'exportateur des normes. Il contribue à la consolidation de l'UE en tant que puissance normative. Nous remarquer néanmoins, des limites à la légitimité européenne sous laquelle l'Etat donateur roumain est censé d'agir dans l'Etat moldave. Si la coopération roumaine n'est plus remise en question depuis l'arrivée au pouvoir de la coalition pro-européenne dans la République de Moldavie, elle l'est encore en Transnistrie. Les lieux de la mémoire sont instrumentalisés par les leaders communistes avec le soutien ferme et armé de Moscou. La légitimité européenne de la Roumanie renforce son profil de donateur dans l'ensemble du territoire moldave, exceptant les zones à prétention séparatiste.

Nous assistons à une reconfiguration des cadres d'allégeance. La C.E.I., l'Union européenne, l'Union euro-asiatique ainsi que l'Union douanière russe en sont la preuve. Divisé entre ces entités, le territoire moldave en présente les caractéristiques.

**La gestion du parcours européen moldave par la coopération de l'Union européenne**

L'Union européenne engage ses politiques de coopération pour le développement à l'Est après la chute du communisme. Pourtant, le nouveau *Sud* ne fait pas unanimité parmi les Etats-membres. La coopération avec la Méditerranée et les pays ACP ne disparaît pas. Avant la fin de la guerre en Transnistrie, il n'y avait pas d'engagement considérable de la CEE dans cet espace que Moscou, en tant que *3ème Rome*, considère encore l'étranger proche. Face à cette guerre, le positionnement des Européens en tant que membres de la CEE, n'est pas lisible. En 1991, dans les Balkans, la Yougoslavie est au bord de l'éclatement. Les premiers affrontements se produisent en Croatie, puis en Bosnie-Herzégovine où une guerre civile sanglante fait rage entre Serbes, Croates et Musulmans.

L'attention des Européens se dirige principalement vers les Balkans. Le manque d'instruments européens en matière de politique étrangère, nécessaires à la résolution des conflits, limitent largement le rôle de l'Union européenne.

Le 9 juin 1992, les Présidents de la Russie, de la Roumanie et de la République de Moldavie signent l'Accord de cesse-feu à Helsinki. Le 21 juin, au Moscou, Mircea Snegur et Boris Eltsine signent dans la présence du leader séparatiste de la Transnistrie, Igor Smirnov, l'Accord concernant « les Principes des réglementations du conflit armé »[9]. L'Union européenne se tient à l'écart des négociations, cette zone faisant encore partie du périmètre privilégié de la Russie. L'UE est censée de jouer par la suite, un rôle de *véhicule collectif* pour le façonnement de l'environnement à l'Est. Elle utilise des instruments « *soft* », afin d'assoir son influence. L'action extérieure européenne met l'accent sur les politiques de coopération pour le développement, l'UE étant le plus important donateur au monde.

Le premier Accord de Partenariat et de Coopération entre la République de Moldavie et l'UE est signé en 1994. Le 10 juillet 1992, au siège de la CEE de Bruxelles est signé le premier Accord concernant l'attribution du premier crédit de l'histoire de l'Etat moldave, en valeur de 27 millions d'ECU. Il est important de remarquer que si l'engagement européen pour la Moldavie demeure timide, il reste constant. Il s'accroît

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[9] Ion Costas, *Transnistria 1990-1992: Cronica unui razboi "nedeclarat"*, București, Rao, 2012, p. 478.

par la suite des élargissements. La politique de voisinage et le Partenariat oriental représentent une nouvelle dimension de la coopération européenne à l'Est. L'Union européenne ne perd pas de territoires. La reprise de ses normes par d'autres Etats, lui fait gagner des territoires. En 2005, l'Union européenne signe le Plan d'Actions UE-Moldavie et inaugure la Délégation européenne de Chisinau. Dans la même année, l'UE devient observateur dans le cadre des négociations 5+2 qui visent la résolution du conflit en Transnistrie. Toujours en 2005, l'Union européenne met en place la mission d'Assistance à la frontière : Ukraine – République de Moldavie.

Le but d'EUBAM est de faciliter les contacts, le commerce légal et d'assurer la sécurité aux frontières. En partenariat avec les autorités moldaves, l'EUBAM se propose de combattre la contrebande, l'immigration illégale ainsi que d'autres activités transfrontalières illégales, notamment sur la bande territoriale de la Transnistrie. A ce titre, les Européens déterminent un changement d'attitude de la part de Voronine. En novembre 2003, l'UE intervient auprès du régime communiste de Chisinau pour qu'il n'accepte pas le plan Kozac. L'intervention européenne est entreprise par le Haut Représentant pour la PESC, Javier Solana. Suite à l'intervention de l'UE, le Président n'a pas signé le Mémorandum Kozac proposé par la Russie. Cela représente tant une preuve de la puissance normative européenne, qu'un tournant majeur dans la politique étrangère de la Moldavie. Voronine s'est décidé de jouer la carte européenne, afin que la Moldavie puisse continuer de bénéficier de l'aide européenne. La Transnistrie est devenue récemment un objet de l'action extérieure de l'UE.

L'Union européenne situe le régime de Smirnov sous le même plan que celui de Loukachenko, interdisant l'accord de visas seulement en 2003. En 2006, l'Etat moldave bénéficie du système généralisé de préférences (GSP +). Toujours en 2006, la République de Moldavie est inclue dans politique européenne de la Synergie de la Mer Noire. Depuis 2009, la Moldavie est inclue dans le Partenariat oriental. Dans cette même année, l'UE met en place le projet de consolidation de la confiance sur les deux côtés du fleuve Dniestr. Il est important de remarquer l'importance accordée à la dimension sécuritaire par la coopération européenne. En 1992, l'intérêt de l'UE pour ce pays reste marginal. Bien que l'appui financier reste constant, l'engagement est censé d'augmenter suite aux élargissements successifs à l'Est. De nos jours, l'intérêt des politiques de coopération pour le développement de l'UE, réside dans la stabilisation de la République de Moldavie sous la forme d'un

Etat démocratique et multiethnique. Les projets visant la consolidation de la confiance sur les deux côtés du fleuve Dniestr représentent tant un appui à l'Etat de droit, qu'à l'intégrité territoriale. Néanmoins, ils peuvent être analysés comme une politique de coopération dont les visées sont aussi sécuritaires. Il ne faut pas oublier que depuis 2007 la République de Moldavie est devenue pays de frontière pour l'UE.

Le 30 septembre 2014, le commissaire pour l'élargissement, Stefan Füle, annonce que la République de Moldavie recevra 35 millions d'euros dans le cadre du programme d'intégration et de coopération du Partenariat oriental. Le programme l'EaPIC, lancé en 2012, offre un financement supplémentaire aux pays du Partenariat oriental qui ont enregistré du progrès dans la mise en place des reformes visant la bonne gouvernance et les droits de l'homme. Mais, il est important de remarquer que si la Géorgie reçoit un fonds supplémentaire de 27 millions d'euros et l'Arménie de 25 millions d'euros, la République de Moldavie reçoit 35 millions d'euros. La redistribution de l'aide nous indique la place privilégiée occupée par l'Etat moldave dans le cadre du Partenariat oriental.

## La convergence des élargissements de l'UE vers l'Est avec ses politiques de développement

Les élargissements successifs de l'Union européenne ont permis l'arrivée au sein des institutions communautaires de nouveaux fonctionnaires porteurs d'intérêts et des représentations différentes de celles de leurs prédécesseurs. Tous ces éléments ont concouru à l'émergence de nouveaux conflits. Néanmoins, ils sont aussi une source de rationalisation, de bureaucratisation, et donc, par extension, de l'instauration de critères plus clairs, plus équilibrés dans l'attribution de l'aide. L'émergence de la conditionnalité politique accompagne les politiques économiques et d'aide au développement de l'Union européenne. Cette forme de *diplomatie coopérante*, pour reprendre les mots de Petiteville, consiste à attribuer l'aide sur des critères plus clairs. Pour Véronique Dimier, Johanna Hambourg, et Franck Petiteville, la conditionnalité est le résultat des rapports de forces entre les Etats Membres, et de l'évolution interne de la Direction Générale du Développement (DG8). Plus précisément, cette évolution est liée à l'adhésion de nouveaux membres avec des enjeux géopolitiques différents.

Cela entraîne une diversification des Etats bénéficiaires, ouvrant la voie à *l'Est* après 1989. La conditionnalité européenne poursuit une voie incrémentale. Si l'ancien système du FED reprend dans un premier temps les origines coloniales de la politique européenne de développement, il y a un tournant dans la politique de coopération de l'Union européenne après la chute du communisme. Nous pouvons parler de *l'Est* contre *le Sud*, grâce à la réorientation de l'aide. Si le *Sud* reste présent, *l'Est* s'inscrit désormais sur l'agenda européen, notamment après l'adhésion de nouveaux Etats, tels que la Roumanie, la Bulgarie et plus récemment la Croatie. L'UE se retrouve face à des nouvelles frontières. L'ancien système de Lomé est anachronique. En 2000, a est signée la Convention de Cotonou. Dans les années 2000, il y a eu une grande reforme pour rationaliser l'aide européenne ainsi que la création des nouveaux services, tel que l'Europe Aid où nous retrouvons une division par continents. La politique de voisinage initiée en 2003 et le Partenariat oriental initié en 2009, sont la preuve d'un investissement européen de plus en plus fort à l'Est. Si la politique de voisinage a été initiée en 2003, cela est dû au grand élargissement européen de 2004. Le Partenariat oriental serait lui aussi, initié deux ans après l'adhésion de la Roumanie et de la Bulgarie. L'élargissement de l'Union européenne converge avec l'élargissement des pays bénéficiaires de l'aide. En 2007, les fonds alloués à la République de Moldavie dans la cadre de la politique de voisinage s'élevaient à 40 millions d'euros. En 2014, l'aide attribuée s'élève à 131 millions d'euros. L'UE augmente l'aide et multiplie les conditionnalités dès que ses frontières s'élargissent. L'investissement à l'Est représente une fenêtre d'opportunité pour les nouveaux entrants dans la grande famille européenne des donateurs, tels que la Roumanie. Membre de l'espace communautaire depuis 2007, l'Etat roumain est un contributeur net aux politiques de coopération pour le développement de l'UE. Pourtant, la relation privilégiée avec la République de Moldavie constitue un objectif prioritaire de politique étrangère roumaine, tel que le précise le directeur du Centre roumain pour les politiques européennes, Cristian Ghinea. Seulement 11,74% du budget du Ministère des Finances Publiques, Ministère qui détient 73% des fonds alloués par la Roumanie à la coopération internationale, se dirige vers le FED. La *méthode ferrandienne* disparaît au profit d'une conditionnalité déjà construite. La Roumanie s'implique dans la mise en place du Fond européen pour la démocratie, soutenant à Bruxelles aussi les projets qui sont en conformité avec ses priorités régionales de coopération.

### A membres nouveaux, nouvelles frontières

En 2007, la Roumanie et la Bulgarie rejoignent l'Union européenne. Les Européens deviennent voisins d'un pays qui abrite sur son territoire un conflit gelé, et qui est dirigé par un gouvernement communiste (2001-2009).

L'octroi massif de la citoyenneté roumaine aux Moldaves en 2009 par Traian Basescu, inquiète Bruxelles. L'initiative roumaine est regardée avec méfiance par l'Union européenne. L'Etat roumain est accusé de développer des prétentions unionistes. Les institutions européennes se montrent inquiètes par le fait d'accorder la citoyenneté roumaine à plus d'un million des citoyens moldaves. Le scénario le plus terrifiant montre une Roumanie prête d'annexer un quart de la population moldave. Le taux de criminalité toujours croissant en Transnistrie ainsi que la frontière directe de ce pays avec l'UE, pousse les Européens à inaugurer le Partenariat oriental. L'Union européenne met en place un partenariat pour la prospérité de ses voisins, mais aussi pour la sécurité de ses frontières.

La libération des visas du 28 avril 2014 est perçue comme une histoire de succès du Partenariat oriental. Les Moldaves qui possèdent un passeport biométrique peuvent circuler en Europe pendant trois mois sans avoir besoin de visas. En même temps, ces trois mois peuvent être considérés une concession par rapport à *la libre circulation permanente* offerte par la citoyenneté roumaine.

### A nouveaux voisins, nouveaux programmes

L'Union européenne est le premier donateur au monde assurant 60% de l'aide mondiale. Elle est également le principal bailleur de la République de Moldavie. L'Etat moldave est le 7ème bénéficiaire d'aide en Europe. La Moldavie reçoit 7% (2009-2011) du budget de la coopération allouée sur la région européenne. Pendant la période 2009-2011, l'aide attribuée est supérieure à celle d'Albanie, de Macédoine et de la Croatie. Il est important de remarquer que l'aide attribuée à l'Etat moldave dépasse celle des Balkans de l'Ouest. En même temps, la Croatie est devenue membre de l'UE, tandis que la République de Moldavie vient de commencer la bataille pour l'Europe. L'Assistance pour le Développement reçue par la République de Moldavie en 2013 s'est multipliée par trois par rapport à celle de 2012. L'aide financière s'élève à 623,9 millions d'euros. La Moldavie bénéficie de la plus grande aide financière annuelle des pays du Partenariat oriental.

## Conclusion

L'action extérieure de l'Union européenne ainsi que celle de la Roumanie soutiennent la voie européenne que la Moldavie s'est tracée en novembre 2013 à Vilnius. Néanmoins, cette voie ne doit pas être confirmée seulement à Bruxelles, mais aussi aux urnes. Il est important de préciser que cet article traite d'une réalité en construction. Cela nous à permis de comprendre les limites de la coopération pour le développement tant roumaine, qu'européenne en Transnistrie. Ce territoire séparatiste reste une entrave au parcours européen de la République de Moldavie. Le format de 5+2 n'apporte pas les résultats attendus. L'intégration européenne du pays est susceptible de ne pas être compatible avec son intégrité territoriale.

Les projets de développement financés par la coopération bilatérale roumaine prennent en charge la gestion du parcours européen de la République de Moldavie. Néanmoins, le manque de capacités tant institutionnelles, qu'humaines, fait que celle-ci ait besoin d'utiliser sa légitimité européenne, afin de peser dans ses visées régionales. La *diplomatie coopérante* de l'UE représente un multiplicateur d'influence pour les Etats membres. Au fil de l'analyse, nous avons constaté que la coopération européenne appuie le parcours européen de la République de Moldavie notamment dans le cadre du Partenariat oriental, tandis que la Roumanie offre un soutien inconditionné à la perspective d'adhésion de celle-ci.

Tant la coopération de l'UE, que celle de la Roumanie, prennent en charge la gestion du parcours européen de la Moldavie. Les deux acteurs apportent leur contribution à la voie européenne moldave. Néanmoins, ils poursuivent des approches différentes. La coopération de l'UE offre une perspective européenne claire à la République de Moldavie dans le cadre d'une logique qui accorde la priorité à la stabilité régionale sur le degré d'avancement des réformes dans le pays, tandis que la coopération roumaine apporte un soutien inconditionné à l'adhésion de la Moldavie à l'UE.

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# Zivilgesellschaft in Rumänien

# Civil society in Romania

## Roxana Stoenescu[*]

**Abstract:**

*In the following, the concept of "civil society" in the sense of the opposition movement during the period of communist rule will be used, in order to better understand the development of today's civil society as an active player in Romania. It sheds light on the difficulties associated with the formation and consolidation of an intact "civil society" in Romania. On the one hand, this should clarify the state of development of the democratic constitution of the Romanian citizens and, on the other hand, identify the problems that confront today's Romanian civil society.*

**Keywords:** Civil society, opposition, Citizenship, civic movement, corruption, democratization process.

**Zusammenfassung:**

*Im Folgenden wird auf das Konzept der „Zivilgesellschaft" im Sinne der oppositionelle Bewegung während der Zeit der kommunistischen Herrschaft zurückgegriffen, um anschließend und daraus die Entwicklung der heutigen*

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*Zivilgesellschaft als handlungsfähiger Akteur in Rumänien besser begreifen zu können. Beleuchtet werden hierbei die Schwierigkeiten mit denen die Herausbildung als auch Festigung einer intakten „Zivilgesellschaft" in Rumänien verbunden ist. Daran soll zum einen der Entwicklungsstand der demokratischen Verfasstheit der rumänischen Bürger deutlich werden und zum anderen die Probleme festgestellt werden mit denen sich die heutige Zivilgesellschaft Rumäniens konfrontieren muss.*

**Schlüsselwörter:** Civil society, Opposition, Bürgergesellschaft, rumänische Zivilgesellschaft, Korruption, Demokratisierungsprozess.

## I.   Die Anfänge der Zivilgesellschaft in Rumänien

Eine bürgerliche Öffentlichkeit, als Sphäre der Kommunikation und der Auseinandersetzung mit öffentlichen und gesellschaftspolitischen Themen, fungiert als Vermittler zwischen Staat und Bevölkerung und bildet gewissermaßen die Grundlage einer Zivilgesellschaft. Einhalten der Menschenrechte, der Kampf gegen gesellschaftliche Ungleichheit oder Diskriminierung und ähnliche Ziele werden von zivilgesellschaftlichen Zusammenschlüssen, beispielsweise von Nichtregierungsorganisationen (NGO), die als Vermittler zwischen Markt und Staat auftreten, verfolgt.

Im Folgenden wird auf das Konzept der sozio-ökonomischen und politischen „Zivilgesellschaft" von dem ungarischen Oppositionellen Haraszti und dem Politikwissenschaftler Winfried Thaa zurückgegriffen.[1] Diese unterscheiden zwischen der Entwicklung der Zivilgesellschaft östlichen Typs unter kommunistischer Herrschaft und der Zivilgesellschaft westlichen Typs kapitalistisch entwickelter Gesellschaften und ermöglichen die genaue Bezeichnung und Differenzierung der gesellschaftlichen Sphären, die dem Staatsapparat gegenüber stehen. Im Zentrum dieses Problemaufrisses steht die politische Zivilgesellschaft, die sich im Sozialismus „als Ergebnis einer politischen Vergesellschaftung, die im Medium unabhängiger Öffentlichkeiten vermittelt wird und inhaltlich vor allem durch Moral, Kultur und nationale Identität bestimmt ist" und weniger in „Sozialstruktur und Interessenlagen" gegründet ist.[2] Besonders in Polen bildeten solche Organisationen das Zentrum oppositioneller Strategien. Die

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[1] Winfried Thaa, *Die Wiedergeburt des Politischen*, Wiesbaden: Springer Fachmedien, 1996, S. 189.

[2] *Ibidem*, S. 192.

Wirkmacht zivilgesellschaftlicher Strukturen lag in den osteuropäischen Ländern, laut Winfried Thaa, einerseits in der Zersetzung zielrationaler Legitimität und einheitsverkörpernder Öffentlichkeit und andererseits im Hervorbringen einer gesellschaftlichen Gegenidentität, die sich von Land zu Land unterschiedlich legitimierte.[3] Eine „Gesellschaft" im Sinne einer politischen Opposition entwickelte sich in Polen mit den „Solidarnosc"[4] erst ca. 1980 und in den restlichen ost- und mitteleuropäischen Ländern um 1989 herum.[5] Wichtig hierbei ist, dass für die zivilgesellschaftlichen Bewegungen Osteuropas, die mitunter den Kommunismus zusammenbrechen ließen, nicht soziale Interessen im Vordergrund standen, sondern viel eher „moralische Aspirationen und kulturelle Identitäten artikuliert[en]" wurden.[6]

Das Konzept der Civil Society wurde nach 1989 schnell zum Kennzeichen eines von Unterdrückung und imperialer Dominanz befreiten Europas, das sozialstaatliche Werte und Ideen wie Gleichheit, Wohlstand und Wohlfahrt sowie patriotische Ideale wie Nation und Antiimperialismus in sich vereinte.[7] Insgesamt bildeten sich vereinzelte oppositionelle Gruppen in allen sozialistischen Ländern bzw. entstanden Dissidentenzusammenschlüsse oder Studentengruppen, besonders aber Kreise Intellektueller, die sich gegen das autoritäre Regime und dessen repressive Herrschaft auflehnten, indem sie bspw. Untergrundpresse betrieben. Laut Katherine Verdery sind allerdings: „all intellectuals, even those who considered themselves to be oppositional to the Party, [were] serving it by reproducing the national ideology that the Party had incorporated into its rule."[8]

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[3] *Ibidem*.

[4] Vgl. Philipp Ther, *Die neue Ordnung auf dem alten Kontinent. Eine Geschichte des neoliberalen Europa*, Frankfurt am Main: Suhrkamp Verlag, 2014, s. besonders Kap. Zentren und Akteure der Revolution, S. 75f.

[5] Winfried Thaa, *Die Wiedergeburt des Politischen*, S. 192.

[6] *Ibidem* und siehe d. Melanie Tatur, *Solidarnosc als Modernisierungsbewegung, Sozialstruktur und Konflikt in Polen*, Frankfurt am Main: Campus Verlag, 1989 und Melanie Tatur, „Zur Dialektik der Civil Society in Polen", In Rainer Deppe (Hg.), *Demokratischer Umbruch in Osteuropa*, Frankfurt am Main: Suhrkamp Verlag, 1991.

[7] Katherine Verdery, *What was socialism and what comes next*, Princeton/New Jersey: Princton University Press, 1996, S. 104- 105.

[8] Katherine Verdery, *National Ideology Under Socialism: Identity and Cultural Politics in Ceauşescu's Romania*, Berkley/L.A./Oxford: University of California Press, 1991, S. 309.

Zivilgesellschaftliche Organisationsformen sind in Rumänien während des Kommunismus überwiegend unter ethnischen Minderheiten wie den Ungarn, Szekler oder den siebenbürgischen Sachsen und Donauschwaben anzutreffen, in denen sich vorwiegend Intellektuelle unter anderem in Form von Lesezirkeln, wie z. B. im Hermannstädter Kreis Eginald Schalttner, Frieda Schuller und Herta Müller zusammenfanden, um sich über das paternalistische System austauschen zu können oder waren bereits Exilschriftsteller und Dissidenten wie Paul Goma[9] oder Norman Manea.[10] Die Entwicklung ähnelte dem Aufkommen der bürgerlichen Öffentlichkeit in Westeuropa des 18. und 19. Jahrhunderts, in denen sich Bürger in Salons zusammenfanden, um gemeinsam kulturelle und zunehmend öffentliche, politische, wirtschaftliche und soziale Inhalte zu thematisieren. Vereinzelt kann man sagen, dass es auch in Rumänien ähnliche Formen einer sich entwickelnden bürgerlichen Gesellschaft am Ende des 19. Jahrhunderts und Anfang des 20. Jahrhunderts gegeben hat, nur wurden diese durch die aufkommenden Diktaturen überwiegend zerstört. Wichtig hierbei ist allerdings, dass die Zivilgesellschaft in den sozialistischen Ländern nicht aus öffentlichen Zusammenschlüssen entstand, sondern aus dem Rückzug in das Private und durch den Ausschluss aus der Öffentlichkeit. Öffentliche Kommunikation und Kommunikationswege, wie auch öffentliche Treffen allgemein, wurden vom System unterbunden. Im Gegensatz zu anderen kommunistischen Ländern konnte sich in Rumänien kaum eine funktionierende Opposition mit einer Untergrundpresse bilden, wodurch vereinzelte Versuche alternativer Medienangebote entweder auf die ungarische oder deutsche Minderheit beschränkt blieben oder sofort durch die staatliche Geheimdienstbehörde Securitate unterbunden wurden.[11] Arendt zufolge hängt der Erfolg totaler Herrschaft gewissermaßen auch davon ab, wie weit es gelingt, alle normalem Kommunikationswege, private als auch öffentliche, die in konstitutionellen Regierungen durch Rede- und

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[9] Vgl. Mariana Hausleitner, „Politischer Widerstand in Rumänien vor 1989". In *Halbjahresschrift für südosteuropäische Geschichte*, Literatur und Politik, Oktober 1996 (Sonderheft), S. 69.

[10]Vgl. Eva Behring, *Rumänsiche Schriftsteller im Exil 1945-1989*, Stuttgart: Franz Steiner Verlag, 2002.

[11]Vgl. Michael Blumenstein, *Massenmedien im postkommunistischen Rumänien*, 2008, S. 6, [http://www.kinra.de/uni/hausarbeiten/hausarbeit_rumaenien_301108.pdf], 16. April 2015.

Meinungsfreiheit gesichert sind, zu unterbrechen und zu zerstören.[12] Auch das Veröffentlichungsverbot verhinderte also eine bürgerliche Emanzipation bzw. eine zivilgesellschaftliche Entwicklung.[13]

Nach W. Thaa kann man nur im Falle Polens von einer sich selbst befreienden politischen Zivilgesellschaft sprechen, in der es direkte Verhandlungen zwischen der Opposition der Solidarnosc´s und Regierung gab. Angesichts der *Glasnost* und *Perestroika*- Politik, wörtlich Umstrukturierungs- oder Umgestaltungspolitik, im Zuge der Deinstitutionalisierung bzw. des Zusammenbruchs des osteuropäischen Kommunismus inmitten der wirtschaftlichen Einbrüche Ende der 80er Jahre unter der Führung Michail Gorbatschows, übte die Zivilgesellschaft einen sehr geringen Einfluss auf die nun folgende Entwicklung aus. Dennoch trat eine politische Zivilgesellschaft in den mittel- und osteuropäischen Ländern als kritische Gegenöffentlichkeit in Erscheinung, die das unzureichende Konsumangebot, den geringen Lebensstandard und den Mangel an materieller und sozialer Sicherheit, fehlende Bildungs- und Arbeitsmöglichkeiten oder die Nichtbeachtung von Menschen- oder Arbeitsrechten anprangerten, die im Zuge des Scheiterns des kommunistischen Systems besonders offenbar wurden. Die nun sichtbaren Defizite führten zur Legitimationskrise des kommunistischen Systems, wodurch politische Zivilgesellschaften, besonders in der DDR, Polen, der Tschechoslowakei und Ungarn als Widerstandsbewegungen oder Gegenöffentlichkeit entstanden. Die Rolle der Zivilgesellschaft als bürgerliche Gesellschaft oder Civil society bestand in der Vertretung und Ausdifferenzierung sozialer Interessenlagen, der Durchsetzung materialer und prozeduraler Normen, der Entwicklung neuer Politikformen als auch ökonomischer Reformen und der so genannte Forumspolitik.[14] Während in „Jugoslawien die Massenmobilisierung am umfassendsten war und Menschen schon seit Mitte der achtziger Jahre meist für soziale oder wirtschaftliche Angelegenheiten oder die Belange einzelner Betriebe

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[12]Thaa, Winfried, *Die Wiedergeburt des Politischen*, S. 54.

[13]Jürgen Habermas, *Strukturwandel der Öffentlichkeit*, Frankfurt am Main: Suhrkamp Verlag, 1990, S. 142.

[14] Winfried Thaa, *Die Wiedergeburt des Politischen*, S. 227; 229; 239.

demonstrierten,"[15] war die Zivilgesellschaft in Rumänien, im Vergleich zu allen anderen kommunistischen Ländern, am schwächsten ausgeprägt und nahm keine relevante Rolle als politische Opposition oder gesellschaftlicher Akteur ein, sondern passte sich, aufgrund der repressiven Haltung des Regimes und dessen Securitate und Miliz, den gegebenen Umständen an.

Ein Grund für die schwache oppositionelle Bewegung in Rumänien könnte auch darin vermutet werden, dass Rumänien einer der wenigen Ostblockstaaten war, gegen den die Sowjetunion nicht durch militärische Besatzung vorgegangen ist, wodurch die rumänische Bevölkerung sich, im Vergleich zu den anderen osteuropäischen Ländern, national nicht so bedroht sah und sich im eigenen Land auch nicht gegen eine „Fremde" Macht wehren musste. Das Ausbleiben einer starken oppositionellen Bewegung kann also darauf zurückgeführt werden, dass der rumänische Kommunismus und das kommunistische Regime Rumäniens einen starken Nationalismus sowohl nach innen als auch nach außen vertraten und die Gesellschaft dadurch zusammengehalten wurde. Es war die „eigene" „nationale" Macht, die repressiv war, dadurch war die oppositionelle Bewegung Rumäniens auch nicht so groß, und blieb eher auf die Minderheiten Rumäniens beschränkt. Der rumänische Nationalismus und der Nationalstolz waren im Kommunismus auf seinen Höhepunkt gelangt. Dadurch wurden der geringe Lebensstandard, Hunger, Armut, Kälte, harte Arbeit und die Vielzahl an sozialen, kulturellen, humanitären Missständen, und die alltägliche Restriktionspolitik stillschweigend von der rumänischen Bevölkerung akzeptiert. Gleichzeitig begann das System Ende der 80er Jahre innerhalb der Bevölkerung immer mehr an Legitimität und Überzeugungskraft zu verlieren. Aufgrund der Not, der Restriktionen, und des Legitimitätsverlustes entwickelte sich aber auch eine florierende „Untergrundwirtschaft", ein enormer Schwarzmarkt, an der sich nahezu die gesamte Bevölkerung beteiligte. Betrug, Diebstahl, Lüge und vor allem Korruption wurde dadurch „gerechtfertigte" Mittel für ein etwas „besseres" Leben in dem autoritären Regime.

Ein weiterer Grund für die schwache Zivilgesellschaft Rumäniens lag einerseits in der kaum vorhandenen Mittelschicht Rumäniens um eine „bürgerliche Gesellschaft" zu formen, andererseits war die intellektuelle Elite aufgrund der "Säuberungsaktionen" bereits stark ausgedünnt. Allein die

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[15] Philipp Ther, *Die neue Ordnung auf dem alten Kontinent*, S. 65.

Arbeiter stellten eine potentielle "revolutionäre Macht" dar, deren Zusammenschlüsse waren allerdings weit davon entfernt, eine längerfristige "soziale Bewegung" zu verkörpern, "die sich aktiv am direkten Kampf gegen die Macht beteiligte."[16]

*If we compare their activities with those of intellectuals in Poland, Hungry, or Czechoslovakia, Romanian intellectuals – despite their oposing one another and, sometimes, the Partys dictates- appeared not to be a force for changing the increaingly inhumane rule unde which they and their countrymen lived. Neither a technocratic reform faction such as the one so influential in Hungry from 1960s on, nor a group of intellectuals willing to subordinate their elite concerns to those of the majority, as emerged in Poland between 1976 and 1980, nor an active human rights movement such as Czechoslovakias Charter 77, made an apperance in Romania. There was not even a movement of cultural dissidence comparable to that in the Soviet Union during the 1970s, with its extensive network of underground publications. If one remarked upon this (as I did on occasion) to Romanian intellectuals who considered themselves oppostional, the response was likely to be an impassioned defense of the values of culture, the support of which was seen as constituting a defense of the people against the barbarities of the regime.*[17]

Das überwiegende Fehlen zivilgesellschaftlicher Strukturen und aktiven gesellschaftlichen Akteuren, „deren Funktionen und Kompetenzen sich nicht auf Autorität gründen"[18] und die Vermittlerrolle zwischen dem Staat und der Gesellschaft übernehmen könnten, vergrößerte den Spielraum repressiver Herrschaftspraktiken.

## II. Die vorgetäuschte „Revolution"

So nahm die soziale Ungerechtigkeit innerhalb des kommunistischen Regimes am Ende der 80er Jahre besonders stark zu, während die Parteimitglieder und der gesamte Herrschaftsapparat der Nomenklatura

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[16] Alain Touraine, *Die postindustrielle Gesellschaft*, Einführung: Die programmierte Gesellschaft und ihre Soziologie, Frankfurt am Main: Suhrkamp, 1972, S. 22.

[17] Katherine Verdery, *National Ideology Under Socialism*, S. 310.

[18] Alain Tourraine, *Die postindustrielle Gesellschaft*, S. 23.

durch das kommunistische Regime bevorteilt wurden. Die Lage der Menschen war so prekär geworden und die Macht der Nomenklatura so groß, dass es 1989 in Rumänien zu gewaltvollen Ausschreitungen und einer inszenierten Revolution[19] kam.

„Dort (China, Serbien und Rumänien) diente die Gewalt dem Machterhalt der alten Eliten bzw. in Rumänien der zweiten Garde der Partei von Ion Iliescu."[20]

Gabanyi vergleicht in ihrem Werk *Systemwechsel in Rumänien* die angeblich "spontane Revolution" in Rumänien mit der Französischen Revolution von 1789. Einerseits ging es darum, die Abkehr zum rumänischen Nationalkommunismus zu untermauern und sich vom herrschenden System möglichst schnell zu distanzieren. Andererseits sollte diese "forcierte" Parallelität zur Französischen Revolution die Konsolidierung zu einem nun mehr *freien*, *brüderlichen* und *gerechten* Nationalstaat unter Beweis stellen und darüber hinwegtäuschen, dass die Revolution inszeniert und gelenkt war und die Macht in den Händen der Selbigen, der Nomenklatura, geblieben ist.[21] Hervorgehoben wurden diese "revolutionären" und "freiheitsbekundenden" Gemeinsamkeiten mit der Französischen Revolution mitunter schon durch die Benennung der neuen politischen Machthaber unter Ion Iliescu, dem ehemaligen Sekretär des Zentralkomitees, die sich als "Front der Nationalen Rettung" bezeichneten und darauf hinweisen wollten, dass die "neuen" Machthaber aus der "revolutionären Notwendigkeit" am 22. Dezember 1989 die Macht übernommen haben und vor allem "spontan aus den Reihen, der sich ebenfalls spontan erhobenen Volksmassen, hervorgegangen sind."[22] Ther ist deshalb auch der Meinung, dass man die rumänische Revolution am ehesten als "Putsch innerhalb der Partei deuten" kann.[23] Auch Gabanyis

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[19] Philipp Ther, *Die neue Ordnung auf dem alten Kontinent*, S. 80 f.; s. ausführlich zum Begriff der Revolution: Charles Tilly, *European Revolutions. 1492-1992*, Oxford: Blackwell, 1994 und Theda Skocpol, *Social Revolutions in the Modern World*, Cambridge: Cambridge University Press, 1994, S. 133.

[20] Philipp Ther, *Die neue Ordnung auf dem alten Kontinent*, S. 82-83.

[21] Vgl. A. - Ute Gabanyi, *Systemwechsel in Rumänien. Von der Revolution zur Transformation*, München: R. Oldenburg Verlag, 1998, S. 141-144.

[22] Vgl. *Ibidem*, S. 141.

[23] Philipp Ther, *Die neue Ordnung auf dem alten Kontinent*, S. 65; Vgl. a. Tom Gallagher, *Theft of a Nation. Romania since Communism*, London: Hurst & Company, 2005, S. 70-109.

Überlegungen zum „anonymen Terror" sprechen für diese Auslegung angesichts der Tatsache, dass der Bevölkerung plötzlich eine Menge Waffen und Munition zur Verfügung stand.[24] Wichtig an den „revolutionären" Ereignissen von 1989 ist aber, dass in den meisten osteuropäischen Ländern der revolutionäre Funke nicht in den Hauptstädten und den Zentrum der Länder angefacht wurde, sondern in den Provinz- oder Peripheriestädten.

Ther berichtet, dass „der Ausgangspunkt der Widerstände gegen das Regime" in regionalen Zentren wie der polnischen Stadt Danzig entstanden, wo die Gewerkschaftsbewegung Solidarnosc 1980 gegründet wurde und sich dann auf das ganze Land ausweitete. Daneben nennt er Leipzig in der DDR, L´viv bzw. Lemberg in der Ukraine und Klausenburg und Temeswar in Rumänien als revolutionäre Vorfront.[25] Ein Erklärungsansatz könnte darin bestehen, dass die „Provinzen" nicht in einem so hohen Maße der zentralistischen Kontrolle des Regimes unterstanden. Die regionalen Zentren in Rumänien boten zugleich auch eher die Möglichkeiten für eine tatsächliche oppositionelle und weniger gelenkten revolutionären Bewegung, da sich diese Städte näher an den Grenzen des Landes befanden und der Einfluß der Nachbarländer wie Ungarn und Serbien eine mögliche Rolle gespielt haben könnte.

Klausenburg und Temeswar liegen näher an Budapest und Belgrad, als an Bukarest, wodurch die Vermutung nahe liegt, dass in diesen Städten die Verbindung zur ausländischen Opposition stärker war als in anderen Städten Rumäniens, die weiter im Landinneren liegen. Außerdem weisen Klausenburg und Temeswar eine hohe Zahl an ungarischer, deutscher (besonders donau-schwäbischer) und serbischer Minderheitenbevölkerung auf, die schon während des kommunistischen Regimes eine aktivere zivilgesellschaftliche Rolle, als die rumänische Bevölkerung, spielten, wodurch auch eine oppositionelle Bewegung möglicher war. Zudem sind diese Städte wichtige Universitätszentren in Rumänien und Unruhen entstanden oftmals aus den Kreisen von Intellektuellen und Studenten.

Andererseits kann man daraus auch den Schluss ziehen, dass die schwache rumänische Oppositionsbewegung auch deshalb so eine geringe Wirkungskraft entfalten konnte, da sie lediglich auf solch wenige kulturelle

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[24] Vgl. A. - Ute Gabanyi, *Systemwechsel in Rumänien*, S. 176.
[25] Philipp Ther, *Die neue Ordnung auf dem alten Kontinent*, S. 75.

Zentren beschränkt war. Die schwache oppositionelle Bewegung Rumäniens kann daher auch auf die geringe Zahl an großen Städten mit entwickeltem kulturellem Leben und der dadurch auch kaum vorhandenen Schicht an Intellektuellen und Eliten zurückgeführt werden, die mit anderen oppositionellen Gruppen hätten in Kontakt treten können. Die Aufstände der Arbeiter hatten in Rumänien ohnehin einen gewaltvollen Charakter im Vergleich zu den anderen osteuropäischen Ländern. Daneben wurde die Gewalt sowohl durch den Einsatz von medialer Propaganda als auch die Versorgung der Arbeiteraufstände mit Waffen seitens der Regierung verstärkt.

Auch danach schien sich die Lage in Rumänien nicht spürbar zu verbessern. In den 1990er kam es zu den sogenannten *Mineriaden*, Protesten bzw. gewaltvollen Aufstände der "regimetreue[n] Bergarbeiter gegen Studenten und Intellektuelle". Die Mineriaden ähnelten einem Bürgerkriegsszenario und spielten den (Post-) kommunistischen Machthabern in die Hände.[26] Bis zum Dezember 1989 wurden vereinzelte oppositionelle Demonstrationsversuche, die die evozierten sozialen Ungleichheitsverhältnisse und die Unterdrückung durch das kommunistische Regime anprangerten, von der Securitate verhindert oder militärisch niedergeschlagen. Die schwache Zivilgesellschaft konnte sich gegen die repressiven Maßnahmen nicht durchsetzen. Auch nach der Wende konnte sich die Nomenklatura ohne nennenswerte Opposition an der Macht halten, da der rumänischen (Zivil)Gesellschaft die Wurzeln einer ehemals „bürgerlichen" Gesellschaft fehlte. Die Zivilgesellschaft wird in Rumänien daher auch nach dem Kommunismus lange noch mit Arbeiterstreiks oder Arbeiterrevolten gleichgesetzt, ist also weniger von „bürgerlichen" oder demokratischen Vorstellungen, sondern vom kommunistischem Duktus besetzt.

Die Gesellschaft wurde im Dezember 1989 im Interesse der Kader dahingehend mobilisiert, den gewaltvollen Sturz des Ceauşescu-Paares als legitime Vergeltung oder Tribut ihrer Verbrechen am Volk einzufordern. Dadurch sollte die so genannte "Palastrevolution" oder viel eher die inszenierte Revolution, die durch die Nomenklatura gelenkt wurde, vertuscht werden. Die Revolution in Rumänien war deshalb im Vergleich

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[26] *Ibidem*, S. 36, Vgl. auch Peter Siani - Davis, *The Romanian Revolution of December 1989*, Ithaca: Cornell University Press, 2005.

zu den meisten anderen osteuropäischen Ländern eine inszenierte und keine "verhandelte" Revolution, da es keinen eigentlichen Machtwechsel gab, sie so also eher als Putsch aus den inneren Reihen der Partei heraus verstanden werden kann. Die blutige Revolution war für die "neuen" Machthaber Rumäniens deshalb notwendig gewesen, da sie nach dem Verlust ihrer Legitimität die Gesellschaft glauben machen mussten, dass ein wirklicher Machtwechsel vollzogen wurde, um sich als „neue" Machthaber zu legitimieren.

Der „Revolution" in Rumänien kam somit ein stark symbolischer Gehalt zu, der das Ende des kommunistischen Regimes und der Diktatur und den Beginn der Demokratie und Freiheit symbolisieren sollte. Aus diesem „Befreiungskampf" legitimierte die Front der Nationalen Rettung ihre Position als neue Regierungspartei und stellte sich einerseits als die siegende "Opposition" gegenüber dem „vorangegangenen" kommunistischen System dar und gleichzeitig als Retter der rumänischen Nation und ihrem Volk. Durch die "Revolution", "Rettung" und der notwendigen "Beibehaltung und Sicherung" der neu erlangten "Freiheit" Rumäniens, legitimierte die Nomenklatura und nun "Front der Nationalen Rettung" ihren Anspruch auf die "post-kommunistische" Herrschaft.

## III. Das ABC der Demokratie

Daneben findet heutzutage aber über soziale Netzwerke im Internet, die viel schwieriger als öffentlich-staatliche Medien zu kontrollieren sind, eine kritische, quasi-öffentliche Auseinandersetzung mit der gesellschaftlichen und politischen Lage Rumäniens statt. In digitalen Netzwerken wie Facebook, Blogger, Instagram oder Ähnlichem wächst das kritische Bewusstsein einer „neuen" Zivilgesellschaft" zu einer eigenständigen Sphäre innerhalb der bisherigen rumänischen Öffentlichkeit heran und dominiert die kritische Auseinandersetzung und die heutigen Protestbewegungen gegen die korrupten politischen und wirtschaftlichen Führungseliten Rumäniens.

Seit dem EU-Beitritt in 2007, beginnt sich zivilgesellschaftliches bzw. politisches Engagement in Rumänien über soziale Netzwerke zu organisieren. Das Netz bietet einen offen Raum für kritische Auseinandersetzung mit politischen, wirtschaftlichen und

gesellschaftlichen        Inhalten        und        einen        Ansatzpunkt        für
zivilgesellschaftliches Engagement. Beispielsweise sind so Aufrufe zu
gemeinsamen, friedlichen Protestaktionen gegen politische Entscheidungs-
und Handlungsprozesse realisierbar, wie bei dem Fall Rosia Montana und
besonders dem Collectiv Brand vom 30. Oktober 2015.[27] Motor dieser neuen
Protestbewegungen Rumäniens war besonders die *Save Rosia Montana*
Kampagne (SRM), die 2000 bei einem Treffen von 40 NGOs ins Leben
gerufen wurde und als erste wirklich bedeutende und einflussreiche
zivilgesellschaftliche Bewegung in Rumänien gelten kann. Die ökologische
Kampagne (SRM), die von der französisch-schweizerischen Aktivistin
Stephanie Roth[28] ins Leben gerufen wurde, setzte sich dafür ein, die
kanadische Firma Mining Company Gabriel Resources oder auch Rosia
Montana Gold Corporation, die Ende der 90er Jahre mit dem rumänischen
Staat ein Aktiengeschäft gegründet hat,[29] daran zu hindern, eine der
größten Goldminen Rumäniens, im Westgebirge der Apuseni, um das
Talgebiet rund um die Gemeinde und das Dorf Rosia Montana mit der
hoch giftigen Chemikalie Zyanid abzubauen.[30] Hierbei ging es um weitaus
mehr als die Verhinderung einer ökologischen Katastrophe oder die
Bewahrung von geschichtlichem Kulturerbe, sondern um einen einmaligen
bzw. erstmaligen politisch wirksamen gesellschaftlichen Widerstand gegen
das korrupte politische System, das in diesem Fall durch den illegalen

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[27] Frankfurter Allgemeine Zeitung (FAZ), *27 Tote bei Brand in Bukarester Nachtclub*
[http://www.faz.net/aktuell/gesellschaft/ungluecke/massenpanik-27-tote-bei-brand-in-bukarester-nachtclub-13886116.html ], 07. Mai 2016.

[28] The Goldman Environmental Prize, *An environmental journalist-turned-activist*, Stephanie
Roth was the driving force behind an international campaign to halt construction of Europe´s
largest open cast gold mine [http://www.goldmanprize.org/recipient/stephanie-roth/ ], 07.
Mai 2016.

[29] Vgl. Rosia Montana Gold Corporation (RMGC), siehe *Geschichte*
[http://www.rmgc.ro/proiectul-rosia-montana/istoria-proiectului-rosia-montana.html]
und [http://www.rmgc.ro/], 07. Mai 2016.

[30] Vgl. Save Rosia Montana (SRM-Kampagne), *Rezumat: critica proiectului de lege referitor la
exploatarea miniera de la Rosia Montana*, [dt. Zusammenfassung: Gesetzliche Kritik des
Projektes bezüglich des Minenabbaus von Rosia Montana]
[http://www.rosiamontana.org/content/rezumat-critica-proiectului-de-lege-referitor-la-exploatarea-miniera-de-la-rosia-montana], siehe auch *Geschichte der Kampagne*:
[http://www.rosiamontana.org/content/istoricul-campaniei-salvati-rosia-montana], 07. Mai
2016; Siehe dazu auch *Mining Watch Romania* [http://miningwatch.ro/categorie/rosia-montana/], 07. Mai 2016.

Verkauf rumänischen Staatseigentums repräsentiert wird. Die Save Rosia Montana (SRM)[31] – Bewegung ist eine ökologische und soziale Bewegung, die sich innerhalb der letzten Jahre zu einer wirklichen Bürgerbewegung in Rumänien entwickelt hat. Die SRM-Kampagne löste seit der ´89er Revolution die größte Massenbewegung in Rumänien aus, Tausende beteiligten sich an den Protesten in Bukarest und in anderen Städten wie Klausenburg. Die Kampagne wurde in den letzten Jahren zum Symbol der Meinungsfreiheit und des friedlichen Protests.[32] Save Rosia Montana ist daher die erste ernstzunehmende zivilgesellschaftliche Bewegung, die für die rumänische Gesellschaft eine identitätsstiftende Rolle spielt, indem kulturelle, ethnische und religiöse Konflikte zu Gunsten eines gemeinsamen Ziels in den Hintergrund rücken.

Die Protestaktionen bezeugen die Unzufriedenheit der rumänischen Bevölkerung gegenüber den politischen Missständen, der Korruption und der Vetternwirtschaft. 2012 stellt die Bundeszentrale für politische Bildung fest: "Vertrauen in ihre Demokratie hat die rumänische Bevölkerung bis heute nicht. In einer diesjährigen Umfrage bekundeten 88 Prozent der Befragten wenig bis gar kein Vertrauen in ihr Parlament. Dazu trägt vor allem die grassierende Korruption in Staat und Parteien bei. Im Vorfeld der Parlamentswahlen wurde bekannt, dass Parlamentskandidaten für ihre Nominierung in einigen Wahlkreisen bis zu 40.000 Euro Schmiergeld bezahlt hatten"[33]

Aus dem Bericht der Europäischen Kommission von 2012 geht des weiteren hervor, dass laut Eurobarometer 93 % der Rumänen Korruption und 91 % Unzulänglichkeiten des Justizsystems für besonders schwere Probleme halten.[34] Auch aus dem Bericht von 2014 geht aus den Ermittlungen die hohe Korruptionsanfälligkeit des Justizsystems, der

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[31] Vgl. Save Rosia Montana, [http://www.rosiamontana.org/], 07. Mai 2016.

[32] Vgl. Louisa Hoppe, *Die Kunst des Protestes. Die save-Rosia-Montana Kampagne und ihre Bedeutung für die zivilgesellschaftliche Protestkultur in Rumänien*, Chemnitz 2014.

[33] Bundeszentrale für politische Bildung, *Parlamentswahlen in Rumänien*, 10.12. 2012 [http://www.bpb.de/politik/hintergrund-aktuell/151137/parlamentswahlen-in-rumaenien-10-12-2012], 07. Mai 2016.

[34] Europäische Kommission, *Bericht der Kommission an das Europäische Parlament und den Rat. Über Rumäniens Fortschritte im Rahmen des Kooperations- und Kontrollverfahrens*, S. 3 f. Brüssel 18. 07. 2012 [http://ec.europa.eu/cvm/docs/com_2012_410_de.pdf], 07.Mai 2016, S. d. a. Eurobarometer, [http://ec.europa.eu/public_opinion/index_en.htm].

gesetzgebenden Institutionen, der politischen Institutionen und Amtsträger hervor; kritisiert werden auch die bedenklichen politische Maßnahmen des Regierungschefs Victor Ponta, der aufgrund des gescheiterten Staatsstreiches 2012 und zahlreicher Ermittlungsverfahren wegen Korruptionsvorwürfen seines Amtes besonders unwürdig erschien.[35]

Besonders aktiv die ansonsten eher „desinteressierte" und passive Zivilgesellschaft Rumäniens noch einmal bei rumänischen Präsidentschaftswahlen im Dezember 2014, als man versucht hatte, die Wahl des deutschstämmigen Hermannstädter und aktuellen Präsidenten Klaus Johannis ( PNL - Partidul National Liberal- Nationale Liberale Partei) zum Vorteil von Ex-Premierministers Ponta (PSD - Partidul Social Democrat- Sozial Demokratische Parte) durch die „Verschleppung und Verhinderung der Stimmabgabe durch den bewusst gesteuerten Mangel an Personal"[36] und den geringen Wahlurnen im Ausland bei den rumänischen Botschaften zu boykottieren.[37]

Die gesellschaftlichen Konsequenzen aus den Korruptionsfällen in Rumänien sind drastisch, wie der tragische Brand im „Colectiv" (das Colectiv ist eine Disko in Bukarest) mit 64 Toten und über 100 Verletzten beweisen sollte.[38] Die umgangenen Sicherheitsmaßnahmen und gesetzlichen Vorschriften waren die Hauptursache des Brandes gewesen und galt für die Bevölkerung als alarmierendes Zeichen der Korruption und führte zu gewaltigen Protestaktionen; allein in Bukarest gingen über

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[35] Europäische Kommission, *Bericht der Kommission an das Europäische Parlament und den Rat. Über Rumäniens Fortschritte im Rahmen des Kooperations- und Kontrollverfahrens*, S. 3 f. Brüssel 22. 02. 2014 [http://ec.europa.eu/cvm/docs/com_2014_37_de.pdf], 07. Mai 2016.

[36] Marc Stegherr, „Der Zeithistorische und kulturelle Hintergrund der politischen Kommunikation in Rumänien". In *Studia Europaea* Nr. 2, 2016, 5-33.

[37] Vgl. Boris Kalnoky, „Rumänen stürmen Botschaften, um wählen zu können", *In Die Welt*, Politik, Präsidentschaftswahl, 3. November 2014
[http://www.welt.de/politik/ausland/article133917863/Rumaenen-stuermen-Botschaften-um-waehlen-zu-koennen.html], 07. Mai 2016, Siehe auch Barbara Galaktionow; Markus C. Schulte von Drach und Martin Anetzberger, „Saubermann mit deutschen Wurzeln",
*Süddeutsche Zeitung: Wahlsieger in Rumänien*, 17. November 2014
[http://www.sueddeutsche.de/politik/wahlsieger-in-rumaenien-saubermann-mit-deutschen-wurzeln-1.2223988], 07. Mai 2016.

[38] Vgl. Frankfurter Allgemeine Zeitung, *Nach Brand in Nachtclub: Zehntausend Rumänen demonstrieren gegen Regierung*, 04.11.2015
[http://www.faz.net/aktuell/politik/ausland/europa/nach-brand-in-nachtclub-zehntausend-rumaenen-demonstrieren-gegen-regierung-13892703.html], 07. Mai 2016.

25. 000 Menschen auf die Straße, in ganz Rumänien protestierten über 60. 000 Menschen und konnten erreichen, dass Victor Ponta, gegen den schon lange Korruptionsvorwürfe vorliegen, das Amt des Premierministers niedergelegt hat.[39]

Fortgesetzt wurden die Proteste durch die unerwarteten Wahlergebnisse von 2016, die das oppositionelle mitte-rechts Lager verloren hat. Trotz der neuen Partei, die USR (Uniunea Salvati Romania – Union Rettet Rumänien), die dem mitte-rechts-Lager zur Seite stand, wurden sie von der Koalition aus PSD, die von dem Vorsitzenden Liviu Dragnea geführt wird und ALDE (einer Partei des rechten Flügels) übertroffen. Der Konflikt geht darauf zurück, dass Liviu Dragnea als Führer der Koalition das Amt des Premierministers inne haben wollte und die Zustimmung des Präsident dafür nicht erhielt. Der Grund dafür ist seine nicht legitimierbare Bekleidung eines öffentlichen und politischen Amtes, da er aufgrund von Amts- und Machtsmissbrauch, Korruptionsvorwürfen und der Beschlagnahmung öffentlicher Gelder von der nationalen Antikorruptionsbehörde (DNA) strafrechtlich verfolgt wird und in mehrere Prozesse verwickelt ist. Die PSD-Regierung versucht seitdem verzweifelt neue Gesetzesänderungen, wie der Eliverordnung OUG 13 zu erlassen, um beispielsweise strafrechtliche Verfolgungen von Korruption und anderer missbräuchlicher Praktiken zu mildern, die u.a. Politiker und Juristen der rumänischen Führungselite, die bereits wegen Amtsmissbrauch und Korruption verurteilt wurden, zu verschonen. Die Proteste halten seit 2017 schon über einem Jahr weiterhin an und stehen mit zivilgesellschaftlichen Bewegungen wie: „#Rezist"; „Vă vedem"; „Corupția

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[39] Vgl. Karl-Peter Schwarz, „Rücktritt wegen des Zorns in der Gesellschaft", *Frankfurter Allgemeine Zeitung*, 04.11.2015 [http://www.faz.net/aktuell/politik/ausland/europa/rumaeniens-ministerpraesident-victor-ponta-zurueckgetreten-13892954.html], 07. Mai 2016, Siehe auch Manfred Götzke, „Nach Regierungsrücktritt gehen die Proteste weiter", *Deutschlandfunk*, 05.11.2015 [http://www.deutschlandfunk.de/rumaenien-nach-regierungsruecktritt-gehen-die-proteste.795.de.html?dram:article_id=335999], 07. Mai 2016, Vgl. Konsulat der Bundesrepublik Deutschland Temeswar, *Wochenrückblick des Konsulats – 02. - 08. November 2015* [http://www.temeswar.diplo.de/Vertretung/temeswar/de/02/Presseauswertung/2015/02._20-_2008._20November_202015.html], 07. Mai 2016.

ucide" symbolisch für den Kampf der Gesellschaft gegen Korruption und Missachtung des demokratisch verfassten Rechtstaates. Demgegenüber reagiert die PSD-Regierung mit weiteren drastischen Maßnahmen, die den demokratischen Rechtsstaat gefährden, indem bspw. das Justizministerium von Klaus Johannis die Absetzung der Antikorruptionstaatsanwältin Laura Codruța Kövesi forderte, um die Antikorruptionsbehörde daran zu hindern künftig gegen Verwaltungsbeamte ermitteln zu können und die Kontrolle des Justizministeriums über Staatsanwälte zu erhöhen.[40] Eine andere skurrile Maßnahme der PSD-Regierung, um ihre Einflussnahme auf die rumänische Bevölkerung zu erhöhen, bestand kürzlich aus einer selbst organisierten Demonstration (Miting) der und für die PSD-Regierung, an der sowohl PSD-Anhänger als auch dafür bezahlte Personen aus dem ganzen Land eingereist wurden, um gegen Klaus Johannis und für die Regierungschefin Viorica Dăncilă und die PSD zu demonstrieren.[41] Der Zufall möchte es so, dass die von der PSD-Regierung organisierte Demonstration am 9.06. 2018 mit dem Datum der Juni *Mineriaden* von vor 28 Jahren zusammenfällt und einige Teilnehmer sogar die selben Bergarbeiter waren, die damals an unzähligen protestierenden Studenten Gewalttaten verübt haben.[42] Warum die herrschende Regierung, der alle Machtmittel zustehen, nun ausgerechnet auf die letzten Mittel der zivilgesellschaftlichen und oppositionellen Bewegungen – wie der Demonstration- zurückgegriffen hat, bleibt weiterhin fraglich und lässt auf die absichtliche Verzerrung politischer Gehalte und medialer Einflussnahme schließen, um die mehrheitlich politisch ungebildete rumänische Bevölkerung zu beeinflussen und dadurch den eigenen Machterhalt zu sichern.

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[40] Zeit Online, *Rumäniens Antikorruptionsstaatsanwältin soll entlassen werden*, 30. 05. 2018 [https://www.zeit.de/politik/ausland/2018-05/laura-koevesi-rumaenien-antikorruptionsstaatsanwaeltin-oberstes-gericht ], 12. Juni 2018.

[41] Nina May, „Johannis muss Absetzung von Kövesi unterzeichnen", *Siebenbürgische Zeitung*, 12. 06. 2018, [https://www.siebenbuerger.de/zeitung/artikel/rumaenien/18919-johannis-muss-absetzung-von-koevesi.html ], 14. Juni 2018.

[42] Vintilă Mihailescu, „Mineriada albă a domnului Dragnea și poporul paralel", 10.06. 2018, [https://www.hotnews.ro/stiri-opinii-22500312-mineriada-alb-domnului-dragnea-poporul-paralel.htm], 14. Juni 2018.

## IV. Schlussfolgerungen

Die kritischen Anmerkungen hierbei beziehen sich auf die Tatsache, dass die zivilgesellschaftlichen Proteste einen eher reaktiven Charakter aufweisen; da es den rumänischen Protestbewegungen an innerem und kontinuierlichem Antrieb fehlt, sich in losen Strukturen verliert und oft nicht allein von Rumänen initiiert wird, ähnlich wie im Kommunismus, wo zivilgesellschaftliche Handlungsinitiativen auf die Minderheiten beschränkt blieben oder auf die Initiativen ausländischer Akteure zurückzuführen sind. Die Schwierigkeit liegt hier einerseits in der fehlenden materiellen und finanziellen Unterstützung zivilgesellschaftlicher Bewegungen und Organisationen und zum anderen in der Passivität und Teilnahmslosigkeit der rumänischen Bevölkerung gegenüber politischer Inhalte und der „Öffentlichkeit" im Allgemeinen äußert, die sich durch eine Gemeinschaftslosigkeit oder eine gesellschaftliche Unverbundenheit, besonders aber von der niedrigen politischen Bildung und fehlenden politischen Handlungsfähigkeit, auszeichnet. Die fehlende politische Bildung geht auf die politische Kultur zurück, in der vor allem die Medienlandschaft durch die herrschenden Klassen manipuliert und gesteuert wurde und eine absichtliche Desinformation der Bevölkerung stattfand, auf deren Grundlage und vor dem Hintergrund drohender Repressionen, nie eine aktive Zivilgesellschaft entstehen konnte.

Somit lassen sich auch die derzeitigen zivilgesellschaftlichen Handlungen eher als reaktive (Protest-)Bewegungen auffassen und sind weniger als Artikulationen einer „intakten" Zivilgesellschaft zu verstehen.

Vielleicht lässt sich dies damit begründen, dass der Zivilgesellschaft noch immer ein (nationales) Gemeinschaftsbewusstsein fehlt, da die ethnischen, religiösen, regionalen und sozialen Unterschiede die Gesellschaft stärker beschäftigen, als der gemeinsame Wunsch nach politischer Veränderung. So bleibt die einzige manifeste gemeinschaftsstiftende Idee, die die rumänische Gesellschaft zusammenhält, die des gemeinsamen Feindes, den man in der Politik bzw. der Regierung identifiziert und auf den mit reaktivem Protesthandeln reagiert wird. Die so entstandenen Proteste haben aber eher affektiven Charakter und sind eher emotional statt politisch motiviert, da der Bevölkerung aufgrund einer weitgehend

fehlenden Erfahrung von politischer Kultur die politische Bildung fehlt. Der Colectiv-Brand veranschaulicht die stark emotional geladene Protestbewegung, die letztlich politische und wirtschaftliche Forderungen der Bevölkerung initiiert hat.

Die wenigen zivilgesellschaftlichen Akteure oder NGOs in Rumänien sind kaum miteinander vernetzt, es gibt nur wenige Räume oder Plattformen, von denen aus solche Organisationen die Gesellschaft erreichen oder ansprechen können, um Dialoge zu ermöglichen.

So beschränken sich oftmals zivilgesellschaftliche Aktivitäten auf die sozialen Netzwerke im Internet und erreichen dadurch viele Bevölkerungsschichten nicht, die keinen Zugang dazu haben, weil sie beispielsweise auf dem Land ohne Internetzugang leben.

Laut R. Münch[43] werden solche Aufrufe oder Informationen zu politischen Themen leider immer nur dort rezipiert, wo sowieso schon von vornherein Interesse an bspw. politischen oder öffentlich kritischen, ökologischen, religiösen u. A. Inhalten besteht und somit werden selten Individuen, Gruppen oder Gemeinschaften, deren Interessen anderweitig kanalisiert sind, auf neue Themen und Inhalte aufmerksam oder von diesen angesprochen, da die sozialen Netzwerke individuell selektiv gruppiert sind. Aus diesem Grund müssten Zivilgesellschaften in einem Raum handeln, der politisch und sozial allgemein anerkannt und zugänglich ist, um so mehr Gruppen der Bevölkerung erreichen zu können. Um eine politische Kultur in einem Transformationsland voll entfalten zu können, müsste die mediale Öffentlichkeit sachbezogener und besonders auch die Politik/das politische System, mehr Pluralität zulassen und transparenter werden, indem sie den Bürger über Entscheidungs- und Handlunsgprozesse informiert, um ihn an öffentlichen Angelegenheiten teilnehmen zu lassen und dadurch zivilgesellschaftliches Engagement zu fördern.

Der Zivilgesellschaft müssten daher öffentliche Medien zugänglicher gemacht werden, damit sie gemeinsam mit den Think Tanks eine bildende Rolle gegenüber der Bevölkerung als Vermittlung aktiver Bürgerschaft und Initiator einer handlungsorientierten demokratischen Gesellschaft einnehmen kann. Die Zivilgesellschaft sollte in der Öffentlichkeit

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[43] Vgl. Richard Münch, *Dialektik der Kommunikationsgesellschaft*, Frankfurt am Main: Suhrkamp, 1991 und Richard Münch, *Dynamik der Kommunikationsgesellschaft*, Frankfurt am Main: Suhrkamp, 1995.

Rumäniens, wie die Think Tanks konkrete demokratische Werte vermitteln, die Stärkung des Gemeinschaftssinns und einen regen Austausch über gesellschaftliche Handlungsmöglichkeiten sowie die aktive Gestaltung der eigenen Gesellschaft fördern. Zivilgesellschaften sollten den Diskurs über individuelle Freiheit, Gerechtigkeit[44] und gesellschaftliche Verantwortung als Bürger eines demokratischen Staates initiieren.

Das Ausbleiben konstruktiver und stabiler zivilgesellschaftlicher Orgaisationen bzw. Aktivitäten als auch die emotional geladenen Proteste deuten auf ein politisch nicht funktionsfähiges System in dem die Öffentlichkeit noch immer politisch „beherrscht" ist. Die demokratischen Strukturen des rumänischen Staates sind bei weitem noch nicht zuverlässig funktionsfähig. Es ist zu erwarten, dass in Rumänien erst zahlreiche Reformen zu einem allmählichen Erfolg des Transformationsprozesses beitragen und damit hoffentlich auch die Entwicklung einer aktiven Zivilgesellschaft ermöglicht wird, die für eine Demokratie existentiell ist.

Schlussfolgernd kann man sagen, dass die langsamen Reformschritte Rumäniens einerseits dem Elitenwechsel und der weiter bestehenden Nomenklatura zu verdanken sind. Das alte System wurde als Herrschaftsform zwar abgeschafft, der politische, wirtschaftliche, soziale und allgemein öffentliche Rahmen für eine intakte Demokratie wurden dabei aber nur formal eingerichtet, wodurch die Gesellschaft auch nur formal demokratisch geworden ist. Andererseits fehlen aber auch die gesellschaftlichen „Initiatoren" für einen Demokratisierungsprozess, da es bis vor wenigen Jahren kaum aktive zivilgesellschaftliche Akteure gab, die eine solche Entwicklung hätte vorantreiben können. Grund dafür ist wiederum die fehlende Tradition politischer Kultur und das Ausbleiben politischer Bildung.

Solange Demokratisierungsprozesse im rechtlichen, politischen, wirtschaftlichen und gesellschaftlichen System und ihren jeweiligen Handlungssphären nicht wirksam werden, können sich auch demokratische Werte in der rumänischen Gesellschaft nur sehr mühselig verankern.

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[44] Siegfried Schiele, „Gibt es noch Werte?", *Bundeszentrale für politische Bildung*, 12. 08. 2013 [http://www.bpb.de/apuz/166647/gibt-es-noch-werte?p=all], 12. Juli 2016.

Das heißt, um in Voegelins Worten zu sprechen, dass Menschen demokratisch sozialisiert werden müssen, um demokratisch geprägt sein zu können. Alexis de Toqueville teilte diese Auffassung auch und schrieb in seinem Werk *Über die Demokratie in America*, dass Modernisierung nur durch die Demokratisierung der Gesellschaft zustande kommen kann.

Die schwachen Medien und die intransparente politisch Öffentlichkeit kennzeichnen die erst junge "postkommunistische" Demokratie, die noch auf der Suche nach ihren demokratischen Werten und Grundsätzen ist.

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# *Die wichtigste aller Künste*: der Film als Medium des Gedächtnisses in der Nachkriegsperiode. Der Widerstand in *Nepoții gornistului* und *Das Beil von Wandsbeck*

## *The most important of all arts*: constructing the film as a medium of collective memory in the postwar period: the resistance in *Nepoții gornistului* and *Das Beil von Wandsbeck*

**Antonela Gyöngy**<sup></sup>*

**Abstract:**

*The post-war period represented a time of political and social upheaval that largely affected collective memory. The present paper explores the question of how this collective memory was constructed by the medium of cinematography in Romania and GDR. On the basis of two film analysis, the topos of the resistance fighter is firstly examined as a main negotiation subject between filmmakers and party officials, in order to finally draw comparative conclusions on memory politics in both states.*

**Keywords:** collective memory, resistance, cinematography, Romania, GDR

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**Zusammenfassung:**

*Die Nachkriegszeit stellte eine Zeitspanne der politischen und sozialen Umwälzungen dar, von denen das kollektive Gedächtnis weitgehend betroffen wurde. Der vorliegende Beitrag geht der Frage nach, wie dieses Gedächtnis durch das Medium Film in Rumänien und DDR konstruiert wurde und versucht dabei anhand zweier Filmanalysen den Topos des Widerstandskämpfers als Gegenstand der Aushandlung zwischen Filmschaffenden und Parteifunktionären zu erfassen, um schließlich die gedächtnispolitischen Verhältnisse in Rumänien und DDR komparativ beleuchten zu können.*

**Schlüsselwörter:** kollektives Gedächtnis, Widerstand, Film, Rumänien, DDR

### Einführung

Die schweren Spannungen der Nachkriegszeit, die teilweise auch von den im Zweiten Weltkrieg propagierten Feindbildern verstärkt wurden, kamen zum einen vor dem Hintergrund der Blockbildung und der damit einhergehenden Neugestaltung der internationalen Beziehungen, zum anderen durch die innerstaatlichen Machtkämpfe in den von der Roten Armee besetzten Staaten zum Ausdruck.[1] Die Gründung von Einparteien-Diktaturen, deren aus dem russischen Exil stammenden Vorsitzenden sich unter dem unmittelbaren sowjetischen Einfluss befanden, die Abschaffung der politischen Gegner sowie die Neuetablierung sozialistischer Parteien bestimmten eine Phase des „sozialistischen Aufbaus.“[2]

Die Kultur- und Medienentfaltung vollzog sich jedoch in den einzelnen Ostblockstaaten auf unterschiedliche Weise. Während Jugoslawien unter Josip Broz Tito ohnehin einen politischen Einzelweg ging, wandten sich die anderen Ostblockstaaten dem „sozialistischen Aufbau“ sowjetischer Prägung und der damit einhergehenden Gründung zentralisiert eingerichteter, kultureller Institutionen zu.

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[1] Vgl. über den Kalten Krieg: Yvan Vanden Berghe, Der Kalte Krieg 1917-1991, (Übers. Martine Westerman), Leipzig: Leipziger Universitätsverlag, 2002, hier: S. 97-112.

[2] Der „antifaschistisch-demokratischen Umwälzung“ folgte, nach der Gründung der DDR in 1949, eine andere kulturpolitische Periode, die als „Aufbau der Grundlagen des Sozialismus“ bezeichnet wurde. Siehe: Joachim Streisand, Kultur in der DDR. Studien zu ihren historischen Grundlagen und ihren Entwicklungsetappen, Berlin: VEB Deutscher Verlag der Wissenschaften, 1981, S. 71-94.

Die neue legitimatorische Grundlage dieser Staaten stützte sich auf den Topos des Widerstandskämpfers, dessen Variationen in den einzelnen Ostblockländer von politischen Konstellationen und Konjunkturen, der Lebens- und Widerstandserfahrung der Gesellschaft und – insbesondere in der Nachkriegszeit – von der institutionellen und materiellen Zusammensetzung der „Medien des Gedächtnisses" bestimmt waren. Somit ist von Widerstandtsauffassungen auszugehen, die vor dem Hintergrund der Filmgestaltung ein Ergebnis kommunikativer Aushandlungsprozesse und gegenläufiger Erinnerungskonstruktionen sind.

Der vorliegende Beitrag setzt sich mit der filmischen Konstruktion dieser Topoi in zwei Ostblockländer – Rumänien und die DDR - auseinander. Dabei wird auf die Spielfilmproduktionen *Das Beil von Wandsbeck* [Falk Harnack, 1951] und *Nepotii gornistului* [Dinu Negreanu 1953/54] eingegangen, um dadurch erste visuelle Auffassungen kommunistischer Widerstandskämpfer, die Aushandlung der Vergangenheit im Kontext der Filmproduktion und schließlich die gedächtnispolitischen Verhältnisse in der Nachkriegs- und stalinistischen Periode in diesen zwei Ländern erfassen zu können.

Aus gedächtnistheoretischer Perspektive wird der Spielfilm als „Medium des Gedächtnisses" im Sinne von Astrid Erll betrachtet, das einerseits durch seine materiale Dimension die Struktur der medialen Botschaft bestimmt und die Kommunikationssituation erweitern lässt, andererseits durch seine soziale Dimension auf der Produktions- und Rezeptionsebene eine prospektive Rolle und gedächtnisstützende Funktion übernimmt.[3] Gleichwohl wird der Spielfilm als Aushandlungsplattform und als Mythen tradierendes Medium zwischen dem „kommunikativen"- und „kulturellen Gedächtnis"[4] verortet. Somit wird die Frage nach den Entstehungsbedingungen des Films als Medium des Gedächtnisses in der Nachkriegszeit aufgestellt und diese mit der visuellen Konstruktion des

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[3] Astrid Erll, *Kollektives Gedächtnis und Erinnerungskulturen*, Stuttgart/Weimar: J.B. Metzler, 2005, S. 132-136.

[4] Vgl. Jan Assmann, Das kulturelle Gedächtnis. Schrift, Erinnerung und politische Identität in frühen Hochkulturen, 3. Aufl. dieser Ausg., München: Beck, 2000, [1997] und Aleida Assmann, Erinnerungsräume. Formen und Wandlungen des kulturellen Gedächtnisses, 4. Aufl., München: Ch. Beck, 2009, [1999].

Widerstandskämpfers und mit den Aushandlungsprozessen zwischen den Film- und Parteifunktionären in Zusammenhang gebracht. Infolge der zwei Filmanalysen, die auf diese Fragen eingehen, werden in einem abschließenden Kapitel die politischen und sozialen Triebkräfte der filmischen Gedächtniskonstruktion vergleichend zusammengefasst.

## *Das Beil von Wandsbeck* **[Falk Harnack, 1950/51]**

Der Theaterregisseur und Künstlerischer Direktor der DEFA (1949-1952), Falk Harnack, versuchte mit seinem Debütfilm *Das Beil von Wandsbeck* [1951] an die unmittelbare Vergangenheit heranzugehen.

Der Spielfilm zieht als literarische Vorlage Arnold Zweigs gleichnamigen Roman heran und problematisiert die Entscheidung eines Schlächtermeisters Albert Teetjen (Erwin Geschonneck) anstelle des erkrankten Scharfrichters die Hinrichtung von vier kommunistischen Angeklagten im Reeperbahnprozess zu vollstrecken, um durch die erhaltene Kompensation seinen abgewirtschafteten Fleischladen wieder in Gang zu bringen. Auf diese Weise wird auch Hitlers Besuch in Hamburg ermöglicht. Doch die Hinrichtung der sich als unschuldig erwiesenen Kommunisten führt ihn zu seinem Scheitern. Nicht nur die Kunden, sondern auch seine Nachbarn und Bekannten schlagen in Verachtung um. Nachdem seine Frau Stine (Käthe Braun) kurz darauf Selbstmord begeht, nimmt sich auch Albert Teetjen zum Schluss des Films das Leben.

Arnold Zweigs Roman erschien während seiner Exilzeit in Palästina. Die Geschichte des Henkers Albert Teetjen fand ihren Ausgangspunkt in einem vom Autor entdeckten Zeitungsartikel, der über einen Schlächtermeister berichtete, der sich als Henker schuldig machte.[5] Dass Arnold Zweig primär die Problematik des Mitläufertums während des Nationalsozialismus in Deutschland verarbeiten wollte und dabei die kommunistischen Widerstandskämpfer aufgrund ihrer vom Autor bezweifelten Tatkraft keine Erwähnung finden konnten, wurde in einem Briefwechsel mit Georg Lukács angesprochen.[6]

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[5] Vgl. Detlev Claussen, Schicksale eines Romans. Zu Arnold Zweig, «Das Beil von Wandsbek», in: Arnold Zweig, *Das Beil von Wandsbek*, Berlin: Aufbau Taschenbuch, 1994, S. 564-574, hier: 566.

[6] Brief an Georg Lukács, 30.8.1951, in: Arnold Zweig, Das Beil von Wandsbek, S. 561.

Eine Akzentverschiebung wird durch die filmische Verarbeitung der literarischen Vorlage herangeführt. Mehr als der im Jahr 1937 angesetzte Roman weist die – jenseits ideologisch begründeter Interventionen – in Hamburg der 1934er Jahren vorgerückte Filmhandlung auf die Ereignisse um den „Altonaer Blutsonntag" hin. Der Zusammenstoß zwischen SA-Truppen und Kommunisten in einem Altonaer Arbeiterviertel am 17. Juli 1932 führte auch durch den Eingriff der Polizei zu Todesfällen vor allem unter den dortigen Bewohnern. Dieser Vorfall wurde angeblich von dem Reichskanzler von Papen als Anlass zum „Preußenschlag" 1932 genommen, um die preußische Regierung aufzulösen.[7] Ein Sondergericht beschloss das Todesurteil von August Lüttgens, Karl Wolff, Walter Möller und Bruno Tesch, die für den Tod zweier SA-Männer zu Unrecht verantwortlich gemacht wurden. Ihre Hinrichtung, die vermutlich mit einem Beil durchgeführt wurde, fand nach der Machtergreifung Hitlers beim Amtsgericht Hamburg-Altona am 1. August 1933 statt.[8]

Die Filmhandlung beschränkt sich jedoch auf die Hinrichtung der vier Angeklagten und lässt die unter dem „Reeperbahnprozess" einlaufenden Ereignisse nur auf der Dialogebene auftreten. So erfährt Käthe Neumeier (Gefion Helmke), die Ärztin der Frauenabteilung in Fuhlsbüttler Zuchthaus über die Wiedereröffnung des Prozesses von einer im Sterben liegenden Patientin Lene Prestow, die sich unter den angeklagten Kommunisten Otto Merzenich und Friedrich Timme auf der Reeperbahn befand (18.1.1933) und die aufgrund ihrer Ablehnung von Schuldzuweisungen wegen Meineid verurteilt wurde. Sie berichtet weiterhin über eine bewaffnete Auseinandersetzung unter den SA-Truppen. Dass aber die Schuld dafür den Kommunisten unterstellt wurde, betont sie unter Rückgriff auf den Reichstagsbrand. Mahnend wendet sie sich dem

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[7] Vgl. Hans Mommsen, Aufstieg und Untergang der Republik von Weimar, 2. Ausg., München: Propyläen Taschenbuch, 2001, S. 533-534.

[8] Leon Schirmann deckt in seiner späteren Untersuchung sowohl die verzerrte Darstellung der Ereignisse als auch die gerichtlichen Fälschungen auf, die 1992 zur Aufhebung der Urteile gegen die vier Angeklagten führte. Vgl. Carsten Schröder, Eine erweiterte Rezension zu Leon Schirmann: Altonaer Blutsonntag, 17. Juli 1932. Dichtungen und Wahrheit. Hamburg: Ergebnisse Verlag 1994. 168 S., in:
http://www.akens.org/akens/texte/info/29/29rez03.html#5, Stand: 23.3.2016;
Vgl. auch „Altonaer Blutsonntag" 17. Juli 1932 und „Preußenschlag" 20. Juli 1932, in:
http://www.betriebsgruppen.de/texte/altonaerblutsonntag.pdf Stand: 16.11.2015.

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Mitläufertum bzw. der Ärztin zu: „Ihr wisst nichts und ihr wollt nichts wissen. Ihr haltet euch die Ohren zu und schließt die Augen. [...] Nicht so viel schweigen, Frau Doktor, das ist auch nicht gut." [14,00-18,01].

## Die kommunistischen Widerstandskämpfer

In diesem Erzählstrang, in dem die Ärztin Käthe Neumeier sich über den Reeperbahnfall dokumentiert, treten auch die vier politischen Häftlinge visuell am deutlichsten auf.[9] Eine Parallelmontage schildert suggestiv einerseits Albert Teetjen beim Fleisch hacken in einem Schlachthaus, andererseits den Gefängnisbesuch der Ärztin Neumeier, die die vier Angeklagten über das Einlegen eines Gnadengesuchs zu überzeugen versucht [44,58-57,18]. Auf ihre Anfrage reagiert jeder Einzelne auf unterschiedlicher Weise: einerseits bezweifelt der sich als Jude vorstellende *Siegfried Mengers* (Fritz Wisten) die Vollstreckung der Hinrichtung aufgrund der angespannten außenpolitischen Lage und der Solidarität der Werktätigen angesichts der wachsenden Macht der Sowjetunion. Nach seiner politischen Ausführung fügt er friedlich hinzu, dass er sich vor dem Tod nicht fürchte und doch nicht glücklich sei: „nemo ante mortem beatus". Wortkarg reagiert dagegen der jüngste Häftling *Willi Schröder* (Gert Schäfer), der unter Verzweiflung schon einen Gnadengesuch eingereicht habe. Voller Verachtung gegenüber dem politischen System und denjenigen, die auf „anständige Arbeiter" geschossen haben, setzt *Otto Merzenich* (Albert Garbe) auf die Widerstandsbereitschaft der Bevölkerung und auf die „rote Fahne", wodurch er auch sein politisches Credo äußert. Daher verlange er kein Gnadengesuch, sondern erhebe Anspruch auf sein Recht. Dass Merzenichs spöttischer, cholerischer Auftritt seinem Wesen dennoch nicht völlig entspricht, zeigt am Ende des Gesprächs seine sensible, fürsorgliche Haltung gegenüber Lene Prestow. Angespannt zeigt sich schließlich der Besuch des letzten Häftlings. *Friedrich Timme* (Hermann Stövesand), ein alter Bekannter aus der sozialistischen Jugend der Ärztin, hält ihre naive Intention für aussichtslos und erteilt ihr eine politische Lektion.

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[9] [Besuch Dr. Käthe Neumeier: 44,58-57,18]; [Haftverschärfung/Todeszelle: 26,58-28,52]; [Telegraphieren/nur Schröder: 38,00-39,54]; [Hinrichtung/nur Off-Stimme von Fr. Timme: 1,6,43-1,6,57]; [A. Teetjens Vision: 1,45,16-1,45,54].

Kommunisten, Pazifisten und teilweise auch die Kirche seien ein Hindernis für die sich kriegstreibend entwickelnde politische Macht. Die Bereitschaft Friedrich Timmes sich auf eigene Kräfte zu stützen, wozu er aber ein vollgetanktes Motorrad und eine Feile brauche, stößt bei Käthe Neumeier auf Ablehnung. Albert Teetjens fertiggestellte Arbeit und das Wegtransportieren der geschlachteten Rinder rundet schließlich die assoziative Parallelmontage ab.[10]

Trotz ihres episodischen Auftritts auf der visuellen Ebene, werden die vier Verurteilten im Reeperbahnprozess durch die Filmerzählung weitergetragen. Denn aufgrund ihrer Geschichte, werden die unterschiedlichen Einstellungen gegenüber dem politischen Regime ausdifferenziert. Politisch begründet handeln zwar nur einige Nebenfiguren, wie Tom Barfey, Karl Prestow und eine Arbeiterfrau, die die Hamburger Bevölkerung durch Flugblätter auf den Fall aufmerksam machen wollen. Auf der anderen Seite befinden sich die Systembefürworter. Sie werden insbesondere durch den Standartenführer Hans Peter Footh (Willy A. Kleinau) verkörpert, der seinen hilfesuchenden ehemaligen Kriegskameraden Albert Teetjen für die Hinrichtung der vier Angeklagten skrupellos instrumentalisieren lässt. Darüber hinaus beschränkt sich die Einsatzbereitschaft der früheren Sozialdemokratin Käthe Neumeier auf die juristische Unhaltbarkeit dieses Urteils und nicht auf das Unrecht des politischen Systems. Doch auch ihr wohlwollendes Entgegenkommen schlägt schließlich in Mitschuld um, als sie zufälligerweise über Frau Barfey die Verbindung zwischen Albert Teetjen und Hans Peter Footh ermöglichte. Anders als die Ärztin Neumeier fügen sich die mehrheitlichen, die Hamburger Bevölkerung repräsentierenden Figuren, trotz moralischer Ansichten und Mitgefühl dem Mitläufertum bei.

In den Mittelpunkt der Filmerzählung steht jedoch die zwangsläufige Täterschaft, durch die Hauptfigur Albert Teetjen und seine Frau Stine dargestellt. Die identifikatorische Nähe wird dadurch mit

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[10] In dem Treatment haben außer Friedrich Timme alle Häftlinge Gnadengesuch eingereicht. Ebenfalls hier werden sie insofern umfangreicher dargestellt, als Mengers jüdische Familie an dem letzten Sonntag vor der Hinrichtung Gebete ausspricht und sich über ihn unterhält. Gleichwohl kommt auch Timmes Frau mit ihren zwei Kindern vor. Beim Spielen kommt das Abtrennen des Kopfes einer Puppe als Metapher für die Enthauptung vor, ein Vorfall die Frau Timme in Ohnmacht fallen lässt, in: Treatment „Das Beil von Wandsbeck", undatiert, Bild 44-45, S. 20-21, in: BArch DR 117/10783, Treatment.

diesem durchschnittlichen Familienpaar aufgebaut, das sich aus Eigennutz und Unüberlegtheit sich des Mordes schuldig macht und die unmoralische Tat schließlich als politische Rechtfertigung heranzieht. Als tragische Protagonisten übernehmen sie durchaus keine Vorbildfunktion, sondern ihr Scheitern führt vielmehr zu einer gewissen empathischen Nähe. Albert und Stine Teetjen werden insofern als Handlung und Spannung vorantreibende Figuren filmisch in den Mittelpunkt gesetzt. Die beobachtende Kameraführung schlägt erst zum Schluss des Films in eine verfremdend wirkende interne Fokalisierung um. Die Vision Stines – die vor ihrem Selbstmord das Spiegelbild Albert Teetjens in Frack und Zylinder sieht und dabei Donnerschläge hört, wirkt ebenso sentenziös wie die spätere Vision A. Teetjens, der sich das Bild der vier Verurteilten und den letzten Aufschrei Friedrich Timmes in Erinnerung ruft [1,45,16-1,45,54]. Allerdings lassen sich kaum filmästhetische Konventionsbrüche oder Brüche in der filmischen Narration erkennen, die eine Distanz schaffende, zum Nachdenken bringende Wirkung auf die Zuschauer herbeiführen könnten. Die kritische Distanz ergibt sich vielmehr aus der „ungewöhnlichen" Erzählung und aus den Assoziationen, die durch Ton- und Bildmontage hergestellt werden.

Die moralische Botschaft dieser Assoziationen hindert aber eine kritische Auseinandersetzung jedoch nicht. Denn der Spielfilm verzichtet auf eine eindeutige antagonistische Darstellungsweise eines in der Zwischenzeit schon filmisch eingeführten sozialistischen Realismus. Daher geht er unzeitgemäß anhand einer tragischen Figur, statt eines positiven Helden an die nahe Vergangenheit heran und betrachtet Täterschaft, Mitläufertum und Widerstand aus einer ausdifferenzierten Perspektive.

## Die Aushandlung der Vergangenheit: Formalismus-Debatte und der sozialistische Realismus

Während die früheren DEFA-Spielfilme eine kritische Auseinandersetzung mit der Vergangenheit ermöglichten, fiel *Das Beil von Wandsbeck* während der Produktion den neuen kulturpolitischen Richtlinien zum Opfer. Die Beseitigung moderner Kunstausrichtungen innerhalb der Formalismusdebatte und die unmittelbare Einführung des sozialistischen Realismus prägten die erste Hälfte der 1950er Jahre. Der

Aufbau des Sozialismus und der Beginn des Kalten Krieges führten umso deutlicher zu einer Abgrenzung gegenüber der formorientierten Kunst des Westens und einer Anlehnung an das sowjetische Modell. „Der Kampf gegen den Formalismus in Kunst und Literatur, für eine fortschrittliche deutsche Kultur", der während der 5. Tagung des ZK der SED (15.-17. 3. 1951) verkündet wurde, blieb allerdings nicht nur auf der diskursiven Ebene, sondern leitete eine institutionelle Umstrukturierung staatlicher Kontrollinstanzen ein.[11] So wurde im Filmbereich die Verantwortung der „DEFA-Kommission" des Politbüros durch Umbesetzungen gestärkt und der „künstlerische Beirat" (1950), der dem SED unterstellt war, gegründet. Kurz darauf entstand das „Stattliche Komitee für Filmwesen" (1952), das dem Ministerrat zugeordnet wurde und die gesamte Leitung des Filmwesens übernahm. Der starken Senkung der künstlerischen Qualität der DEFA-Produktionen und damit der Zuschauerzahlen, die ohnehin durch die Zentralisierung des gesamten Filmwesens unter dem Einflussbereich der Partei einhergegangen sind, trat die SED mit weiteren politischen Maßnahmen entgegen.[12]

Aufgrund der sich zuspitzenden kulturpolitischen Verhältnisse wurden die Filmproduktionen dieser Zeit von institutioneller Unsicherheit und von politischer Wachsamkeit geprägt, die nicht nur auf die künstlerische Qualität eine Auswirkung hatten, sondern auch auf eine wirksame Zusammenarbeit zwischen den unterschiedlichen Abteilungen. So traten auch während der Produktion des Spielfilms *Das Beil von Wandsbeck* einzelne Diskrepanzen zwischen Regisseur und Besetzungsabteilung oder bei den Dreharbeiten zwischen dem Produktionsleiter Kurt Hahne und dem DEFA-Produktionschef und technischer Direktor Albert Wilkening auf.[13] Doch insbesondere der stillschweigende Konflikt zwischen Falk Harnack und dem ihm misstrauisch gegenüberstehenden DEFA-Vorstand Sepp Schwab hatte

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[11] Vgl. Dagmar Schittly, *Zwischen Regie und Regime. Die Filmpolitik der SED im Spiegel der DEFA-Produktionen*, Berlin: Ch. Links Verlag, 2002, S. 44-50.

[12] Vgl. *Ibidem.*, S. 47-50.

[13] Vgl. Besetzung Dr. Reiche an Herrn Dir. Dr. Harnack, 21.8.1950; Besetzung Dr. Reiche an Herrn Dr. Falk Harnack, 14.9.1950; Mitteilung Besetzungsbüro an K. Hahne Produktion und Herrn Dr. Harnack, 6.10.1950, in: BArch DR 117/30004, Filmakten, Besetzung; Vgl. auch Schreiben Albert Wilkening an K. Hahne, 21.10.1950, „Das Beil von Wandsbek", in: BArch DR 117/32659, Schriftverkehr, T. 2/2.

eine entscheidende Auswirkung auf die spätere politische Diskreditierung des Regisseurs gehabt.[14]

Als künstlerischer Direktor der DEFA zwischen Mai 1949 und April 1951 hatte **Falk Harnack** bereits früher eine Position inne, die ihm sowohl eine thematisch- als auch eine filmästhetisch motivierte Aushandlung der Vergangenheit ermöglicht haben sollte. Von besonderer Bedeutung war aber sein Erfahrungshorizont, denn er hat den Widerstand gegen den Nationalsozialismus nicht nur durch den Verlust seines in der „Roten Kapelle" aktivierenden Bruders Arvid Harnack erfahren, sondern ihn auch durch Kontakte zu der Widerstandsgruppe „Weiße Rose" und durch den Einsatz in der griechischen ELAS-Gruppe direkt ausgeübt. Vor diesem Hintergrund kann seine Bereitschaft zur Auseinandersetzung mit der nahen Vergangenheit und somit die thematische Ausrichtung seiner filmkünstlerischen Aktivität erklärt werden.[15]

Für den Hauptdarsteller seines ersten Spielfilms schaffte er es in diesem Sinne den angesehenen Schauspieler Erwin Geschonneck zu gewinnen.[16] In der **Besetzungsfrage** versuchte er größtenteils eigenständig, jedoch mit Unterstützung der Produktion zu handeln und dabei weniger Rücksicht auf die Vorschläge des Besetzungsbüros zu nehmen, das seinerseits „die künstlerische Eignung mit der politischen Sauberkeit [der Schauspieler] in Einklang zu bringen" versuche.[17]

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[14] Vgl. Günter Jordan, Der Verrat oder Der Fall Falk Harnack, in: apropos: Film 2004. Das 5. Jahrbuch der DEFA-Stiftung, Berlin: Bertz + Fischer, 2004, S. 148-173, hier: S. 149/ S. 167-172.

[15] Nach dem *Beil von Wandsbeck* folgten weitere in Westdeutschland gedrehte Spielfilme, die die nahe Vergangenheit ansprechen. Vgl. *Der 20. Juli* [1955]; *Anastasia, die letzte Zarentochter* [1956], *Unruhige Nacht* [1958]. Falk Harnack erkannte seine künstlerische Aussichtslosigkeit in der DDR. Nach dem Verbot seines Debütfilms versuchte er zwar ohne Erfolg einen klassischen, auf Heinrich Kleists Novelle *Michael Kohlhaas* basierenden Filmstoff zu drehen. Ebenfalls erfolglos blieb auch der Versuch der DEFA-Kommission ihn für die Regie eines dem sozialistischen Realismus gerechten Spielfilm *Du mußt kämpfen* [endg. Filmtitel: *Gefährliche Fracht*, Gustav von Wangenheim, 1954] zu gewinnen. Doch die Aufforderung zur Selbstkritik und der darauffolgende Ausschluss aus der SED führten ihn zwangsläufig zur Aussiedlung nach Westdeutschland. – vgl. Jordan, Der Verrat oder Der Fall Falk Harnack, S. 159-172.

[16] Mitteilung Bortfeldt an Dir. Dr. Wilkening, 20.7.1950, in: BArch DR 117/32659, Schriftverkehr, T. 1/2. Erwin Geschonneck musste auch die Rolle Holländer-Michel in *Das kalte Herz* [Paul Verhoeven, 1950] übernehmen.

[17] Besetzung Dr. Reiche an Herr Dir. Falk Harnack, 25.8.1950, in BArch DR 117/30004.

Über die Besetzungsfrage hinaus rief aber das Szenarium und das **Drehbuch** Bedenken hervor, die insbesondere auf die mitleiderregende Figur Albert Teetjen ausgerichtet waren.[18] Darauf konnte Falk Harnack während den nachfolgenden **Dreharbeiten** nur noch bedingt eingreifen, denn, jenseits des konkreten Inhalts, häufte sich nun die Kritik zusammen mit der Verschärfung der Kulturpolitik an. Die ersten Anmerkungen deuteten dagegen zunächst auf eine Auflockerung des Filmstoffes hin. Ersichtlich war diese Intention durch den Vorschlag des Produktionschefs und technischen Direktors Albert Wilkening (1948-1952) einerseits Albert Teetjen von Schuldzuweisungen zu befreien und ihn vielmehr als „ein Opfer der wirtschaftlichen Verhältnisse seiner Zeit" darzustellen, andererseits auf die sentenziöse Beladung zu verzichten, die durch den Rückkehr des Beils und durch Blitz und Donner-Geräusche zum Schluss des Films entstanden gewesen sei. Dass die Andeutung einer „hohen Gerechtigkeit" durch die Betonung der negativen Figur Footh vermieden werden könne, fügt er schließlich noch hinzu.[19] Kurz darauf verlangte derselbe Albert Wilkening aufgrund finanzieller Einsparungen Kürzungen vorzunehmen, die selbst die Darstellung der kommunistischen Widerstandskämpfer betrafen. Dagegen widersetzte sich der Chefdramaturg und Drehbuchautor Hans Robert Bortfeldt, indem er punktuell auf die dramaturgische und politische Bedeutung dieser Figuren verwies. So erfahre man von der Vertreterin des Proletariats Lene Prestow die Wahrheit über den Reeperbahn. Gleichwohl sei Frau Timme und der Straßenbahner Prestow für die Kontinuität des Widerstandes wichtig und schließlich sei auch die Präsentierung der vier kommunistischen Häftlinge in der Zelle unvermeidlich, da ihre Enthauptung nicht darstellbar sei und die frühere längere Fassung in der sie im KZ Moor gezeigt wurden, gestrichen worden sei.[20]

Der DEFA-Vorstand (Sepp Schwab) und die DEFA-Kommission des Politbüros der SED nahmen den Filmschaffenden gegenüber eine weitaus härtere Position ein, die insbesondere den Regisseur in einem ungünstigen Licht setzte. Weit über einfache Kürzungen hinaus wurde nun aller angehenden Neuaufnahmen zum Trotz eine andere Schauspielführung

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[18] Vgl. Jordan, *Der Verrat oder Der Fall Falk Harnack*, S. 152.

[19] Schreiben von Dr. Wilkening an Herrn Dir. Harnack, 19.9.1950, BArch DR 117/32659, T. 1/2.

[20] Schreiben Albert Wilkening an Dramaturgie, Berlin, 3.11.1950; Schreiben Bortfeldt an A. Wilkening, „Das Beil von Wandsbeck", 11.11.1950, in: BArch DR 117/32659, T. 1/2.

erfordert. Stine Teetjen und die Ärztin Neumeier seien nun als negative Figuren zu betrachten, wodurch die Auswirkung jeglicher Empathie vermieden werden solle. Auch weitere Nebenfiguren wie Footh, die Tochter Lemke, der SA-Mann Trowe, Frau Timme oder der Straßenbahner sollen so umgestellt werden, dass sie ihrer politischen Funktion entsprechen.[21] Zwar stimmte Falk Harnack einiger minimalen Veränderungsvorschlägen zu und erklärte sich bereit in den weiteren Dreharbeiten eine realistischere Schauspielführung zu berücksichtigen, hielt aber an seiner bisherigen Auffassung insbesondere in der Darstellung der Hauptfigur Stine Teetjen fest. Aufgrund seiner Standhaftigkeit konnten Albert Wilkening und H. R. Bortfeldt die von dem Vorstand angeforderten Verhandlungen mit dem Regisseur nur noch abbrechen.[22] Doch darüber hinaus führte die anhaltende, scharfe Aushandlung zwischen dem Regisseur und dem künstlerischen Beirat (repräsentiert durch Slatan Dudow) nur zu einer relativen Übereinstimmung. Denn die Umbesetzung der Figur Stine sei trotzdem erforderlich und die Darstellung der zuvor kritisierten Nebenrollen sei nicht zufriedenstellend. Die Konsenslosigkeit der Diskussionen führte dazu, dass der künstlerische Beirat schließlich nur noch Neuaufnahmen abverlangte:

> „Da die neu festgelegte künstlerische Linie wesentlich von der alten abweicht, soll dem Regisseur die Möglichkeit gegeben werden, durch eine Neuinszenierung des 8. Bildes die Realisierungsmöglichkeit dieser neuen Linie mit der bisherigen Besetzung unter Beweis zu stellen. Nach Vorliegen der neuen Szene wird der künstlerische Beirat seine endgültige Meinung über diese Frage äussern."[23]

Dieser Zerlegung des bereits gedrehten Filmmaterials folgten nun seitens des Romanautors Arnold Zweig Veränderungsvorschläge. Neben den hinzuzufügenden Bilder, die u.a. auch die 1918 gegen die Obrigkeit sich wendenden sozialistisch gesinnten Landwehrmänner Timme, Merzenich und Schröder zeigen sollten, beschwerte sich Arnold Zweig über die

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[21] Aktennotiz, 29.11.1950, in: BArch DR 117/ 32659, T. 2/2.

[22] *Ibidem.* Dass Falk Harnack sich der Umbesetzung der Rolle Stine Teetjen widersetzte, kann vermutlich auch darauf zurückgeführt werden, dass die Schauspielerin Käthe Braun seine Ehefrau war.

[23] Protokoll der Sitzung vom 1.12.1950, in: BArch DR 117/32659, T. 2/2.

naturalistischen Aufnahmen und setzte sich für eine stärkere Betonung der beiden Hauptprotagonisten ein.[24]

Infolge der aus beiden Richtungen kommenden Veränderungsvorschläge veränderte sich das Drehbuch grundlegend.[25] Die kurz darauf bei dem DEFA-Vorstand eingegangenen Veränderungen betrafen eine stärkere politisch-heroische Profilierung der vier angeklagten Kommunisten sowie die Einführung einer neuen Szene, die durch Friedrich Timmes Abschiedsbrief und die darauffolgende Flugblätteraktion eine direkte Verbindung zwischen den Angeklagten und dem weiteren Widerstandskampf der Parteigenossen hergestellt wird. Dass diese Veränderung das „[daß es] Maximum dessen ist, was wir erreichen können ohne eine künstlerische Verbiegung des ganzen Films durchzuführen" deutete darauf hin, dass eine weitere Kompromissbereitschaft der Filmemacher nicht mehr in Frage stehe.[26]

## Filmrezeption

*Das Beil von Wandsbeck* kam am 11. 5. 1951 im DEFA-Filmtheater Kastanienallee und im Filmtheater Babylon auf der Leinwand. Ungeachtet der in diesen Spartenkinos stattfindenden Filmvorführung zeigte sich die Filmkritik wesentlich gespalten. Deutlich positiv fielen einige Pressestimmen aus. Die gelungene filmische Bearbeitung des Romans beruhe demzufolge auf ein sauberes Drehbuch, auf eine behutsame Regie und auf plastische schauspielerische Leistungen. Ihr Verdienst sei weiterhin die dramaturgische Kohärenz, „ohne daß Wesentliches an den Menschen und Ereignissen verzerrt oder verzeichnet wäre."[27] Sogar die fehlende Profilierung der

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[24] Abschrift Arnold Zweig an das Produktionskollektiv der DEFA in Sachen „Das Beil von Wandsbeck", 30.12.1950, in: BArch DR 117/32659, T.1/2.

[25] Dramaturgie, Manfred Schulz, 24.1.1951, in: BArch DR 117/ 32659, T. 1/2.

[26] Schreiben von Bortfeldt an Sepp Schwab, Berlin, 17.3.1951; Produktion K. Hahne, Film „Das Beil von Wandsbeck", 15.3.1951, in: BArch DR 117/ 32659, T. 1/2. Die Veränderungen betrafen auch noch die Streichung von Dialogteilen, die die sowjetische Einsatzbereitschaft abgeschwächt hätten oder die Einführung von Dialogteilen, die auf Merzenichs Verzicht auf ein Gnadengesuch hinweisen sollen. Weiterhin wurde ein „flammender Satz" von Timme sowohl bei der Hinrichtung als auch zum Schluss des Films (als A. Teetjens Vision) eingefügt.

[27] „Neue Teetjens zu verhindern", Hans Ulrich Eylau, Berliner Zeitung, 13.5.1951, in: BArch, FILMSG 1/1382, Filmmappe „Das Beil von Wandsbeck", Zeitungsausschnitte (ZA).

Widerstandskämpfer wurde uminterpretiert: „Der Film handelt nicht vom Widerstand, sondern vom fehlenden Widerstand; [...] Und eben darin beruht seine starke, aus der Vergangenheit, die er schildert, in die Gegenwart herüberstrahlende Wirkung."[28] Der Film erfülle somit die zu der Zeit aufgestellten Forderungen „nicht nur Abbild einer Wirklichkeit (gibt), sondern auch Lehre und Beitrag zur Umformung des Bewußtseins" zu sein.[29]

Ganz im Gegenteil wurde der Spielfilm andererseits im Sinne der Produktionsdiskussionen einer scharfen Kritik unterzogen. Der Kernpunkt lag auf die mitleiderregenden Hauptfiguren, die weniger den negativen Nationalsozialisten als den sympathischen Figuren zugeordnet werden könnten.[30] Unzufriedenstellend sei auch die „kleinbürgerliche Haltung" der schwankenden Figur der Ärztin Käthe Neumeier. Die zweideutige Darstellung der negativen Figuren und die unzureichende Profilierung der Arbeiterklasse rückten somit in den Mittelpunkt der Kritik und wurden dem Versagen eines erforderlichen Gegenwartsbezugs und damit einer politischen Bedeutung des Films unterstellt.[31] Aufgrund dessen wurde auch die Zurückziehung des Spielfilms aus dem Verleih mit Ungerührtheit betrachtet, da er ohnehin weder zu einem Kassenerfolg noch zu Diskussionen geführt hätte.[32]

Obwohl der Spielfilm mit 800.000 Zuschauern einen Publikumserfolg versprach,[33] wurde er infolge kritischer „anonymer Leserbriefe" schon einige Wochen nach der Premiere zurückgezogen.

Dieses erste Filmverbot der DEFA ging aber auf einige Mitglieder des ZK der KPdSU zurück, die sich gegen die antifaschistisch-ferne Filmgestaltung

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[28] *Ibidem.*

[29] „Nicht nur der Henker ist schuldig. Zum DEFA-Film «Das Beil von Wandsbek»", Sonntag, 20.5.1951, in: Deutsches Rundfunkarchiv (DRA), Pressedokumentation „Das Beil von Wandsbek" (Presseartikel aus diesem Archivbestand werden im Folgenden unter Verwendung von: „DRA, B." angegeben).

[30] „Das hat Arnold Zweig nicht verdient", Neue Zeit, 12.5.1951, in: DRA, B.

[31] „«Das Beil von Wandsbek» Ein DEFA-Film nach dem gleichnamigen Roman von Arnold Zweig", Neues Deutschland (ND), 13.5.1951, in: DRA, B.

[32] „Das «Beil» geht, der «Unterbau» kommt...", Neue Zeit, 13.6.1951, in: DRA, B.

[33] Zuschauerzahl bis zur Zurückziehung des Spielfilms, Ende Juni 1951 (4-5Wochen), in: „Schnittwunden", Hamburger Rundschau, 17.11.1988, in BArch, FILMSG 1/1382, ZA; Vgl. auch Ingrid Poss, Peter Warnecke (Hrsg.), Spur der Filme. Zeitzeugen über die DEFA, Berlin: Ch. Links, 2006, S. 67.

äußerten. Auf den Verbotsvorschlag des sowjetischen DEFA-Beraters Igor Tschekin und nach einer Filmvorführung im Politbüro des ZK der SED folgten dementsprechend die verachtenden Beiträge in der „Berliner Zeitung", „Leipziger Volkszeitung", „Sächsische Zeitung" und „Neue Zeit" und schließlich die Zurückziehung des Spielfilms.[34] Die einzelnen Rechtfertigungsansprüche seitens der Autoren wurden durch die zurückhaltende Position der DEFA-Kommission und durch die Filmresolution des Politbüros am 22.7.1952 zurückgewiesen:

> „Noch krasser offenbaren sich die Fehler des kritischen Realismus in dem Film *Das Beil von Wandsbek,* der nicht die Kämpfer der deutschen Arbeiterklasse zu den Haupthelden macht, sondern ihren Henker. […] Die Verfilmung dieses Stoffes war ein ernster Fehler der DEFA-Kommission und des DEFA-Vorstandes."[35]

Doch unter den Kulturschaffenden fand der Film einen weiteren Anklang, denn sobald sich eine gewisse Tauwetterperiode versprechen ließ, wurde er von Arnold Zweig in der Akademie der Künste erneut zur Diskussion herangezogen. Zusammen mit Bertold Brecht, Erich Engel, Hans Rodenberg und Wolfgang Langhoff versuchte er den Filmstoff für eine Wiederaufführung zu verändern. Die Mitglieder der Akademie verwiesen dabei auch auf die damalige widersprüchliche Haltung der entscheidungstreffenden Instanzen, die vor dem Filmverbot zunächst die Drehgenehmigung, dann die Filmabnahme und schließlich den Beifall in dem zentralen Presseorgan bewilligt haben. Die filmische Hervorhebung der Arbeiterklasse und Beseitigung aller mitleiderregenden Abschnitte waren die vorgeschlagenen Veränderungen mit denen sie sich nun an den

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[34] Vgl. Gerhard Schoenberner, „Vom Roman zum Film – «Das Beil von Wandsbek»", S. 220-221, in: *Arnold Zweig. Berlin-Haifa-Berlin. Perspektiven des Gesamtwerks. Akten des III. Internationalen Arnold-Zweig-Symposiums,* Hrsg. v. Arthur Tilo Alt, Julia Bernhard, Hans-Harald Müller, Deborah Vietor-Engländer, Berlin: Peter Lang-Verlag, 1993, in: BArch, FILMSG 1/ 1382. Vgl. auch Stenografische Niederschrift. Akademie der Künste. Aussprache in den Sektionen Darstellende Kunst und Literatur über den DEFA-Film „Das Beil von Wandsbek" am Montag, den 17.5.1954, S. 11, in: BArch DR 117/ 25932, Stenographische Niederschrift; Poss, Warnecke (Hrsg.), Spur der Filme, S. 66-67/ 78-79; Jordan, Der Verrat oder Der Fall Falk Harnack, S. 157.

[35] Politbüro, Protokoll Nr. 122 vom 22.7.1952, Anlage 3. SAPMO-BArch, DY 30/IV 2/2/222; Für den Aufschwung der fortschrittlichen deutschen Filmkunst, Neues Deutschland, 27.7.1952, zitiert nach: Jordan, Der Verrat oder Der Fall Falk Harnack, S. 159.

Minister für Kultur Johannes Becher wandten.[36] Doch die Diskussion über die Wiederaufführung des Films zog sich zwischen 1954 und 1962 über acht Jahre hin.

Erst am 9. 11. 1962 wurde *Das Beil von Wandsbeck* anlässlich des 75. Geburtstags Arnold Zweigs in einer gekürzten Fassung erneut aufgeführt. Die Umgestaltung des Films erfolgte durch Schnitte, die vornehmlich den Schluss bzw. die Selbstmord-Szene betrafen, da Neuaufnahmen aufgrund der Unverfügbarkeit oder veränderten Körperlichkeit der Schauspieler nicht mehr realisierbar waren.[37] Die Erfahrungen aus der früheren Filmproduktion führten nun zu einem vorsichtigeren Umgang auch seitens der Entscheidungsinstanzen. So wurde die veränderte Fassung von dem Minister für Kultur Alexander Abusch und dem Staatssekretär im MfK Erich Wendt in einem engeren Kreis gesichtet, bevor sie dann der Staatlichen Abnahmekommission vorgeführt wurde. Vorsichtig ging man auch mit der Begründung der Wiederaufführung um, indem man einerseits die Bedeutung des Films angesichts der veränderten politischen Lage vergegenwärtigte, andererseits seine Wiederaufführung durch Arnold Zweigs Geburtstag motivierte.[38] Auf die gekürzte Fassung reagierte die Presse jedoch nur marginal, indem sie subtiler auf früher angeführte Kritikpunkte oder auf politische Gegenwartsbezüge einging.[39]

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[36] Stenografische Niederschrift. Akademie der Künste in: BArch DR 117/ 25932.

[37] Vgl. Schnitte in: Schreiben Prof. A. Wilkening an MfK., VVB Film, Kosielski – Kürzungen des Films „Beil von Wandsbek"; Kürzungen „Beil von Wandsbek", o.D.; „Beil von Wandsbek", Kürzungen Rolle 10, o.D.; „Beil von Wandsbek"- Schlußszene, o.D.; Schnitte, 30. 10. 1956; Schreiben A. Wilkening, Direktor für Produktion und Technik an Hans Bentzien, MfK, 2.11. 1962, in: BArch DR 117/ 25932.

[38] Vgl. Schreiben A. Wilkening, Studiodirektor an Beling, Staatliche Abnahmekommission des MfK, 28.10.1959, in: BArch DR 117/ 25932; Protokoll Nr. 161/62, in: BArch, 351 HV, Fiche 191.

[39] Vgl. „Das Verbrechen des Kleinbürgers Teetjen", Neue Zeit, 13.11.1962; „Aktuell wie eh und je – Wiederaufführung von «Das Beil von Wandsbek»", Johanna Rudolph, Schweriner Volkszeitung, 13.11.1962; „Anläßlich des 75. Geburtstags von Arnold Zweig auf der Leinwand: «Das Beil von Wandsbek»", Märkische Volksstimme, 9.11.1962; „Das Beil von Wandsbek", Thüringische Landeszeitung, 30.11.1962 usw. in: BArch FILMSG 1/1382, ZA. Die westdeutsche Presse rückte dagegen den Verbot der ersten Filmfassung in den Vordergrund: vgl. „Wieder erlaubt", Die Welt, 6.11.1962; „Ein Film wird rehabilitiert", Heinz Kersten, Tagesspiegel, 2.12.1962, in: BArch, FILMSG 1/1382, ZA.

Fernerhin blieb *Das Beil von Wandsbeck* in dem kulturellen Gedächtnis haften und wurde 1981 erneut zum Revidieren aufgenommen. Nach der Sichtung der ursprünglichen Fassung durch den Leiter der HV Film Horst Pehnert und anderen Filmverantwortlichen wurde die Entscheidung zur Wiederaufführung des Spielfilms aus dem Jahr 1949 anlässlich des 75. Geburtstags des Schauspielers Erwin Geschonneck und Zurückziehung der gekürzten Fassung aus dem Jahr 1962 getroffen.[40]

Die darauffolgende Aufführung der Originalfassung in der westdeutschen Öffentlichkeit, der ohnehin die Arnold Zweig-Verfilmung erst in den 1970er Jahren weitläufiger bekannt wurde, veranlasste einen kritischen Überblick der dort anzutreffenden Presse auf die Entstehungsgeschichte des Spielfilms und auf die Filmpolitik der DEFA.[41] Allerdings traf *Das Beil von Wandsbeck* von Falk Harnack nun auf eine unterschiedliche filmische Auseinandersetzung mit dem „Altonaer Blutsonntag" in Westdeutschland, die durch den 1982 erschienenen gleichnamigen Fernsehfilm von Horst Königstein und Heinrich Breloer[42] auf eine dokumentarisch-fiktionale Rekonstruktion hinauslief.

Schließlich kann festgehalten werden, dass der Topos des kommunistischen Widerstandskämpfers als Aushandlungs- und Kompromissobjekt zwischen den noch dem kritischen Realismus zugewandten Kulturschaffenden und den bereits auf starre Richtlinien des sozialistischen Realismus angewiesenen Kader deutlich in den Vordergrund trat. Er fand zwar weder in Arnold Zweigs Roman noch in der ursprünglichen Filmkonzeption der Filmschaffenden eine wesentliche Bedeutung, übernahm sie aber während der Filmproduktion, infolge der neu eingeführten, mit der Formalismus-Debatte einhergehenden kulturpolitischen Richtlinien.

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[40] Vgl. Schreiben Dr. Kranz; Protokoll Nr. 371/81, Berlin, 16.10.1981, in: BArch, 351 HV, Fiche 191.

[41] „Wegbereiter und Opfer", Sueddeutsche Zeitung, 19.4.1974, in: DRA, B..; „Das Beil von Wandsbek", Marcel Reich-Ranicki, Frankfurter Allgemeine, 22.4.1974; „Nach 32 Jahren", Der Tagesspiegel, 5.3.1983; „Schnittwunden", Hamburger Rundschau, 17.11.1988, in: BArch, FILMSG 1/ 1382, ZA; "Einer der stillen und aufrechten", *Der Tagesspiegel*, 2.3.1988, in: DRA, B.

[42] http://www.dra.de/online/datenbanken/fernsehspiele/vollinfo.php?pk=174569&back=1 Stand: 14.6.2017.

### *Nepoții gornistului* [Dinu Negreanu, 1953/54]
### *Răsare soarele* [Dinu Negreanu, 1954]

Durch      den      Übergang      von      einer      kritischen
Vergangenheitsauffassung   zu   den   kulturpolitischen   Vorgaben   des
sozialistischen Realismus wurde in der DDR bereits eine grundlegende
Etappe   in   der   filmischen   Konstruktion   des   kollektiven   Gedächtnisses
durchquert. In Rumänien schien die filmische Auseinandersetzung mit der
nahen Vergangenheit währenddessen gefehlt zu haben. Der erste
vergangenheitsthematisierende Spielfilm der kommunistischen Zeitspanne,
*Nepoții gornistului*,[43] wurde in zwei Teilen *Nepoții gornistului* und *Răsare
soarele* erst nach der Stalin-Zeit in 1953/1954 aufgeführt. Einer der in
Sowjetrussland geschulten Filmpioniere, Dinu Negreanu, der früher selbst
zur illegalen kommunistischen Partei gehörte[44] und, wie die meisten
rumänischen Filmschaffenden, aus der Theaterlandschaft kam, übernahm
die Regiearbeit.

In Form einer Familiengeschichte setzte er die Ereignisse um den
russisch-türkischen Krieg von 1877, den Bauernaufstand von 1907, den
Kampf aus Oituz in dem ersten Weltkrieg und den Einmarsch sowjetischer
Truppen in 1944 in Zusammenhang. Als gemeinsame Grundlage wurde
diesen Ereignissen einen Befreiungskampf sei es politischer oder
ökonomischer Natur und teilweise ein Bündnis mit Russland beigemessen.[45]
Das   heroische   Pathos   wurde   in   dieser   Familiengeschichte   auf
patriarchalische Linie weitergeführt. So läutete Oprea Dorobanțu (Andrei
Codarcea) das Hornsignal in dem Kampf von Grivița (1877) und starb

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[43] Allerdings sollten hier noch die Spielfilme *Viața învinge* [Dinu Negreanu, 1951] und *Mitrea Cocor* [Marietta Sadova, Victor Iliu, 1952] erwähnt werden, die aber durch Vergangenheitsbezüge vielmehr auf die Gegenwart hinausgehen. Andererseits sind noch die I.L.Caragiale-Verfilmungen anlässlich des 100. Jahrestages des Schriftstellers bemerkenswert: die von Jean Georgescu 1952 gedrehten Kurzfilme *Arendașul român*, *Lanțul slăbiciunilor* und *Vizita* sowie die Wiederaufführung des Spielfilms *O noapte furtunoasă* [Jean Georgescu, 1942].
[44] CNSAS, Dosar R 3320, Dinu Negreanu, Fișă personală.
[45] So wurde die rumänische Armee auf der Seite Russlands in dem russisch-türkischen Krieg 1877 eingesetzt. Der Bauernaufstand von 1907 richtete sich gegen die Landbesitzer und den von ihnen durchgesetzten ungünstigen Arbeitsbedingungen. In dem Kampf von Oituz kämpfte Rumänien unterstützt von Russland gegen die österreich-ungarische und deutsche Armee in dem ersten Weltkrieg. Derartige Kontinuitätsnarrative werden später vor allem zur Zeit des Personenkults Nicolae Ceaușescus und des Nationalkommunismus eingesetzt.

später während des Bauernaufstandes von 1907. Sein Sohn, Pintea Dorobanțu (Andrei Codarcea) kam in dem ersten Weltkrieg auf dem Schlachtfeld in Oituz ums Leben, nachdem er wegen Kontaktaufnahme mit einem pazifistisch gesinnten russischen Soldaten von dem eigenen General erschossen wurde. Schließlich setzte sich Cristea Dorobanțu (A. Codarcea) als kommunistischer Widerstandskämpfer ein, konnte aber den Einmarsch sowjetischer Truppen in Rumänien und damit die Ereignisse um den 23. August 1944 (üb)erleben.

Jede Epoche zieht somit den von der kommunistischen Propaganda definierten Prototyp des Helden heran. Einerseits beruht Oprea Dorobanțu auf die reale Person Ștefan Furtună, die in den 1950er Jahren zum Helden des Bauernaufstandes von 1907 verehrt wurde. Andererseits erweist der Soldat Pintea Dorobanțu eine antimilitaristische Haltung, dafür aber eine Einsatzbereitschaft für die russische revolutionäre Bewegung. Schließlich erreicht Cristea Dorobanțu durch seinen bewaffneten, von der kommunistischen Partei geführten Widerstandskampf den Kern heroischer Entfaltung. Fern von einer isolierten Präsentierung sollten diese historischen Zusammenhänge insbesondere die Figur des kommunistischen Widerstandskämpfers stärken und seinem Heroismus einen geschichtlichen Hintergrund verleihen. Denn zum einen wird in dem ersten Teil *Nepoții gornistului* durch den Umzug der armen Bauernfamilie Pintea und Stanca Dorobanțu (Corina Constantinescu) in die Stadt, die Arbeit in der Fabrik „Racoviceanu" und der Einsatz in den Krieg nur eine längere Vorgeschichte eingeleitet. Zum anderen finden die weiter zurückliegenden Ereignisse um Oprea Dorobanțu nur auf der Dialogebene und durch eine kurze Einblendung in dem zweiten Teil des Spielfilms eine Erwähnung. Der kommunistische Widerstandskämpfer tritt also in den Mittelpunkt der Handlung. Als Arbeiter in der Fabrik „Racoviceanu" kommt Cristea Dorobanțu im Umfeld der kommunistischen Partei, die durch einen alten Bekannten seines Vaters, Andronie Ruja (Nucu Păunescu), repräsentiert wird. Er verteilt Flugblätter und nimmt an den Arbeiterstreik teil, infolge dessen er in der Haftanstalt „Doftana" eingekerkert wird. Der erste Teil des Spielfilms endet mit der Aufnahme des Hauptprotagonisten in die kommunistische Partei, die visuell durch einen Seitenschwenk auf die Tür der Gefangenenzellen und durch Cristea Dorobanțus Nahaufnahme geschildert wird. Diese elliptische Darstellung

des Parteieintritts wird durch das männliche, sphärisch klingende *voice over* (des Parteikomitees aus Doftana) nur verstärkt und deutet auf einen sakralen Akt hin, der einerseits die patriarchalische Kontinuität zwischen Oprea, Pintea und Cristea betont, andererseits den Zusammenhang zwischen den entsprechenden historischen Ereignissen schafft. [„Îți este dat, tovarășe Cristea, să duci mai departe lupta în care au murit și bunicul și tatăl tău."/ „Es ist für dich vorgesehen, Genosse Cristea, den Kampf weiterzuführen, in dem dein Großvater und dein Vater gestorben sind." (Übers.d.Verf.)].

Der zweite Teil des Spielfilms *Răsare soarele* beginnt mit einem Zeitsprung im Jahr 1941. Cristea Dorobanțu beobachtet aus dem Fenster den Einmarsch deutscher Truppen. Rumänien tritt in den Krieg ein. Die sich in der Illegalität befindende kommunistische Partei agiert weiterhin in „Racoviceanus" Fabrik. Flugblätter werden verteilt. Die Widerstandskämpfer um Andronie Ruja planen die Sabotierung der Fabrik und führen eine Explosion durch. Cristea Dorobanțu wird in seinem Versteck mithilfe eines Verräters von dem Sicherheitsdienst *Siguranță* aufgefunden und infolge eines Gefechtes zwischen den Widerstandskämpfern und den *Siguranță*-Agenten erneut verhaftet. In dem Gerichtssaal betont er ein weiteres Mal den Kampf seiner Vorfahren. Die bisherige chronologische narrative Struktur wird nun durch eine kurze retrospektive Einstellung unterbrochen. Diese Einstellung stellt in einem feuerflammenden Rahmen, in Frontalansicht, die Exekution einiger traditionell gekleideten Bauern dar, wodurch auf die Hinrichtung Oprea Dorobanțus während des Bauernaufstandes von 1907 hingewiesen wird. Ohne noch auf eine visuelle Darstellung des Vaters, Pintea Dorobanțu, einzugehen, wechselt dieses Bild der Heldenverehrung zu Cristea Dorobanțu im Gerichtssaal zurück, dessen Todesurteil nun mit der vorangehenden Hinrichtung in Zusammenhang gebracht wird. Doch die Befreiung Cristeas aus dem Gefängnis durch den bewaffneten Einsatz der Widerstandskämpfer leitet die „optimistische Schlussszene" ein, in der er zusammen mit Andronie Ruja den Einmarsch sowjetischer Panzer und damit den „Sonnenaufgang" betrachtet [Cristea: „Tovarășe Ruja, răsare soarele!"/ „Genosse Ruja, die Sonne geht auf!" Ruja: „Da, de noi depinde să intre în fiecare casă."/ „Ja, uns bleibt es überlassen, dass sie in jedem Haus eindringt." (Übers.d.Verf.)].

### Filmfiguren: die Illegalisten

Unter dem Zeichen des sozialistischen Realismus mussten die positiven Helden und insbesondere die Hauptfigur Cristea Dorobanțu nicht nur das Typische betonen, sondern eine Vorbildfunktion übernehmen. Hiermit war die Schaffung einer identifikatorischen Nähe unabdingbar, denn Cristea Dorobanțu war als Nachläufer des Kommunistenführers Ruja eine zum kommunistischen Widerstandskämpfer sich entwickelnde Figur, die den Zuschauern gerade zur Zeit des sozialistischen Aufbaus eine identifikatorische Projektionsfläche anbieten konnte. Diese wurde nicht nur durch eine klassische Kameraführung und eine realistische Darstellungsweise unterstützt, sondern insbesondere durch die Erzählung selbst ermöglicht. Der Übergang von Pintea zu Cristea Dorobanțu schildert die soziale Entwicklung vom Bauerntum zur Arbeiterschaft, die ein Großteil der rumänischen Bevölkerung selbst durchgehen musste. Umso mehr wird die identifikatorische Nähe zu diesen Filmfiguren durch die gleiche Besetzung mit dem Schauspieler Andrei Codarcea verstärkt, wenn auch eine deutliche Begründung dieser dreifachen Rolle nicht vorliegt.[46] Diese Assoziation wird darüber hinaus in mehrfacher Weise betont: einerseits durch die unterstützende Einstellung seiner jedoch leidenden Mutter Stanca Dorobanțu, die ihn in seinem Verhalten ohnehin mit seinem Vater gleichsetzt [Teil II.: „Dacă tata ar trăi, ar face ca voi"/ „Wenn Vater noch leben würde, würde er dasselbe machen" (Übers.d.Verf.)]. Die Charakterisierung durch andere meist negative Figuren erfolgt wiederum durch den Rückgriff auf seine Vorfahren, insbesondere auf den Hornisten, worauf auch seine Tapferkeit bzw. Bedrohlichkeit zurückgeführt wurde [II. Teil.: „Der Leiter der Siguranță: Dar cei mai periculoși nu sunt în fabrică, ci comuniștii care se ascund. Cel mai periculos este unu Cristea Dorobanțu, nepotul gornistului"/ „Die Gefährlichsten befinden sich nicht in der Fabrik, sondern

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[46] Bemerkenswert ist Ähnlichkeit der Figurenbesetzung durch Andrei Codarcea mit der des Schauspielers Wilhelm Koch-Hooge in der Rolle Hans Löning in dem Spielfilm *Stärker als die Nacht* [Slatan Dudow, 1954]. Dabei lassen sich nicht nur physische Charakteristika anführen, sondern auch ihr pathosvoller Filmauftritt sowie ihre weitere schauspielerische Entwicklung als positive, kommunistisch gesinnte Filmfiguren, die den Zuschauern Wiedererkennungselemente anbieten können. Die Szene in dem Gerichtssaal stellt auch eine Ähnlichkeit in der Dramaturgie beider Spielfilme dar.

es sind die Kommunisten, die sich verstecken. Der Gefährlichste ist einer, Cristea Dorobanțu, der Sohn des Hornisten" (Übers.d.Verf.).]. Selbst Cristea betont seine familiale Deszendenz, wodurch er seine Kampfbereitschaft motiviert [Teil II.: „A venit vremea să facem socotelile [...] și pentru bunic și pentru tată [...]."/ „Die Zeit der Abrechnung ist gekommen, sowohl für den Großvater als auch für den Vater." (Übers.d.Verf.)].[47] Darin besteht auch die Widersprüchlichkeit in der Motivation des Widerstandskampfes, die bei Cristea Dorobanțu im Gegensatz zu seinem Wegweiser Andronie Ruja weniger politisch als privat ausfällt und von den Gegnern dennoch als eine größere Bedrohung betrachtet wird.

Dass neben der Vorbildfunktion auch die antagonistische Darstellung der Filmfiguren sowohl in ihrer Konstruktion als auch bei der Rezeption eine bedeutende Rolle spielen sollte, erwies sich bereits bei der Veröffentlichung des Drehbuches in 1952.[48] In der Zeitung „Contemporanul"[49] wurde darauf hingewiesen, dass die literarische Fassung die Filmhelden auf eine Präsentation einschränke, wohingegen ihre weitere heroische Entwicklung in dem zweiten Teil ausgespart bleibe. Andererseits sei die antagonistische Darstellung der Figuren insofern gescheitert, als die kommunistischen Widerstandskämpfer nicht einer ausreichend bedrohlichen Gegenmacht gegenübergestellt wurden.[50] Insbesondere der Kampf gegen die Sozialdemokraten sei durch die einflusslose Figur Scripcă unterminiert und seinem bei dem V. Kongress der PCR definierten Verständnis – als „wichtigste aus der Arbeiterklasse

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[47] In dem literarischen Szenarium: „Acum trebuie să-i doborîm, să le plătim și pentru bunic și pentru tata, pentru toți...Înțelegi?" / „Jetzt müssen wir sie niederschlagen, mit ihnen für Großvater, für Vater, für alle abrechnen... Verstehst du?" (Übers.d.Verf.), Cezar Petrescu, Mihai Novicov – scenariu cinematografic, Nepoții gornistului, Partea II., București: Editura de Stat pentru Literatură și Artă, 1952, S. 112.

[48] Vgl. Cezar Petrescu, Mihai Novicov, Nepoții gornistului, scenariu cinematografic, București: Editura de Stat pentru Literatură și Artă, 1952.

[49] Arhiva Națională de Filme (ANF), „Nepoții gornistului" - mapă de producție, „Cezar Petrescu și Mihai Novicov: Nepoții gornistului", Dumitru Micu, Contemporanul, 6.7.1952. Das Szenarium wurde in der literarischen Zeitschrift „Viața Românească" veröffentlicht. (Presseartikel und filmbegleitende Materialien aus diesem Archivbestand werden im Folgenden unter Verwendung von: „ANF, Ng." angegeben).

[50] Hier ist es anzumerken, dass die Legionäre – die wichtigsten Gegenspieler der Illegalisten – erst in den späteren Filmproduktionen auftreten.

hervortretende Stütze der Bourgeoisie" (Übers. d. Verf./ „principal sprijin social al burgheziei în rândurile clasei muncitoare") – entzogen.[51] Während die Aufmerksamkeit auf die Filmfiguren gerückt wurde, versuchten die Filmemacher auf filmästhetische Gestaltungsmöglichkeiten einzugehen, um dadurch die absehbare starre Darstellung der nahen Vergangenheit aufzulockern.

### Die Aushandlung der Vergangenheit: Formalismus-Debatte und der sozialistische Realismus

Dass der Filmstoff über die Nachfolger des Hornisten schon 1951 in die Diskussion gebracht wurde und mit dessen literarischen Bearbeitung die Autoren Mihail Novicov und Cezar Petrescu beauftragt wurden, legte der Regisseur Dinu Negreanu in einer retrospektiven Erfassung der Filmproduktion dar.[52] Nach der Fertigstellung des Drehbuches in mehr als zwei Jahren durchlief der Film bis zu seiner Endfassung weitere Veränderungen, die der Regisseur insbesondere auf die Schlussszene zurückführte. So sei für die Parteifunktionäre aufgrund der pessimistischen Betrachtung des Widerstandskampfes weder das Besteigen des Doftana-Berges durch Häftlinge noch der Parteieintritt des Hauptprotagonisten in dem verdunkelten Innenhof der Haftanstalt zufriedenstellend gewesen.[53] Jedoch fiel der Spielfilm *Nepoții gornistului*, weit über die Schlussszene hinaus, der Formalismuskritik zum Opfer.[54] Durch Kritik und Selbstkritik mussten sich Dinu Negreanu und der Bühnenbildner Liviu Ciulei von ihrer ursprünglichen künstlerischen Auffassung distanzieren. Dass einerseits der Regisseur zugunsten einer authentischeren Darstellung der Berglandschaft sich für die Aufnahme der Frontszene in den Predeal-Gebirgen einsetzte,

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[51] Vgl. ANF, Ng.: „Cezar Petrescu și Mihai Novicov: Nepoții gornistului", Dumitru Micu, *Contemporanul*, 6.7.1952.

[52] ANF, „Nepoții gornistului", Dinu Negreanu, *Flacăra*, nr. 13/15.10.1953.

[53] *Ibidem.*

[54] Das Drehbuch wurde sowohl von dem Produktionsleiter als auch von den sowjetischen Beratern V.V. Nemoliaev und D. I. Vasiliev angegriffen, in: Bujor Tudor Rîpeanu, Filmat în România. Repertoriul filmelor de ficțiune 1911-1969, Vol. 1, București: Editura Fundației PRO, 2004, S. 70.

wurde von den Parteifunktionären als dekadente Auffassung betrachtet.[55] Bei der Tagung der Filmschaffenden in März 1953 erwähnte der Filmemacher Victor Iliu in seinem kritischen Referat weiterhin, dass Dinu Negreanu nicht nur die Kamera- der Figurenführung bevorzugt hätte, sondern auch Liviu Ciuleis Ausstattungskonzeption gegen die Kritik des Filmkomitees abgeschirmt hätte. Darauf sei auch die Überschreitung des Fertigstellungstermins vom 30.12.1952 zurückzuführen.[56]

Unter dem Formalismusvorwurf stand auch Liviu Ciulei, der durch die Versetzung einer Szene im Haus eines Antiquars die visuelle Monotonie der sechs klandestinen Zusammenkünfte der Widerstandskämpfer in einem Arbeiterhaus zu vermeiden beabsichtigte.

> „Aber diese pittoreske und düstere Atmosphäre war zur Handlung so unpassend, dass sie zerstörte. Die Ausstattung hatte „Atmosphäre", aber eine falsche, untypische. [...]. Hier wurde falsch gehandelt, indem die Ausstattungselemente zu Ungunsten der dramatischen Idee vorgezogen wurden. In solchen Fällen wird die Form zum Selbstzweck [...]. Die Szene wurde in einem einfachen Arbeiterraum neu aufgenommen und der Text erhielt seinen Wert zurück."[57] (Übers.d.Verf.)

Die Ablehnung seiner Skizzen durch sowjetische Berater sei nach den späteren Erinnerungen von Liviu Ciulei einerseits als Ausdruck ideologischer Einschränkung zu betrachten. Die übermöblierten, naturalistisch wirkenden Innenräume mussten in der Tat durch eine angeforderte Überdetaillierung der dargestellten politischen Wirklichkeit ersetzt werden. Andererseits habe er durch Selbstzensur versucht, sein künstlerisches Schaffen weiterhin zu ermöglichen.[58]

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[55] ANF, Victor Iliu, „Pentru ridicarea nivelului ideologic și al măestriei artistice în producția de filme, Referat la Consfătuirea muncitorilor, artiștilor, tehnicienilor și activiștilor din cinematografie", martie 1953, in: Probleme de cinematografie, nr. 2-3/1953, S. 51-75.

[56] ANF, Iliu, „Pentru ridicarea nivelului ideologic…", in: *Probleme de cinematografie*, nr. 2-3/1953, S. 51-75.

[57] Im Original: „Dar atmosfera aceasta, pitorească și stranie, era atît de nepotrivită cu acțiunea, încît o anihila. Decorul avea «atmosferă», dar una greșită, netipică. [...] Aici s-a greșit dîndu-se precădere elementului decorativ, în dauna ideii dramatice. În astfel de cazuri, forma devine un scop în sine [...]. Scena a fost refilmată într-o încăpere simplă de muncitori și textul și-a recăpătat valoarea.", in: ANF, „Funcția dramatică a decorului", Liviu Ciulei, Probleme de cinematografie, nr. 6/1955.

[58] Liviu Ciulei, Mihail Lupu, *Liviu Ciulei: Cu gândiri și cu imagini. Texte de Liviu Ciulei și Mihai Lupu*, București: Igloo, 2009, S. 44-49.

Die Aushandlung der Vergangenheit, sei es aus ästhetischer- oder inhaltlicher Perspektive, gelangte damit an ihre Grenzen. Nachdem der Spielfilm in der künstlerischen Sitzung des Studios wegen seiner formalistischen Herangehensweise kritisiert wurde, rückte die offizielle, dem sozialistischen Realismus zugewandte Vorstellung in den Mittelpunkt.

So wurden am 11.9.1953 in einer Sitzung des Filmkomitees die Individualisierung des Helden und das Typische an den Figuren als Bestandteil der einzuhaltenden Kunstausrichtung in den beiden Filmteilen problematisiert.[59] Demzufolge hätte nicht nur eine dialektische Differenzierung zwischen negativen und positiven Figuren erreicht werden müssen, sondern auch innerhalb dieser Figurengruppen hätten größere und kleinere Konflikte aufgebaut werden müssen. Jenseits der durch die Familie des Industriellen Racoviceanu repräsentierten negativen Figuren wurden insbesondere die Unzulänglichkeiten in der Konkretisierung der kommunistischen Widerstandskämpfer betont. Nicht unproblematisch erwies sich zunächst aus schauspielerischer Perspektive der Übergang von Oprea zu Pintea und schließlich zu Cristea Dorobanțu, die von dem Schauspieler Andrei Codarcea differenziert repräsentiert werden mussten.

Auch sein Bruder Ilie, der als zögerlicher Arbeiter eine politische Transformation erlebe, rücke manchmal in einem negativen Licht. Seiner Starrheit konnte auch der Kommunistenführer Andronie Ruja nicht entgehen, der während der gesamten Filmhandlung ein politischer Aktivist bleibe und dafür auch sein privates Leben aufopfere. Die filmische Ausblendung seines in dem literarischen Szenarium noch erwähnten Familienlebens wurde schließlich eingebüßt. Ihrer menschlichen Charaktereigenschaften ohnehin beraubt, sei die Figur Andronie Ruja auch hinsichtlich der wenig artikulierten politischen Charakterzüge unzufriedenstellend. Neben der unklaren Konkretisierung weiterer Widerstandskämpfer wie der voreilige Miron oder der parteilose Arbeiter Vijelie wurde weiterhin die politische Funktion der Frauenrollen in Betracht gezogen. Bis auf die Mutter Stanca, die ursprünglich die

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[59] ANF, Ng.: Comitetul Cinematografiei: Cercul de Studii din 11. Septembrie 1953 – „Personagii tipice în filmul Nepoții gornistului." Die Teilnehmer waren Dinu Negreanu, tov. Fehrer, tov. Gore (Grigore Ionescu, 2. Kameramann), tov. Bob Călinescu, tov. Jeanette, tov. Popescu, Suru Titus (Tonmeister), Valentin Silvestru (künstlerischer Direktor), tov. –a Blance, Ovidiu Gologan (2. Kameramann), tov. Almașu.

Hauptrolle einer aktiven Widerstandskämpferin hätte übernehmen müssen[60] und der schließlich unter Rückgriff auf Gorkis „Mutter" doch noch eine unterstützende Funktion verliehen wurde, wurde der unpolitische, starre Auftritt der Frauenfiguren Simina und Mura kritisiert.[61]

Indem sämtliche filmkünstlerische Gestaltungsmöglichkeiten unter der Formalismuskritik fielen, erweiterte sich das Ringen um eine stärkere inhaltliche Politisierung auch auf die Lichtgestaltung und Ausstattung. Die Darstellung der Russen sei weiterhin unzufriedenstellend, da sie auf einen Bart, eine Mütze und auf eine flüchtige Replik reduziert seien. „Nu este pur și simplu rus. Nu este suficient să aibă barbă și să aibă mustăți, o căciulă în cap [...]." („Er ist einfach kein Russe. Ein Bart, ein Schnurrbart, eine Mütze auf den Kopf reichen nicht [...]." Übers.d. Verf.).[62] Andererseits solle die positive oder negative Konnotation der Szenen durch hell-dunkel Kontraste bestimmt werden sowie die rote Fahne, über ihre dekorative Funktion hinaus, eine politische Bedeutung übernehmen. Schließlich ließ diese verordnete Politisierung des Filminhaltes und der Filmgestaltung aufzeigen, dass die Auseinandersetzung innerhalb des Filmkomitees von politischen Funktionären geleitet wurde, wohingegen der Regisseur Dinu Negreanu vielmehr eine passive, fügsame Einstellung übernahm. Schließlich wurden die bisherigen Abweichungen auf die nur indirekt erlebte Vergangenheit der Autoren zurückgeführt.[63]

Obwohl der Spielfilm laut Victor Iliu ein Jahr zuvor in die Öffentlichkeit erscheinen musste, die „formalistischen Tendenzen" der Filmschaffenden und die Veränderungsvorschläge der politischen Funktionäre aber zu einer weiteren Verzögerung der Dreharbeiten führten, wurde der Produktionsstab wiederum gedrängt, den Spielfilm für die im August 1953 in Bukarest stattfindenden Weltfestspiele der Jugend und Studenten (al IV-lea Festival Mondial al Tineretului și Studenților pentru Pace și Prietenie) fertigzustellen. Die rumänische Uraufführung des ersten Filmteils *Nepoții gornistului* fand am 17. 10. 1953, des zweiten Teils *Răsare*

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[60] Das literarische Szenarium lässt nicht Cristea Dorobanțu, sondern seine Mutter Anca Dorobanțu als Opfer politischer Verfolgung und Angeklagte im Gerichtssaal auftreten. Vgl. Novicov, Petrescu, *Nepoții gornistului*, S. 132-152.
[61] ANF, Ng.: Comitetul Cinematografiei: Cercul de Studii din 11. Septembrie 1953 – „Personagii tipice în filmul Nepoții gornistului."
[62] *Ibidem.*
[63] *Ibidem.*

*soarele* am 30.10.1954 statt.[64] Die vorhandene, bis 2013 geführte Zuschauerzählung deutet mit 1.733.469 bzw. 1.224.413 Zuschauern auf einen verhältnismäßig geringen Publikumserfolg hin.[65] Gespalten erwies sich auch die Filmkritik, die angesichts der bedeutenden erzieherischen Rolle des Films und der ohnehin schwachen rumänischen Produktion einerseits die politische Botschaft extrahierte, andererseits die schon während des Produktionsprozesses unterlaufende Kritik dennoch nicht ausfallen ließ. Schwerpunktmäßig wurden die vorausgehend formulierten Figurentypen u.a. auch in dem zentralen Presseorgan „Scînteia" dargelegt.[66] Zum anderen kritisierten einzelne Beiträge die Theatralisierung, worauf sich der Regisseur einließ, bemängelten aber die unzureichende Verwendung der Satire in der Gestaltung negativer Figuren. Fernerhin wurde die mangelnde Spannungssituation zwischen den Figuren nicht nur auf die hinsichtlich satirischer Verhöhnung unzureichend eingesetzte Kameraarbeit zurückgeführt, sondern auch auf den allgemein unpersönlich klingenden Dialog.[67]

Die Aushandlung der Vergangenheit verlief schließlich nach den einschränkenden Bestimmungen der Parteifunktionäre, die in den neuen Filminstitutionen die Vormacht hatten. Der Versuch der Filmschaffenden die starre Darstellung der Filmfiguren auf der filmästhetischen Ebene abzumildern, war erfolglos. Denn vor dem Hintergrund auszuschaltender Formalismustendenzen und des richtungsweisenden Kanons des sozialistischen Realismus wurden Kritik und Selbstkritik als Praxis

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[64] Der Spielfilm wurde allerdings am 8.7.1954 bei dem Filmfestival in Karlovy Vary und am 14.8.1954 innerhalb einer Gala in Bukarest uraufgeführt, in: Rîpeanu, *Filmat în România*, Vol. 1, S. 73.

[65] „Spectatori film românesc", in: http://cnc.gov.ro/wp-content/uploads/2014/12/Total-spectatori-film-romanesc-la-31.12.2013.pdf, Stand: 19.10.2015. Mit Außnahme von *Viaţa învinge* [Dinu Negreanu, 1951] und *Brigada lui Ionuţ* [Jean Mihail, 1954] befand sich die Zuschauerzahl der 1950-1954 erschienenen Spielfilme zwischen 2-3 Mio. Obwohl ein genaues Datum der Zurückziehung von *Nepoţii gornistului* aus dem Verleih nicht vorliegt, ist die Zuschauerzahl über die kommunistische Periode hinaus vermutlich nicht mehr gestiegen.

[66] ANF, Ng.: „«Nepoţii gornistului» (Seria I-a)", M. Pop, *Scînteia*, 25.10.1953.

[67] ANF, Ng.: „Un nou film românesc în cadrul festivalului: «Nepoţii gornistului»", Munca, 13.8.1953; „Un film artistic românesc pe ecranele Festivalului – Nepoţii gornistului", Mihail Gospodin, Viaţa Capitalei, 16.8.1953; „O evocare cinematografică a trecutului de luptă al poporului nostru", Suzanna Voinescu, *Scînteia Tineretului*, 18.8.1953.

politischer Erziehung eingesetzt. Die bevorzugte Kameraarbeit, die atmosphärische Authentizität oder eine abwechselnde, jedoch mit Kunstobjekten verzierte Ausstattung wurden als formalistisch betrachtet. Demgegenüber waren der politische Inhalt und seine erzieherische Rolle ausschlaggebend. Die Vorbildfunktion der positiven Helden, das Typische der Figuren und ihre antagonistische Darstellung waren Kernpunkte in der Aushandlung der nahen Vergangenheit, die die Konstruktion des kommunistischen Widerstandskämpfers zwar nach der Stalinzeit aber immer noch nach stalinistischer Prägung bestimmten.

## Der Film als Medium des Gedächtnisses: institutioneller- und filmkünstlerischer Rahmen

Die Analyse dieser zwei unterschiedlichen Spielfilmproduktionen ist nicht nur deswegen relevant, weil sie erste filmische Auseinandersetzungen mit dem bedeutendsten Topos der kommunistischen Zeitspanne aufzeigt. Die visuelle Konstruktion dieser Topoi ist zum einen mit der Gedächtnispolitik, den neu eingeführten ideologischen und politischen Grundlagen, zum anderen aber auch mit den technischen Bedingungen der Nachkriegszeit und der Widerstandserfahrung der Gesellschaft eng verbunden. Durch eine „antifaschistische Erneuerung" ließ sich in der Nachkriegszeit die Gründung beider sozialistischen Staaten legitimieren. Die Formel stammte von Georgi Dimitroff, der 1935 den Faschismus auf „die offene terroristische Diktatur der reaktionärsten, am meisten chauvinistischen, am meisten imperialistischen Elemente des Finanzkapitals" zurückführte. Allerdings wurde diese Definition von den Machthabern umgedeutet und ihren eigenen Interessen angewandt. Der „Antifaschismus-Begriff" der DDR war vornehmlich auf Westdeutschland ausgerichtet, während in Rumänien damit insbesondere die Beseitigung der alten, gesellschaftlich verankerten Parteien ideologisch untermauert wurde. Das Selbstverständnis beider Länder und ihre Positionierung innerhalb des Ostblocks standen jedoch ursprünglich unter sowjetischem Einfluss und daher unter dem Anspruch einer zu nivellierenden Gedächtnispolitik. Trotzdem erwiesen sich wesentliche Unterschiede in der filmischen Auseinandersetzung mit der nahen Vergangenheit.

Die *Widerstandserfahrung* und die kommunistischen Leitgedanken verfügten in Rumänien über eine weitaus geringe gesellschaftliche Verankerung. Anders in der DDR, wo die direkte oder indirekte Widerstandserfahrung, das Exil vieler Kulturschaffenden sowie großer Teile der Bevölkerung die Tendenz zur *kritischen Vergangenheitsaufarbeitung* seitens der DEFA-Filmschaffenden in den Vordergrund rückten, die jedoch nicht direkt auf autobiographische Aspekte, sondern vielmehr auf das Opferverständnis der Gesellschaft, auf Kriegserfahrungen und kollektive Traumata, also auf einen viktimologischen Diskurs hinauslief, der den Topos des kommunistischen Widerstandskämpfers noch in den Hintergrund drängte.

Ein weiteres Motiv für die Entwicklung des Films als Medium des Gedächtnisses in der Nachkriegszeit waren die *technischen Grundlagen*. Die Sowjetische Militäradministration (SMAD) zeigte ein großes Interesse für das Filmwesen. Denn die Gründung der DEFA erfolgte bereits am 17. Mai 1946, als einigen Filmemachern die Lizenz für die Filmproduktion erteilt wurde. Die Vorarbeiten wurden von einem der Zentralverwaltung für Volksbildung (ZfV) unterstellten Filmaktiv von 6 Personen durchgeführt. In einer Zeit der „antifaschistisch-demokratischen Erneuerung", die gegenüber linksorientierten Kulturschaffenden eine integrative Einstellung aufweisen ließ, und in einzelnen von Bombenangriffen verschonten Filmateliers sowie auf dem Filmgelände der Ufa wurde den Filmemachern aus der SBZ – anders als in den anderen Ostblockstaaten, die fast ausschließlich auf sowjetische Filme angewiesen waren oder sich erst einmal die notwendige Technik einrichten mussten – relativ früh die Filmproduktion ermöglicht. Bis zur Gründung der DDR am 7. 10. 1949 und dem darauffolgenden „Aufbau der Grundlagen des Sozialismus" konnte sich die DEFA mit der jüngsten Vergangenheit kritisch auseinandersetzen.

Dass die entstandenen „Trümmerfilme" das Trauma der Kriegsüberlebenden und die Kontinuität einflussreicher Nationalsozialisten (Vgl. *Die Mörder sind unter uns* [Wolfgang Staudte, 1946]) problematisieren durften, ist schließlich sowohl auf den integrierenden Antifaschismusdiskurs zurückzuführen, als auch auf die Einsatzbereitschaft sowjetischer Offiziere, auf künstlerische Freiräume und insbesondere auf die bereits von der Ufa zurückgelassene technische Ausstattung, die eine Filmproduktion vorerst ermöglichte.

Aufgrund der sich überschneidenden Organisationsstrukturen aber vor allem aufgrund finanzieller und technischer Unzulänglichkeiten trat die Spielfilmproduktion in Rumänien weit in den Hintergrund zurück. In den Anfangsjahren des Sozialismus verfügte man weder über „spezialisierte Kader" noch über technische Ausrüstung und noch weniger über Filmstudios. Die sowjetische Schulung der rumänischen Filmemacher, der sowjetische Import von Filmtechnik und der sowjetische Bauprojekt der Filmstudios von Buftea, das erst 1958 vollständig in Betrieb gesetzt wurde, sollten zunächst ein rumänisches Filmwesen ermöglichen. Diese waren beachtliche Gründe dafür, dass die Filmproduktion in Rumänien, ohne eine Übergangsphase zu durchlaufen, von Anfang an unter sowjetischem Einfluss stand und dem sozialistischen Realismus als bestimmende Stilrichtung ausgeliefert wurde. Der erste rumänische Spielfilm der Nachkriegszeit *Rasună Valea* [Paul Călinescu] kam erst 1950 auf der Leinwand und setzte sich mit der gegenwartsbezogenen Thematik der Brigadenarbeit auf der Baustelle der Eisenbahnlinie Bumbești-Livezeni auseinander. Vor dem Hintergrund der schwierigen Filmproduktion spielten Gegenwartsstoffe während dem Aufbau des Sozialismus eine umso wesentliche Rolle, zwar legitimierte sich die PMR von Anfang an durch Narrative der jüngsten Vergangenheit. Der Widerstandskampf der Arbeiterbewegung, die in der Illegalität kämpfenden kommunistischen Aktivisten und nicht zuletzt die „Glorifizierung der Waffenbrüderschaft mit der Sowjetunion" waren der internationalistischen Parteiausrichtung entsprechende Narrative.

*Der sozialistische Realismus* und die Legitimation der politischen Regime durch sozialistische Helden kamen in den beiden Ländern mit der sogenannten „Formalismuskritik" einher, die weitere unpolitische Kunstausrichtungen auszuschalten vermochte. Ihre Ambivalenz ließ sich sowohl bei dem DEFA-Spielfilm *Das Beil von Wandsbeck* als auch in dem rumänischen Spielfilm *Nepoții gornistului* erkennen. Denn damit leitete man den Kampf auch gegen andere „Ismen" der bürgerlichen und imperialistischen Mächte ein, gegen den Modernismus und Abstraktionismus, gegen die Kunst, die dem Realismus-Begriff der neuen Machthaber nicht entsprach. Dass dem Übergang von einem kritischen- zu einem sozialistischen Realismus in der DDR eine scharfe Aushandlung zugrunde lag, zeigte die Filmproduktion des Spielfilms *Das Beil von*

*Wandsbeck*. Denn die fehlende Kompromissbereitschaft des Regisseurs führte zum Eingriff der politisch höheren Instanz des ZK der SED und schließlich zum Verbot des Spielfilms. In Rumänien versuchten der Regisseur Dinu Negreanu und der Bühnenbildner Liviu Ciulei auf ästhetische Fragen einzugehen und die Aufmerksamkeit, über deren vorrangigen Inhalt hinaus, auf die stilistische Darstellung zu lenken, zwar mussten sie schließlich ihre Intention durch Kritik und Selbstkritik einbüßen. Das „duplizitäre Verhalten" der Filmschaffenden endete zeitweilig in zwangsläufiger Anpassung.

Diese einschränkende Politik wurde aber durch die Entstehung anderer Mythen und Meistererzählungen weitergeführt. In dieser Hinsicht gewannen die „Helden des kommunistischen Widerstands" eine erhebliche Rolle. In der Kategorie der sozialistischen Helden eingeebnet, boten die Widerstandskämpfer der orientierungslosen Gesellschaft eine Projektionsfläche und eine Identifikationsfigur an.

Schließlich führten die politischen- und institutionellen Konstellationen der rumänischen- und deutschen Nachkriegszeit aber auch das Vergangenheitsverständnis der Filmemacher zu einer unterschiedlichen filmischen Auseinandersetzung mit der jüngsten Vergangenheit bzw. mit dem kommunistischen Widerstand. Während in Rumänien aufgrund ideologischer und technischer Einschränkungen keinen Gestaltungsraum und alternative Erinnerungen zugelassen wurden, kamen die ersten filmischen Vergangenheitskonstruktionen in der SBZ bzw. DDR dem kommunikativen Gedächtnis der Gesellschaft und dem ihr inhärenten Opferverständnis entgegen. Diese „strukturelle Amnesie", die einen Wiederaufbau der Nachkriegsgesellschaft zuallererst ermöglichen sollte, schwenkte kurz darauf mit dem Aufbau des Sozialismus und der Stilrichtung des sozialistischen Realismus in einer intentionalen Verdrängung um. Das kulturelle Gedächtnis und die damit einhergehende „Mythomotorik" griffen als Korrektiv in den Aushandlungsprozess ein und verstellten damit den Blick auf die Vergangenheit zugunsten der hervorrückenden sozialistischen Helden des Widerstandes. Darin waren sich Rumänien und die DDR durchaus ähnlich.

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# APPLYING THE LOYAL OPPOSITION TRADITION TO FOREIGN POLICY: A U.S.-UKRAINE CASE STUDY

## Isaiah Winters[*]

**Abstract:**

*This two-part research project analyzes U.S. foreign policy during the Ukraine Crisis from the viewpoint of loyalty to democracy. By applying the standard expected of loyal opposition parties to the U.S., the foreign policy approach taken is shown to have been disloyal to Ukraine's fragile democracy, as it contributed to an undemocratic transition of power in the form of a coup d'état. Ultimately, the failure of the U.S. to remain loyal to Ukraine's democratic process (the way a "loyal opposition state" would have) is explained by the Obama administration's liberal imperialist approach to foreign policy, whose first loyalty was to U.S. interests, not Ukrainian political sovereignty.*

**Keywords:** Ukraine Crisis; democracy; loyal opposition; U.S. foreign policy; liberal imperialism

### Introduction

Over the last four and a half years, Ukraine has gone through a tumultuous transition of government that has left the country more polarized than ever before. The West's role in Ukraine's dramatic regime change has ostensibly been to promote democracy and reform in the hopes that Ukraine will one day join the E.U. and NATO. However, there is far more complexity to this transition of power that casts doubt over whether attempting to pull westward a country so crucial to Russia's security is a

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prudent policy. This research is ultimately an analysis of the foreign policy approach taken in Ukraine by the West (and by the U.S. in particular) that places said approach within the context of loyalty to democracy.

This research will be divided into two separate articles that together seek to give unique insight into the Ukraine Crisis, with particular emphasis on whether the U.S. was right to promote regime change by undemocratic, rather than democratic, means. This first article will start by providing general background information on the major challenges facing Ukraine given its precarious position as a borderland between the West and Russia. Broadly speaking, these challenges are most pronounced in the areas of politics, economics, and security. Ultimately, the U.S. had key interests in each of these three areas that it prioritized over Ukrainian political sovereignty, a fact which was shaped by the liberal imperialist foreign approach taken by the Obama administration.

In addition, the present article will introduce the relevant literature on the loyal opposition tradition in an effort to create a standard for the U.S. to be measured by as though it were an "opposition state" still loyal to Ukraine's democratic process. To first provide a historical context, the literature review will reference numerous primary and secondary sources germane to loyal power-sharing and the gradual development of the loyal opposition tradition. In addition, this literature review will include a definition and outline of the key components of the type of loyal opposition needed to sustain contemporary democracy. The aim is to apply (in part two of this research) the standard expected of a loyal opposition party to the foreign policy approach taken by the U.S. during the Ukraine Crisis to see the extent to which it was either loyal or disloyal to Ukraine's nascent democratic tradition.

## Ukraine the Borderland

The very name "Ukraine" is strongly indicative of the challenges that location and geography can pose to a country. Meaning "borderland,"[1] the various imprints left across Ukraine's vast, rivered, and fertile plains give validity to its appellation. Centuries ago, Ukraine formed a complex buffer zone between numerous loci of power, with "Poland-Lithuania to the

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[1] Orest Subtelny, *Ukraine, A History, Third Edition*, Toronto: University of Toronto Press, 2000, p. 3.

northwest, Muscovy to the northeast, and the Crimean Khanate and Ottoman Empire to the south."[2] Author Anna Reid further illustrates the precariousness of Ukraine's position in the introduction to her book "Borderland":

> Flat, fertile and fatally tempting to invaders, Ukraine was split between Russia and Poland from the mid seventeenth century to the end of the eighteenth, between Russia and Austria through the nineteenth, and between Russia, Poland, Czechoslovakia and Romania between the two world wars. Until the Soviet Union collapsed in 1991, it had never been an independent state.[3]

From the perspective of contemporary international relations, Ukraine is seen as a frontier between a resurgent Russia and an expanding West, a reality which has made for complex and often unstable relations. Defined as a "cleft country" divided between "the Uniate nationalist Ukrainian-speaking west and the Orthodox Russian-speaking east," Ukraine's civilizational bifurcation is unlikely to mend itself any time soon.[4] With Ukraine's complex geopolitical position as context, three crucial touchpoints which set the stage for the Ukraine Crisis will be detailed in this section: They are the political, economic, and security influences pulling Ukraine apart both from within and from without.

### Ukraine's Turbulent Politics

Since the fall of the Soviet Union, the gradual and at times flawed democratization process that has been sweeping through most of Central and Eastern Europe has received great support and approbation from the West.

Since 1991, the U.S. alone has invested over $5 billion in Ukraine to help "build democratic skills and institutions."[5] Nevertheless, in the wake

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[2] Paul Robert Magocsi, *A History of Ukraine*, Toronto: University of Toronto Press, 1996, p. 176.

[3] Anna Reid, *Borderland: A Journey Through the History of Ukraine*, New York: Basic Books, 2015, p. 1.

[4] Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*, New York: Simon & Schuster, 1996, p. 138.

[5] Victoria Nuland, *Assistant Secretary Nuland Speaks at U.S.-Ukraine Foundation Conference*, Mission of the United States Geneva, Switzerland, 13 December 2013, [http://geneva.usmission.gov/ 2013/12/17/assistant-secretary-nuland-speaks-at-u-s-ukraine-foundation-conference/], 17 June 2017.

of what has come to be known as the "Third Wave" of democratization,[6] Ukraine has unfortunately remained one of the states in the region still oscillating between the promise of democracy and the specter of authoritarianism.

Following the collapse of the Soviet Union, Ukraine developed a hybrid regime featuring some formal aspects of democracy, such as representative institutions and political competition. According to Valerie Bunce, such regimes tend to fall short of liberal standards as a result of "unfair elections, extensive corruption, irregular recognition of civil liberties, significant biases in the media, opposition parties that are poorly organized in comparison with parties in power that are led by authoritarians, and weak ties between political representatives and the citizenry."[7] Critically, Ukraine developed another feature of hybrid regimes that would severely plague its post-Soviet politics: rapid and often tumultuous regime changes.

Probably the best example of how quickly Ukrainian politics can oscillate from authoritarian regress to democratic progress is the 2004 presidential elections between then-opposition leader Viktor Yushchenko and then-prime minister Viktor Yanukovych, when the first two rounds of voting "failed to meet a considerable number of OSCE Commitments, Council of Europe and other international standards for democratic elections."[8] However, after the elections were found to have been marred by large-scale fraud, the Ukrainian Supreme Court fortunately invalidated the decisions of the Central Election Commission and ordered a repeat runoff election that brought Ukraine "substantially closer" to meeting observers' standards.[9] In a supreme twist of irony, the very candidate suspected of this fraud—then-Prime Minister Yanukovych—would go on in 2010 to win the presidency in elections that were widely praised at the

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[6] Samuel P. Huntington, "The Third Wave: Democratization in the Late Twentieth Century" in *Journal of Democracy*, vol. 2, no. 2, Baltimore: John Hopkins University Press, 1991, p. 12.
[7] Valerie Bunce, "The Political Transition", in Sharon L. Wolchik, Jane L. Curry (eds.), *Central and East European Politics*, *Second Edition*, Plymouth: Rowman & Littlefield Publishers, 2011, p. 33.
[8] OSCE, *Ukraine Presidential Election 31 October, 21 November and 26 December 2004 Final Report*, 11 May 2005, [http://www.osce.org/odihr/elections/ukraine/14674?download=true], 4 February 2017, p. 1.
[9] *Ibidem*, p. 33.

time for their relative fairness and openness,[10] a topic which will be explored in more detail in the second portion of this two-part research project. Such is the tumultuous nature of Ukrainian politics.

### Ukraine's Janus-Faced Economic Interests

Much like its politics, Ukraine's economy is also imperiled at a crossroads between East and West. This was made clear when President Yanukovych reneged on a promise to sign an association agreement with the E.U. in 2013. Citing his country's inability to afford sacrificing trade with Russia and the inadequacy of the E.U.'s loan of 610 million Euros for upgrading to European standards,[11] President Yanukovych abruptly redirected his country's economic trajectory from the West back to Russia, throwing Ukrainian society into paroxysms almost immediately. Though this backpedaling was viewed by much of the world as an alarming volte-face, the reasons why President Yanukovych backed out of the E.U. deal should not come as a surprise given Ukraine's complex borderland position.

Internally, Ukraine is caught between its Europe-inclined west and Russia-oriented east, resulting in a tug-of-war for influence between the West and Russia. Sharing long borders on either side of Ukraine, both Russia and the E.U. have been the most substantial trading partners of Ukraine in recent history.[12] Therefore, trade has been one area in need of particularly careful balancing, both on the part of Ukraine and its trade partners. However, the 2013 association agreement between the E.U. and Ukraine neglected to consider the concerns of Russia and the depths to which the Russian government would go to complicate the process, like offering cash-strapped Ukraine a $15 billion loan and lower gas prices as a counter-offer.[13] This remissness was, in hindsight, a grave mistake on

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[10] Taras Kuzio, "Ukraine Muddling Along", in Sharon L. Wolchik, Jane L. Curry (eds.), *Central and East European Politics, From Communism to Democracy*, Plymouth: Rowman & Littlefield Publishers, 2011, p. 347.

[11] Taras Kuzio, *Ukraine, Democratization, Corruption, and the New Russian Imperialism*, Santa Barbara: ABC-CLIO, LCC, 2015, p. 455.

[12] European Commission 2016, *European Union Trade in goods with Ukraine*, 4 November 2016, [http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_113459.pdf], 4 February 2017, p. 8.

[13] Hall Gardner, *Crimea, Global Rivalry, and the Vengeance of History*, New York: Palgrave Macmillan, 2015, p. 65.

behalf of the West that would become part of an unfortunate chain of events eventually leading to a *coup d'état*, the Russian annexation of Crimea, and the bloody stalemates in the Donbass.[14]

## The Security Struggle over Ukraine

NATO expansion further into Eastern Europe is another area where Ukraine and the West should be more careful, as every move eastward brings a hostile military alliance closer to Russia's borders. The first large move eastward for NATO was in 1999, when Poland, Hungary, and the Czech Republic joined. It was followed by further expansion into seven more countries in 2004, three of which shared borders with Russia. According to John Mearsheimer, it was after NATO's issuing of the Bucharest Summit Declaration in 2008, which declared that Ukraine and Georgia "will become members of NATO,"[15] that Russia made it clear that Western military assistance to these two states would come with significant consequences. Later that year, the Russo-Georgian War proved just that. According to Mearsheimer, the potential for Russia to violently escalate the conflict in Ukraine could have been inferred from events that occurred in Georgia five years prior but, tragically, few observers made this connection before it was too late.[16]

George Kennan, the distinguished Russia expert and architect of the U.S.'s Cold War containment policy, similarly voiced his concerns over NATO expansion to Russia's borders. Kennan considered later enlargement to be a "strategic blunder of potentially epic proportions"[17] and "the most

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[14] Juliane von Mittelstaedt, Erich Follath, "Interview with Henry Kissinger: 'Do We Achieve World Order Through Chaos or Insight?'", *Spiegel Online*, 13 November 2014, [http://www.spiegel.de/international/world/interview-with-henry-kissinger-on-state-of-global-politics-a-1002073.html], 4 February 2017.

[15] North Atlantic Treaty Organization 2008, *Bucharest Summit Declaration Section 23*, 8 May 2014, [http://www.nato.int/cps/en/natolive/official_texts_8443.htm], 4 February 2017.

[16] The University of Chicago 2015, *John Mearsheimer: UnCommon Core: The Causes and Consequences of the Ukraine Crisis*, YouTube video, 25 September 2015, [https://www.youtube.com/watch?v=JrMiSQAGOS4], 4 February 2017.

[17] Strobe Talbott, *The Russia Hand: A Memoir of Presidential Diplomacy*, New York: Random House, 2002, p. 220.

fateful error of American policy in the entire post-cold-war era."[18] Kennan's reasoning for why such a policy was folly coincides with that expressed above by Mearsheimer, i.e. expansion would "inflame the nationalistic, anti-Western and militaristic tendencies in Russian opinion[,] restore the atmosphere of the cold war to East-West relations[, and] impel Russian foreign policy in directions decidedly not to our liking."[19] Given Russia's current trajectory, Kennan's words were nothing short of prophetic.

## A Cautionary Conclusion

As this section has shown, the precarious position that Ukraine straddles as a borderland between Russia and the West is one that merits extreme caution both internally and externally. Ukraine is caught in the balance between its indelible Russian connections and many of its citizens' penchant for greater Western integration. Politically, this has led to uncertainty as to which direction Ukraine's government will go from election to election. Economically, it has left the country vulnerable to the vicissitudes of foreign creditors bidding on Ukraine's future in economic proxy wars. Finally, in terms of security, Ukraine has the precarious misfortune of being located within the overlapping spheres of interest of the U.S. and Russia, the world's two greatest nuclear powers.

The 2010 presidential elections gave many a glimmer of hope that Ukraine was making modest strides towards developing a more stable, functioning democracy; however, the post-election policies of President Yanukovych quickly put a damper on these hopes for many pro-Western Ukrainians. Externally, the strong influence that both Russia and the West have had on Ukraine's development suggests a tumultuous future, as these foreign powers have been less than cooperative over issues concerning politics, economic development, and security in the region. As a result, Ukraine is an unfortunate proxy front in what some are calling a "new Cold

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[18] Tim Weiner, Barbara Crossette, "George F. Kennan Dies at 101; Leading Strategist of Cold War", *The New York Times*, 18 March 2005,
 [https://www.nytimes.com/2005/03/18/politics/george-f-kennan-dies-at-101-leading-strategist-of-cold-war.html], 4 February 2017

[19] *Ibidem.*

War."[20] The West's three-pronged approach of Westernizing Ukraine's politics, economy, and security—and Russia's willingness to sabotage these efforts—are factors that set the stage for the bloody Ukraine Crisis.

## Literature Review

The following literature review seeks to introduce relevant literature on loyal power-sharing with particular emphasis on the loyal opposition tradition that is so crucial to democracy. Such a literature review will provide the much-needed historical background related to the development of power-sharing and the loyal opposition tradition. It will also provide a definition of "loyal opposition" and list its salient features. Together, the history, definition, and features of loyal opposition will be conducive to establishing a standard that can be applied to U.S.-Ukraine foreign policy later in the second portion of this research project.

## On Power-Sharing and Loyal Opposition

Literature on power-sharing can be found as far back as Aristotle,[21] who thought democratic power-sharing produced the best results when the middle class was heavily involved. To Aristotle, a middle class carries neither of the extremes of the upper and lower classes: i.e., a haughty lack of obedience and a reluctance to rule, respectively. This "middle road" approach to power-sharing, according to Aristotle, protected a political community from the instability caused by pure oligarchy on the one hand, and extreme democracy on the other.

Of course, power-sharing was not the preferred political arrangement for all. For example, Thomas Hobbes considered a system of democratic power-sharing to be less practical and more prone to anarchy because of the nature of man.[22] Jean-Jacques Rousseau similarly took a deeply pessimistic

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[20] Stephen F. Cohen, *Soviet Fates and Lost Alternatives: From Stalinism to the New Cold War*, New York: Columbia University Press, 2011.

[21] Aristotle, *The Politics*, TA Sinclair (trans.), New York: Penguin Books, 1962, Book 4, Chapter 11.

[22] Thomas Hobbes, *Leviathan*, 1651, [https://socserv2.socsci.mcmaster.ca/econ/ugcm/3ll3/hobbes/ Leviathan.pdf], 18 June 2017, p. 116.

view of power-sharing arrangements, especially in regards to the British, who prided themselves on being free to choose their rulers.[23] Rousseau inferred that election day was the day voters—winners and losers alike—became enslaved by their representatives until the next round of elections could take place.[24] Looking at the U.S., Alexis de Tocqueville took a more optimistic approach, arguing that in that country, the minority values the empowerment of the majority, as the former understands that it may soon have that power for itself.[25]

The loyal opposition tradition noted by Tocqueville did not develop in a vacuum, but is rather the end result of an evolution in power-sharing that began long before in England. The first step in this long, turbulent evolution away from absolute monarchical power is considered to be the signing of the Magna Carta by King John in 1215, an event which precipitated the development of the rule of law and loyal power-sharing between representatives and their constituents.[26][27] Later kings would renew this great power-sharing charter which laid the foundation for loyalty from powerful barons in exchange for certain limitations to monarchical power.

These assemblies of barons, nobles, and knights, which later became known collectively as "parliaments,"[28] would slowly wrest more and more power from the Crown over the centuries until the monarch became little more than a ceremonial head of state with few, mainly symbolic powers.

Thomas Hockin provides a conceptual framework for the development of the loyal opposition tradition that he separates into three models.[29] First is the Old Tory Model, which was characterized by minimal loyal opposition at the local level that did not extend to "Great Matters of

[23] Simon Tormey, *The End of Representative Politics*, Cambridge: Polity Press, 2015, p. 47.

[24] Subrata Mukherjee, Sushila Ramaswamy, *A History of Political Thought: Plato to Marx, Second Edition*, New Delhi: PHI Learning Private Limited, 2011, p. 254.

[25] Alexis de Tocqueville, *Democracy in America, Volume II*, James T. Schleifer (trans.), Eduardo Nolla (ed.), Indianapolis: Liberty Fund Inc., 2010, pp. 406-407.

[26] Sterling E. Edmunds, *The Loyal and Lawful Opposition*, 2016, [http://utdr.utoledo.edu/cgi/viewcontent.cgi?article=2386&context=ur-87-68], 16 March, 2017, p. 1.

[27] Frank N. Magill, *The Middle Ages: Dictionary of World Biography, Volume 2*, New York: Routledge, 1998, p. 455.

[28] Gideon Doron, Itai Sened, *Political Bargaining: Theory, Practice and Process*, London: Sage Publications, 2001, pp. 95-96.

[29] Thomas A. Hockin, "The Roles of the Loyal Opposition in Britain's House of Commons: Three Historical Paradigms" in *Parliamentary Affairs*, vol. 25, no. 1, 1971, pp. 50-68.

State" and was not party-based, as parties were seen as factional and even treasonous at the time. Next came the Balanced Constitution Model, when a constitutional basis for checks began to emerge and the opposition, though still not disciplined or organized, began to assert more influence over what were formally considered royal prerogatives of state. Currently, the Parliamentary Party Model favors political parties as stable, organized factions that are poised to either rule or criticize the ruling faction within the bounds of shared constitutional commitments.

During the later stages of this power reallocation, the term "loyal opposition" was coined by British parliamentarian John Cam Hobhouse, who in 1826 referred in jest to "His Majesty's opposition," a phrase which afterward entered into common political usage.[30] Although the development of parties in general certainly stemmed from political developments in Britain, the first political parties that characterize modern democracies emerged in the U.S. at the beginning of the 19th century. Thus, by the time the term "loyal opposition" was coined, the U.S. had already had a quarter century of "very avant-garde experimentation with oppositional politics."[31]

Today loyal opposition is defined as "a minority party especially in a legislative body whose opposition to the party in power is constructive, responsible, and bounded by loyalty to fundamental interests and principles."[32] This tradition is recognized as being an integral component of a healthy, functioning democracy in both parliamentary and presidential systems of government. Abbot Lowell, a prominent American legal scholar, described the institutionalization of loyal parliamentary opposition as the greatest contribution to the art of government for the entire 19th century.[33]

British legal scholar Ivor Jennings went so far as to argue that without a loyal opposition there could be no democracy. In Jennings' words, "'Her Majesty's Opposition' is no idle phrase. Her Majesty needs an Opposition as well as a Government."[34]

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[30] John Cam Hobhouse, *Recollections of a Long Life, Volume 4, 1829-1834*, Charlotte Hobhouse Carleton (ed.), Cambridge: Cambridge Library Collection, 2011, pp. 129-131.

[31] Richard Hofstadter, "The Birth of American Political Parties" in *Government and Opposition*, vol. 1, iss. 1, 1965, pp. 126-131.

[32] Merriam-Webster Dictionary n.d., *Loyal Opposition*, [http://www.merriam-webster.com/dictionary/loyal%20opposition], 30 December 2016.

[33] A. Lawrence Lowell, *The Government of England*, New York: The Macmillan Company, 1912, p. 451.

[34] Ivor Jennings, *Cabinet Government*, *3rd Edition*, Cambridge: Cambridge University Press,

In his book "On Loyalty and Loyalties," John Kleinig[35] details the four main ideas underpinning modern parliamentary loyal opposition:

(1) [The loyal opposition] refers specifically to elected representatives of the nongoverning major party (or coalition), whichever party that happens to be.

(2) Its central role is to critique the policies and practices of the governing party, with some debate as to how relentless that criticism should be.

(3) It is expected to be prepared with alternative policies and a shadow ministry so as to assume the responsibilities of political power if elected in a seamless or at least peaceful transfer of power either through shifts in parliamentary opinion or through general elections.

(4) The tactics employed by the loyal opposition are expected to be consistent with the laws and conventions of the state so as to avoid chaos.

There is a crucial countervailing quality that a loyal opposition conducive to democratic culture requires, and this quality is quite distinct from the obedience taught in early political socialization.[36] Kleinig emphasizes this point when he notes that a powerless, compliant, or marginalized opposition need not be a loyal one, as servility and complaisance are counterproductive traits for a proper loyal opposition.

According to Kleinig, loyalty is appropriate only when the regime in power merits it, and any regime which does not may need to face a more radical opposition that is capable of reforming the object of loyalty.[37]

Though at first counterintuitive, dissent, criticism, and opposition can at times be the most resounding manifestations of loyalty. When it is clearly the regime in power that is ailing society, constructive criticism with the aim of improving government falls into Albert O. Hirschman's "voice" category of loyal responses, i.e. vocalizing dissatisfaction so as to improve

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1969, p. 16.

[35] John Kleinig, *On Loyalty and Loyalties: The Contours of a Problematic Virtue*, Oxford: Oxford University Press, 2014, pp. 115-116.

[36] Richard E. Dawson, Kenneth Prewitt, *Political Socialization*, Boston: Little, Brown & Company, 1969, p. 21.

[37] John Kleinig, *On Loyalty and Loyalties: The Contours of a Problematic Virtue*, Oxford: Oxford University Press, 2014, p. 112.

reigning institutions.[38] In such cases, notes Sterling E. Edmunds, a loyal and lawful opposition is the only safeguard against government which violates the "fundamental law" and "the freedom of its people."[39] Ultimately, in a mature, healthy democracy, the interplay between the opposition and governing parties should be based on the two factions seeing "themselves as partners in the development of the democratic process."[40]

### The Standard for a "Loyal Opposition State"

In short, a "loyal opposition state" is a state whose opposition to another democratic (or democratizing) state's regime is constructive, responsible, and bounded by loyalty to fundamental interests and principles, especially those concerning democracy and political sovereignty.

### Research to Come

The second half of this research (to be released at a later date) will begin with the methodological approach for this qualitative research, which centers on a case study—i.e. the foreign policy approach of the U.S. during the early stages of the Ukraine Crisis—and ultimately seeks to apply the standard expected of a loyal opposition party to the U.S. as a "loyal opposition state." This application will center on four main research questions:

- Was President Yanukovych legitimately elected?
- Is it fair to call President Yanukovych's ouster a coup?
- To what extent was the U.S. involved in the coup?
- Was the U.S. Ultimately Disloyal to Ukrainian Democracy?

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[38] Albert O. Hirschman, "Exit, Voice and Loyalty: Responses to Decline in Firms, Organizations and States" in *The Social Contract*, vol. 4, no. 4, 1994, pp. 274-275.

[39] Sterling E. Edmunds, *The Loyal and Lawful Opposition*, 2016, [http://utdr.utoledo.edu/cgi/viewcontent.cgi?article=2386&context=ur-87-68], 16 March, 2017, p. 20.

[40] Commonwealth Parliamentary Association, *Government and Opposition – Roles, Rights and Responsibilities*, 25-27 July 2005, [https://www.agora-parl.org/sites/default/files/CPA%20-%20Government%20and%20Opposition-Roles,%20Rights%20and%20Responsibilities%20-%202005%20-%20EN%20-%20PI.pdf], 19 June 2017, p. 2.

The second article will then answer each of these research questions at length and then apply the standard expected of loyal opposition parties to the U.S. in order to determine whether or not it acted as a "loyal opposition state" would have. Following this, the answers will be placed within the context of the two major foreign policy approaches of the U.S. since the end of the Cold War: neo-conservatism and liberal imperialism.

This will be followed by a conclusion that will review the most salient points made in both research articles, including a few brief remarks on the research limitations of this project.

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# PRIVATIZATION OF SECURITY IN THE 20TH CENTURY. FROM MERCENARIES TO PRIVATE MILITARY CORPORATIONS

## Ramona Ioana Goga⁎

**Abstract:**

*The present paper aims to emphasize the context of the privatization of security in the 20th century and to show the differences between these newly created corporations and the old mercenaries. Moreover, it also highlights the changing the role of mercenaries and their way of action in contemporary peripheries, which erase the idea of what they previously meant and give us a different view regarding their position in the midst of intra-state wars of the period. If in the past centuries the states were contracting mercenaries to take part in hostilities during armed conflicts, whose main motivation was to obtain personal benefits and privileges, now they would rather take into account the private security services. Furthermore, the privatization of violence and the emergence of private military corporations is described, and information is provided on one of the most well-known corporations, namely Blackwater.*

**Keywords:** mercenaries, Private Military Corporations, Private Security Companies, war, Blackwater.

## Introduction

From the mid-seventeenth century to the early twentieth century, inter-state wars in Europe were relatively short, with a few exceptions. During this premodern period, both parties wanted to resolve their dispute through a struggle that would lead to peaceful negotiations. Napoleon and

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Moltke the Young have perfected a form of war based on the concentration of forces in time and space. "The war was both declared and concluded in accordance with certain rules."[1] It began with a declaration of war and ends with a peace agreement. Unlike these, the new wars are not characterized by concentration, but by the dispersion of forces in time and space.

Civilian administrations have sought to enter into a contractual relationship with "small units of professional soldiers."[2] Once these arrangements came into operation, members of the public administration had greater control over the armed forces of the state by appointing their own officers. In this way, state authority extended beyond military issues, which made mercenary armies become permanent armed forces of the contracting states. The practice of ending collaboration with professional soldiers at each end of the campaign and then re-naming them for a new campaign has proven to be extremely costly. The most convenient way to manage, from a financial point of view, was to turn the armed forces into permanent army.

## The changed role of mercenaries in contemporary wars

The contemporary period witnessed transformations with respect to the nature and dynamic of armed conflicts. In the wars that we have become accustomed to throughout history until the beginning of the 20th century, 90% of those killed or wounded in combat were to be defined as warriors in accordance with international law. In contrast, in the new wars of the late 20th century, the image of the victims was almost opposite, meaning that 80% of those killed or wounded in combat were simple civilians and only 20% were soldiers and therefore combatants.[3]

At the same time, the number of inter-state wars decreases considerably, but the number of intra-state wars increases dramatically.

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[1] Herfried Münkler, *The New Wars*, Cambridge: Polity Press, 2005, p. 11.

[2] Christopher Kinsey, *Corporate Soldiers and International Security. The rise of private military companies*, Abingdon: Routledge, 2006, p. 35.

[3] Herfried Münkler, *op. cit.*, p. 14. See also, Mary Kaldor, *New and Old Wars. Organized Violence in a Global Era*, Stanford: Stanford University Press, 1999; Laura M. Herta, "Hefried Münkler, The New Wars (book review)", in *Studia UBB Europaea*, (LX), no. 4, December 2014, pp. 211-218.

Moreover, the critical issue is that in the new wars the force is not directed against the enemy's armed force, but to the civilian population.[4]

By the *statization* of the wars of this period, the commercialization of the military force spreads. One of the essential elements of the new wars is the loss of the state monopoly over the military force.[5] Although attempts were made to replace the mercenary troops with permanent national armies, the thirst of the mercenaries for wealth motivated them to make their presence felt in contemporary wars, especially in civil wars in Africa.

After the Cold War, they were back in the internal conflicts of the states. Because of the increasing involvement in conflict, professional militaries were seen as a natural presence on the battlefields.

Just as before, mercenaries' war skills still exceeded those of soldiers enrolled in national armies, which outlined their status as military elites.

The only way to maintain and enhance these skills was by constantly engaging in exhausting and outstanding workouts. With the passage of time, training techniques are renewed, advancing, which makes their day-to-day work easier. Also, the emergence of new, more modern types of weaponry requires knowledge of how to use it, which demonstrates the impetus of periodical training.

Unlike in the past centuries, when mercenaries frightened every human soul they encountered, they appear to be in a different light in the contemporary period. If until now they were involved in any struggle only for their own advantages and were able to "step through the corpses" to get them, they now appear to intervene in some battles only to help them end faster or, as in the case of the civil war in Sierra Leone, they can help the population escape the tyranny of dictators or powerful groups that take hold of states and create horror.

Even though in these cases mercenaries pursue their own interest and personal well-being, they are no longer the same puppets indoctrinated to kill, mock or torture innocent people but, they are showing that they are capable of doing activities that have positive effects, being even collateral ones.

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[4] Münkler, *op. cit.*, p. 14.

[5] *Ibidem*, p. 16. See also Laura M. Herta, „Aspecte ale sociologiei și analizei relațiilor internaționale. Dihotomia războaie noi – războaie vechi" (Aspects of Sociology and Analysis of International Relations. The 'new wars'-'old wars' Dichotomy), in Liviu Țîrău, Ștefan Melancu (eds.), *Interferențe euro-atlantice*, Cluj-Napoca: EFES, 2013, pp. 444-456.

Thus, the military elites are still capable of demonstrating their "craftsmanship" on battlefields, coming with a different attitude in contemporary wars. It is difficult, if not impossible, to consider mercenary troops able to carry out peacekeeping actions, but the change of their role in the current conflicts is quite visible.


## From mercenaries to Private Military Corporations

The term *mercenary* includes a broad category of military activities, but much of them have little in common with those deployed by today's military/private security companies. Private Military Corporations (henceforth PMC) today provide logistical support, training, security, intelligence, risk analysis, and more, while mercenaries continue to offer the same services as they did at first, though their work is rarely encountered.

Although mercenaries have slowly come out of the "graces" of the leaders since the 17th century, a process intensified by the First World War, being gradually replaced by the permanent armies of the states, they do not disappear from the landscape of international relations. The demand for SOF has reborn due to their proven skills during the Cold War, especially in Africa. However, with the overthrow of the Communist regime ending the Cold War, a new form of military organization, based on a private corporate approach, emerges in the foreground. Private military corporations have begun to take on military training roles, usually in states that have recently gained independence.[6]

Governments are still dependent on their military forces to protect their vital borders and interests. But with the end of the Cold War, they began to turn to support this new security actor. Today, the international system is experiencing a huge increase in the number of PMCs operating on the international scene. They are in every aspect the global actors operating on every continent.[7]

The PMCs can be defined as legally established international firms that provide services involving the possibility of exercising force in a systematic manner, by military or paramilitary means, as well as the

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[6] Donald Stoker, *Military Advising and Assistance. From mercenaries to privatization, 1815–2007*, Abingdon: Routledge, 2008, p. 6.

[7] Christopher Kinsey, *op. cit.*, p. 1.

consolidation, transfer, facilitation, discouragement or defamation of this potential, or the necessary knowledge to implement them for their customers.[8]

The appearance of private military corporations seemed to announce the existence of a new world of mercenaries. However, if several decades ago the mercenaries were poorly organized and extremely visible, the new PMCs were rigorously kept, without claiming the mercenary's old-fashioned charm. Despite the efforts of private military corporations to present themselves as legitimate subjects with business concerns other than mercenaries, they did not escape this label.[9]

With the entry of PMC on the platform of international relations, the military force market is gaining considerable proportions. This market is like *a two-edged sword*. On the one hand, pessimists argue that private security *threatens* to undermine state control over violence and democratic processes, seeing it as a sort of group of corporate mercenaries. On the other hand, optimists say private options offer *solutions* to hard-to-resolve security issues that can work in accordance with national interests or the values shared by the international community.[10]

If we look closely at these private military corporations and the international attitude towards private power in general, they suggest that private power is increasingly accepted and efforts to control it have failed one by one. These are highlighted by the low influence of the United Nations *Convention against the Recruitment, Use, Funding and Training of Mercenaries* in the 1990s. In 1989, after nine years of work to complete it, it was ratified only by African states with a particular problem with mercenaries. The Convention entered into force only in 2001, which demonstrates the lack of interest of States in this regard.[11]

The PMCs, being created shortly after this Convention, managed to impose themselves in the international environment. Legitimate commentators analyze the "phenomenon" of the PMC, stating that its success is not based

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[8] Carlos Ortiz, *Private Armed Forces and Global Security. A Guide to the Issues*, Santa Barbara: Praeger, 2010, p. 48.

[9] Sarah Percy, *Mercenaries. The History of a Norm in International Relations*, New York: Oxford University Press, 2007, p. 206.

[10] Deborah D. Avant, *The Market for Force. The Consequences of Privatizing Security*, New York: Cambridge University Press, 2005, pp. 4-5.

[11] Sarah Percy, *op. cit.*, p. 208

solely on the Convention (and, implicitly, Article 47) erroneous, but on the fact that it cannot be applied to private military corporations due to the identified gaps in content identified. For example, *Executive Outlines* and *Sandline* (both are PMCs) due to the fact that they said they would only work for sovereign states and due to their incorporation into the structure of the armed forces of the state that hired them, they cannot be considered mercenary troops.[12]

Despite the fact that the PMC did not meet a categorical rejection, they were not accepted globally. The accusations made against them reflect the influence of the anti-mercenary rule. The existence of concessions and the apparent predilection of the PMC to intervene in countries with easy natural resources seem to suggest that the new *war dogs* were just as keen to work for their own interests as the old ones, which undermines the PMC attempts to be known as non-mercenaries. The fact that these companies are private entities designed to be financially successful has done little to diminish the comparison.[13]

Both mercenaries and the PMC have the potential to cool relations between the state and its citizens, and can ease the attainment of a state's interest in using force, becoming tyrannical, or in supporting a civil war.

But the state that decides to privatize the use of force is more morally responsible for disrupting democratic control over the use of force than the private actor it employs.[14]

Despite the criticism, private military companies provide military and security services to states, international organizations, non-governmental international organizations, global corporations and wealthy people. States that have contracted private military services range from extremely powerful and capable as the United States, to failed states like Sierra Leone. Meanwhile, major global corporations have hired PMC to provide site security and planning, and international non-governmental organizations working in fragile conflict areas or territories have done the same.[15]

Today, the PMC undertook a series of activities, which until now had been the responsibility of the state military. Such activities can be

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[12] *Ibidem.*

[13] *Ibidem*, p. 216.

[14] *Ibidem*, p. 237.

[15] Deborah D. Avant, *op. cit.*, pp. 7-8.

divided into: operational military support, military advice, logistical support, security services and crime prevention services.[16] Moreover, the existence of strategic complexes of different states has opened a space for private military force. The security capabilities of the PMC are rapidly becoming an essential component of strategic complexes. Undoubtedly, private soldiers specialize in these skills, demonstrating first-class military skills. Many former soldiers, now employed by the PMC, have served in the world's most important armies, especially the American, British and French armies considered to be the most "refined" in the world.[17]

It is confirmed that often criticism of the presence of fighters in private military corporations are unfounded, context-free. The worst reason for criticism is the poor performance they have in front of opponents who have been underestimated.[18] People's reluctance comes from the analogy between PMC and mercenaries. Considering the fact that there are contradictions and blurs in this respect even among the specialists in the field, the feeling of rejection on the part of the masses comes naturally.

So far, there have been changes in industry that have sought to distinguish between PMC and mercenaries, recognizing the first's right to exist and incriminating the latter. Then mercenaries began to look similar to different criminal individuals, in the sense that they were in fact projected into the illegal force of a contract killer, while today a security counsellor working for PMC only takes over from the client a work legally constituted by him.[19]

However, not all the sectors go in the same way as the industry, but there is still a strong sense of hostility towards PMC, especially in the media sectors, which still refer to them as mercenaries. These labels are given without taking into account the true nature of PMC, and tend to reflect previous perceptions of private security, which are, it can be said, overcome.[20]

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[16] Christopher Kinsey, *op. cit.*, pp. 2-3.

[17] *Ibidem*, pp. 55-56.

[18] Donald Stoker, *op. cit.*, pp. 228-230.

[19] Christopher Kinsey, *op. cit.*, p. 65.

[20] *Ibidem*, p. 151.

As a result, the emergence of private military corporations on the international scene has been marked by controversy from the start. They have never been sufficiently used and accepted to be a challenge to international law against the use of mercenaries. All types of combat services provided by the PMC were far too controversial to be widely accepted. While some have suggested that this market is the release of another type of mercenary, others argue that this is simply the expansion of privatization in the sphere of national security.

Due to the above mentioned facts, the privatization of military forces has become an increasingly popular topic in the study of international security. The profound involvement of private military contractors in recent wars has highlighted the key role that these actors play in contemporary conflicts.

## Privatization of security: *Blackwater*

In the twentieth century, mercenary writings focus on analysing their behaviour since the 1960s and the emergence of private military corporations and the privatization of security in the last decade of this century.[21] As PMC claims to be differentiated from mercenaries, Private Security Companies (henceforth PSC) tend to present themselves as separate entities of the PMC.

Together with private military corporations, PSCs are currently widely used in government circles. Despite the differentiation of the two entities, some specialists in the field contend that the term *Private Security Companies* is nothing more than a more elegant name for private military corporations. However, the term PSC is often out of context and applied to conventional security companies.[22]

The emergence of PMC and PSC does not necessarily suggest that the international environment is more responsive to the use of private power. Rather, the reaction to these newly established societies and the evolution of the industry from the one that promotes active battles to the one that avoids them, demonstrates that the anti-mercenary rule still leaves its mark on the strategies of that period. Moreover, in order to pave the

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[21] Sarah Percy, *op. cit.*, p. 2.
[22] Carlos Ortiz, *op. cit.*, p. 45.

way for wider acceptance, the PSC emphasizes that they are not engaged in any active struggle, but especially insist that they are neither PMC nor are they made up of mercenaries.[23]

If, on the one hand, the private security market has an explosion, on the other hand, the market for the private military force begins to diminish, creating an inverse process in terms of the evolution of the two markets.

Private security companies provide a wide range of services, including both external security tasks like border protection and internal security, such as maintaining order within borders. The PSC also provides internal security, ranging from territorial security (armed and unarmed), crime prevention, and intelligence.[24]

The services offered by the PSC can be divided into four main categories: logistical support, operational or tactical support, military counselling and training, and security. Logistic support entails tasks such as food preparation and delivery, cleaning and, at the same time, maintenance tasks at military bases. Tactical or operational support can best be explained as providing services that are normally considered to be exclusively for national armed forces. These services may include military interrogation, or even the operation and support of weapons systems. Ensuring military counselling and training is a significant part of the PSC's work. Members of private security companies train the armed forces, police forces and auxiliary forces.[25]

The use of the PSC by non-governmental organizations (from now on NGOs) and by the United Nations highlights the degree of development of this industry. They use private security companies to provide security to their staff, to the humanitarian aid, and in the refugee camps. In these roles, PSC's work is predominantly defensive and counter-opposed to fighting.

However, even the UN and other NGOs see this type of security as controversial and are reluctant to discuss officially that they are using the services provided by private security. Many NGOs express feelings of horror and indignation as to the need to work with the PSC and are sensitive to the negative publicity that may result from open discussions on the use of commercial security providers.[26]

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[23] Sarah Percy, *op. cit.*, pp. 206-207.

[24] Deborah D. Avant, *op. cit.*, p. 16.

[25] Sarah Percy, *op. cit.*, pp. 225-226.

[26] *Ibidem*, p. 229.

Moving from private military corporations that focused on combat services to private security companies, which aimed at actively avoiding battles, can be explained by the rule against the use of mercenaries. PSCs are less controversial than PMC, because they avoid offensive combat and can therefore minimize the effect of the tasks they are struggling for in return for earning financial gains.[27]

One of the most famous private military and security corporations is the American company *Blackwater*. It was established in 1995 by former US Navy Officer Eric Prince in North Carolina. *Blackwater* was born exactly the same way the American army did in the midst of a massive and unprecedented privatization of the armed force.[28]

The company currently owns two aviation service companies operating over 50 airplanes and helicopters and a naval ship about 56 meters long for naval training. In addition, *Blackwater* owns a factory that produces special armoured machines, which tare hoped to be sold to the armies, as well as mobile metal targets for training. Their intelligence service, called *Total Intelligence Solutions*, is under the leadership of former *Central Intelligence Agency* officials (henceforth CIA), including even personalities who worked in anti-terrorism units in the CIA and the State Department of the United States, the US Navy or the *Federal Bureau of Investigation* (henceforth FBI).[29]

Like any PSC, *Blackwater*, in addition to providing security, it also offers military counselling and training. The first military training contracts came in 1998. For the next few years, the company worked with law enforcement agencies and small military units. All these changed after October 2000, following the suicide attempt in the Yemen Aden port claimed by Al-Qaeda. This serious incident, which resulted in the death of 17 sailors, highlights the navy's poor training to defend itself against this new and unpredictable threat, which prompts leaders in this area to ask for better training. The *Blackwater* employees, many of whom were former

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[27] *Ibidem*, p. 231.

[28] Jeremy Scahill, *Blackwater: The Rise of the World's Most Powerful Mercenary Army*, New York: Avalon, 2007, pp. 89-92.

[29] Robert O'Harrow Jr. and Dana Hedgpeth, "Building Blackwater", in *The Washington Post*, 13th of October 2007, http://www.washingtonpost.com/wp-dyn/content/article/2007/10/12/AR2007101202487_2.html?sid=ST2007101202550. [accessed on January 17, 2018].

navy pilots or Special Forces, take advantage of this situation to promote the company.[30]

Subsequently, the terrorist attacks of September 11, 2001 completely change the security landscape. Suddenly, everyone, from corporate America to the Defence Department agencies and the rest of the government, felt the need to protect against imminent terrorist threats. Again, Blackwater has the chance to be remarked in the Special Forces community. Not long after the Twins Tower Attacks, the company is urged to provide emergency and classified assistance to Afghanistan, which confirms that this company has begun building its name internationally.[31]

The company's earnings have begun to reach colossal amounts once the August 2003 contract was signed, which puts them right at the heart of the Iraq conflict. But even if the financial situation is satisfactory, during this conflict, *Blackwater* undertook a series of activities that changed the perception of the world over them, suffering a huge fall. They become globally known for their negative publicity in 2007, when a group of four of their employees killed 17 unarmed civilians with cold blood and 14 others were seriously injured by them.[32]

The defendants were tried in the US, and even if their position in court was focused on declaring that they were being ambushed, witnesses to the actions of the "new mercenaries" declared the opposite, stating that they did not come under attack. Several Kurds who were at the crime scene said they had not seen anyone pointing the guns against the mercenaries, their words being corroborated by forensic evidence.[33]

The tragedy began when a convoy of guards suddenly started using firearms, such as rifles, machine guns, and grenades, in a crowded intersection, which is not a war drama but the result of a criminal act. One

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[30] *Ibidem.*

[31] *Ibidem.*

[32] Spencer S. Hsu, " Blackwater guards facing 30 years for 2007 Iraq shootings ask for leniency", in *The Washington Post*, 30th of March 2015, https://www.washingtonpost.com/local/crime/blackwater-guards-facing-30-years-for-2007-iraq-shootings-ask-for-leniency/2015/03/30/2034c4a0-d715-11e4-ba28-f2a685dc7f89_story.html. [accessed on January 17, 2018].

[33] Ali al-Fadhily, "The recent attacks by Blackwater USA mercenaries in Iraq are far from the first", in *Noticias Financieras*, 31st of October 2007, http://search.proquest.com/docview/467153412?accountid=8013. [accessed on January 17, 2018].

of the defendants, the sniper who turned out to have begun the shooting, received the life sentence for murder. The other three members of the company have been convicted and jailed for 30 years for voluntary homicide and use of machine guns to produce violent crimes.[34]

As a result of this morbid event, besides triggering the series of research on the company's activities, the critics are increasingly accentuated and more categorical against it, losing their credibility and being called *mercenaries* more often.

This process was an epilogue for *Blackwater*'s story, which began as a military and police training opportunity in North Carolina, coming to be associated with a group of modern international renowned mercenaries who became the subject of investigation for the departments of the US justice.

However, the company's operations were not limited to this incident. Around 1,000 *Blackwater* contractors have secured diplomats during this Iraqi conflict. Later, even the CIA hired them for secret missions involving the pursuit and killing of Al-Qaeda agencies around the world, but this collaboration ceased without materializing anything, before any assassination took place.[35]

Despite the fact that the dealings between the company and the CIA have not come to an end, the fact that the *Blackwater* employees agreed to carry out this operation in exchange for considerable sums of money, outlines the characteristic traits that are getting closer to the mercenaries of the past times, being now perceived more as aggressors than as defenders who are focused on costs, and not on the safety they have to offer.

Therefore, even if we try to look at *Blackwater* as a private security company, thinking about the services they have provided since they came to the market, it is impossible, because it is always overshadowed by the cruel way the company operated in more recent times, actions that led to the creation of *Blackwater*'s image in the literature as the most powerful army of mercenaries.

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[34] Matt Apuzzo, "Blackwater Guards Found Guilty in 2007 Iraq Killings", in *The New York Times*, 22nd of October 2014, http://www.nytimes.com/2014/10/23/us/blackwater-verdict.html?_r=0. [accessed on January 17, 2018].

[35] *Ibidem.*

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# Book Review

## Marc Lynch, *The New Arab Wars: Uprisings and Anarchy in the Middle East*, New York: PublicAffairs, 2016, 304 pp.

## Anda Ghilescu[*]

Marc Lynch's latest book, *The New Arab Wars: Uprisings and Anarchy in the Middle East*, is a revitalizing take on the social and political transformations in the Middle Eastern region during and immediately after the Arab Spring. A professor of political science and international affairs at the George Washington University, Lynch has distinguished himself as a valuable voice on Middle Eastern studies, having previously published several books and articles on the topic and founding the Project on Middle East Political Science. This latest contribution to the field is not merely out of academic interest, but it is instead deeply rooted in the author's perception of the crisis in Libya and the resulting NATO-led intervention in March 2011.

As underlined in the preface, Lynch was one of the early advocates of American intervention in Libya – a position that was all the more significant as he was writing for *Foreign Policy* at the time and meeting routinely with Obama administration officials. The failure of that intervention is what led the author to re-consider his initial analysis on both Libya and the entire Arab uprising; he sought to return to the events of 2011 and understand them through a new, regional perspective. This book is the culmination of those efforts.

Lynch's work is divided in nine chapters, each following a chronological development of the uprisings. Almost all states are focused on, since the drive behind the book is to connect the revolts in a way that exposes the underlying regional tensions and ambitions, without neglecting the importance of local factors.

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The first chapter, *The New Arab Wars*, stands as an overview of the topic to be discussed, presenting the context in which the revolts started to manifest and their aftermath, the newly emerging proxy wars, the empowered Arab societies and the path of the Islamists.

The Arab Uprising is seen as one single event comprised of its constituent local stories, each connected through regional dynamics and the rapid flow of information. Taking into account the particularities of peoples' dissatisfaction is important for understanding the idiosyncrasies of each case, but ultimately they are all part of a larger narrative, one that combines the Saudi-Iran cold war, the competition between the Gulf states, the role of international actors (US, Russia) with the development of social media and social mobilization.

In explaining the situation before the fateful winter of 2010-11, the author challenges the popular nostalgia of returning to a pre-uprising order by arguing that the events which took place in the 2000s were far from the stability yearned for. Thus, he considers as an example the consequence of the US-led invasion of Iraq, namely the indirect empowerment of Iran which, in turn, triggered the anxieties of the Gulf leaders. Having lost a strong military power that could balance Iran, the Gulf states felt that the regional order was tilting to their disadvantage. The two opposing blocs – Sunni dictators led by Saudi Arabia vs. a "resistance bloc" led by Iran – became increasingly relevant in the new arena opening up during the Arab Spring.

Another point argued for in the first chapter is that of America's role in the region. Lynch positions himself once more against the widely accepted perceptions of Obama's foreign policy, which usually criticize the lack of assertiveness employed. Instead, he remarks a trend in American policies being predictable to regional players, who would be able to construct their own policies in a more or less undisturbed manner.

Obama's restraint in response to the revolts and to Syria, however, was unexpected to the US allies in the region, as they felt abandoned and even distrustful towards a president who was willing and eager to ease tensions with Iran as well. Therefore, "the pattern of erratic behavior and catastrophic policies [of Arab leaders] could be considered Obama's fault only in that others planned for a different American policy."[1]

The second chapter, *The Arab Uprising*, takes a detailed look at the first few months of the revolts by highlighting the role that regional politics

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[1] Marc Lynch, *The New Arab Wars: Uprisings and Anarchy in the Middle East*, New York: PublicAffairs, 2016, p. 20

played in each particular case. We start with Tunisia and the fall of Ben Ali, which was able to ignite such a massive response in other Arab states due to its inspiring success and its popularization by the Qatari network Al-Jazeera.

We move on to Egypt, where regional dynamics are much more evident. The fall of Mubarak was a turning point for three main reasons. First, it brought the protest movement closer to the heart of the Middle East – "Egypt's uprising moved the challenge from the periphery to the core of the Arab world, striking at the heart of the American and Saudi-led regional order."[2] Secondly, it revealed the new approach that Obama would be prone to adopt in reacting to the popular revolts that aimed to overthrow close US allies. Siding with the protestors and demanding a peaceful transfer of power in Egypt, Obama signaled to Mubarak's allies that their own regimes were not safe and indestructible. Moreover, Arab leaders were discontented that Obama would support a democratic movement over a long-time American ally.

Finally, the Egyptian president's overthrow opened new doors for Qatari influence in post-Mubarak elections, given their network's significant efforts to unite the revolutionary euphoria across the region into a single, broader story. Members of the Muslim Brotherhood (which were backed by Qatar) now stood a chance to be a part of the new democratic chapter opening up in Egypt. Much to Saudi Arabia and the United Arab Emirates' dismay, this was actually the case a little over a year later, as Islamist candidate Mohamed Morsi won the presidential election.

Yemen and Bahrain are the two final subjects of analysis. They offer compelling case studies for grasping Saudi Arabia's apprehension of Iranian-supported domestic unrest. In Yemen, for instance, "Saudi Arabia had long maintained a strong position […] through extensive contacts with tribes and an alliance with the long-ruling President Ali Abdullah Saleh."[3]

After the protests in Yemen indicated that Saleh would not survive as head of state, the Gulf Cooperation Council – with Saudi Arabia in the lead – intervened by proposing a transition plan, which "provided for a transfer of power to Saleh's vice president along with a 'National Dialogue' on a new constitution and a promise of amnesty to persuade Saleh to go along."[4] Of course, the promise of immunity offered to Saleh was a very controversial aspect of the plan and it would leave Saleh practically unharmed by the revolts –

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[2] *Ibidem*, p. 53

[3] *Ibidem*, p. 64

[4] *Ibidem*, p. 70

what's more, he would remain an important regional player, opposing his successor and even the Gulf states that offered him the deal in the first place.

Bahrain is its own tragic story. Lynch stresses upon the deeply regional character of the uprising's outcome in Bahrain – a state that "was widely recognized to be a Saudi dependency, and its regime a red line in the long-running Saudi-Iranian cold war."[5] The Saudi-led intervention in Bahrain to suppress the revolt was met with silence from the ever-vocal Qatari network Al-Jazeera, while the consensus between the GCC states required for the operation was a first and a last since 2011.

Chapter 3, *Intervention and Militarization*, is dedicated to Libya, which became one of the most internationalized conflicts in the entire Arab Uprising narrative. Largely due to the use of military forces against protestors and the ensuing violence between the two factions, Libya was intensely covered by Al-Jazeera, which shared brutal videos and images that had been posted on social media. The international community, unlike in the case of Bahrain, was horrified. It was not long until many voices both in the Arab world and in the US (the author included) argued for intervention in Libya to put an end to the state violence.

The military intervention that eventually began on 19 March 2011 by a NATO-led coalition had profound implications for Libya and for the entire region. First of all, it was radical for the sheer fact that it "violated another core norm governing Arab politics: opposition to Western intervention. […] The Arab League's invitation to NATO to intervene militarily against one of their own was thus revolutionary."[6]

Secondly, Libya itself would suffer from the decentralized character of the intervention, which brought about the proliferation of militias. As Lynch points out, the numerous externally-backed militias fighting the government's forces relied less and less on cooperation among themselves to that end, as it became apparent that Qaddafi would not last long. The issue became, then, to acquire weapons and resources that would allow each militia a great deal of influence and a position in the National Transitional Council.

Addressing the common perception that a peacekeeping operation employed in Libya after Qaddafi's fall would have led to stabilization and would have redeemed the intervention's success in the first place, Lynch remains skeptical. He does not undermine the failure of the intervention in Libya, but he argues that an international peacekeeping force would not

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[5] *Ibidem*, p. 74

[6] *Ibidem*, p. 81

have been a guarantor of stability in the transitional phase. Quite the contrary, it could have potentially been seen as an intruder to Libya's domestic affairs, constrained the transition process and made it virtually impossible for the forces to withdraw. Therefore, he claims that "the retroactive advocacy for such a force often seems to be more a matter of finding an excuse for the intervention's failure which would not compromise future interventions."[7]

Chapter 4 concerns the case of Syria, where regional dynamics were an incontestable reality. As Iran's main Arab state ally, Syria was essential for a balance of power between the "Moderate Bloc" and the "Resistance Bloc." The eruption of protests in Syria quickly turned into an insurgency, with Iran's adversaries doing everything in their power to intensify the revolts to a point of no return, while Iran and consequent backers of Assad got deeply involved to keep the government in power.

The author concentrates on the debate that emerged around the prospect of intervention in Syria. Not only was there no political consensus among American decision-makers and policy advisors, but the Syrian opposition itself did not form a unified voice arguing for intervention. As Lynch mentions, resistance to the United States and Israel was very deeply ingrained in Syria's foreign policy, which "for the opposition, it represented a real challenge: How could those calling to bring down Assad appeal to an enormously unpopular Western alliance for support without burning all credibility with the Syrian public?"[8]

As the debate went on, the situation in Syria was worsening through the escalating violence and the militarization of the insurgency. By the spring of 2012, Syria's uprising had become an arena for proxy war. The funding and arming of rebel groups by competing powers served to drag on the civil war to a point where neither side could back down. What arose in the Syrian military quagmire was a manifestation of the security dilemma: an advantage to one side triggered a response from the other, "never enough to win, always enough to keep the war going."[9]

The following chapter, *Democracy's Chance*, returns to states like Tunisia, Egypt, Yemen, Morocco and even Libya, as they attempt a transition to democracy. We follow Tunisia's 2011 free elections, which saw the Qatari-backed Ennahda Movement win 37.04% of the votes and 89 seats in the Assembly. The Egyptian elections saw another Qatari network victorious in

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[7] *Ibidem*, p. 91

[8] *Ibidem*, p. 117

[9] *Ibidem*, p. 130

the person of Muslim Brotherhood candidate Mohamed Morsi. Qatar was gaining ground in the regional struggle for power between the Gulf states.

The case of Egypt under Mohamed Morsi and the 2013 coup d'état against his regime are insisted upon. Lynch outlines a profile of Morsi's behavior and decisions that explain both the anxiety of Saudi Arabia (Morsi's visit to Tehran in September) and the growing dissatisfaction of Egyptian society (Morsi's constitutional declaration in November that granted him absolute presidential authority). The July 2013 coup put an end not only to his regime, but more broadly, to what the author calls a "primary positive American project."[10] Abdel Fattah el-Sisi, the newly Gulf-backed leader, was initially symbolic of Qatar's decreasing regional power, but his win did not automatically translate to Saudi dependency. In fact, Sisi would not follow Saudi Arabia's position in Syria nor towards the war in Yemen.

The sixth chapter, *Autocrats on Offense*, discusses the American diplomatic opening towards Iran, Ennahda's electoral defeat to UAE's network in the 2014 Tunisian elections and the challenges in post-Qaddafi Libya.

Concerning the latter, Lynch considers the infamous Benghazi attack of September 2012 from a Libyan perspective, as opposed to the more common analysis of its significance to American politics. As such, Ansar al-Sharia's attack was possibly even more disastrous for the Libyans, since it exposed the limitations of the new state and its inability to establish control over society. The militias that rose up against the government during the uprising were now impossible to regulate or command, becoming an element of major instability. The Libyan transition was going downhill, and few had hope that it could fully recover from the path of uncertainty and danger it had started to tread on.

Chapter seven, *Syria in Hell*, takes a look at Syria's descent into its most catastrophic stage, when the militarization of the insurgency was no longer questioned but accepted as fact, Obama's "red line" approach was tested to its limits and the Islamic State emerged.

In the first few pages, the author also addresses Turkey's policy in Syria, "shaped by its prioritization of the Kurdish issue."[11] Turkey had been a major source of support for the Syrian rebels, training army defectors on its territory and hosting major opposition institutions, specifically the Syrian National Council and the core of the Free Syrian Army. However, Turkey had more interest in the Syrian conflict than just backing rebel

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[10] *Ibidem*, p. 155

[11] *Ibidem*, p. 193

forces against Assad's government. The growing role and influence that Kurdish forces were gaining by fighting in the region was an essential factor in shaping Turkey's policy.

Iraq's Kurdistan Regional Government (KRG), as well as Syria's Kurdish Democratic Unity Party (PYD) became one of United States' most trusted allies on the ground in the fight against the Islamic State. This is an issue for Turkey, which has a long history of enmity towards its own Kurdish population; as Kurds – especially those in the autonomous region of the Iraqi Kurdistan – become more visible actors and move closer to independence, Turkey's fears of Kurdish nationalism prompts it to act on the offensive towards the same groups that the US views as key allies.

Another highlight of the chapter is that of the growth of the Islamic State amidst the Iraqi and Syrian insurgencies. As the author puts it, "by late 2014, no Islamist movement had the luxury of ignoring the IS movement any longer."[12] With the advancement in Raqqa, and Mosul a few months later, the Islamic State shifted the balance of power both within the insurgency towards the jihadists, and within the larger Islamist movement in general towards the violent approaches of ISIS, al-Qaeda and other factions. Initially, the peaceful change model advanced by successful uprisings in the Middle East (Tunisia, Egypt) seemed to signal the ending, or at least the weakening of al-Qaeda's ideological vision and any such calls to violent jihad. However, by late 2014, it became apparent that the context which allowed movements like ISIS to thrive was enough to render that progress inconsequential.

Chapter 8, *The Saudi Gambit* deals with the interconnectedness of the rising of the Islamic State, the US efforts of pushing for a nuclear deal with Iran and the new Saudi foreign policy under King Abdullah's successor.

The civil war in Yemen is, unsurprisingly, the principal illustration of Saudi Arabia's deeper involvement in the region. In September 2014, tensions between the Hadi government supporters and Houthis opponents (who sought to reinstate Saleh) peaked when the latter seized the capital city of Sanaa. The Houthis' territorial advance was an alarm signal for Riyadh, which had been heavily involved in the GCC transition plan and, most importantly, viewed Yemen as valuable in the regional struggle against Iran. However, "for the Saudi agenda to succeed, […] the Houthis needed to be stripped of their revolutionary identity and successfully framed as a Shi'ite movement backed by Iran."[13]

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[12] *Ibidem*, p. 222

[13] *Ibidem*, p. 236

Nevertheless, as Lynch points out, the Saudi military intervention in Yemen exposed, at the same time, the insecurity felt by the Gulf states in relation to the Iran nuclear agreement. That the intervention was in great part the Saudis flexing their military muscles is no secret; Saudi pundit Nawaf Obeid is quoted as saying that "ever since the Obama administration embarked on its disastrous policy of rapprochement with Iran, Saudi Arabia has been working to establish a new defense posture whereby it can use its own military assets […] to defend its interests."[14]

The final chapter, titled *Where do we go from here?*, comprises the author's thoughts on the Arab Uprising's future prospects and America's role in the region. His conclusion on the Arab revolts is that they are by no means over – nor have they failed completely in their aspirations. But the underlying problems that drove the movements in 2011 in the first place and the resulting wars that have engulfed the region will prevent a return to any form of stability. An arena of proxy wars, state collapses and sectarianism has declared no clear winners for now (especially in Syria and Yemen) and the events which the author describes as "the new Arab wars" will continue to shape regional dynamics and politics for decades.

A final point of focus is Obama's foreign policy towards the region, which has been largely criticized and blamed for the worsening of the crises. Lynch, instead, defends the President's approach, highlighting his forcefulness and stubbornness not to give in to pressures coming from Saudi Arabia, UAE and Israel on key issues. That Obama's strategy did not win is primarily due to the insufficient authority he held over the policies of said states to turn their own policies around, but that is something that goes beyond a single president. Indeed, Lynch predicted Donald Trump's first high level visits to Saudi Arabia and Israel in May 2017 as a „rush to repair these alliances,"[15] but warns that it will not be long before the deeper flaws that „went far beyond Obama"[16] will become clear to the new President.

In the end, Marc Lynch's *The New Arab Wars: Uprisings and Anarchy in the Middle East* is a forceful meditation on the current assumptions regarding the Arab Spring – in part to re-energize the discussion on issues that have been long viewed locally rather than regionally, and to provide a deeper understanding of the region for future generations of policy-makers and/or advisors. Lynch succeeds in capturing the turbulent dynamics between

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[14] *Ibidem*, p. 238

[15] *Ibidem*, p. 246

[16] *Ibidem*, pp. 246-47

various powers in the Middle East, their involvement and subsequent escalation of violence in struggles that began, primarily, inside the Arab societies. At the same time, he encourages a new understanding of America's limitations in the region during Obama's years as a consequence of strategy rigidity on the part of regional allies – a point of view especially worthy of consideration now as the US seeks to re-adjust its foreign policy under a new president, who may find, indeed, that the new Arab wars make it much harder to dictate the terms.

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< For electronic materials: Author(s): Last name, First name (Year) (*if applicable)*, *The title of the study* [complete web address], Date consulted

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