

**APRIL 2023, VOLUME 14,
NUMBER 1 (25)**

EUROPEAN PERSPECTIVES



INTERNATIONAL SCIENTIFIC JOURNAL ON EUROPEAN PERSPECTIVES

EUROPEAN PERSPECTIVES

INTERNATIONAL SCIENTIFIC JOURNAL ON EUROPEAN PERSPECTIVES

VOLUME 14 NUMBER 1 (25) APRIL 2023

DOI: <https://doi.org/10.60073/euper.2023.4>

EDITOR: Milan Jazbec

ASSISTANT EDITOR: Nataša Šuštar B.

EDITORIAL BOARD

Matej Accetto (Católica Global School of Law, Portugal) • **Dennis Blease** (University of Cranfield, UK) • **Vlatko Cvrtila** (University of Zagreb, Croatia) • **Vladimir Prebilič** (University of Ljubljana, Slovenia) • **Albert Rakipi** (Albanian Institute for International Studies, Albania) • **Erwin Schmidl** (University of Vienna, Austria) • **Vasilka Sancin** (University of Ljubljana, Slovenia) • **Uroš Svete** (University of Ljubljana, Slovenia) • **Katja Zajc Kežar** (University of Ljubljana, Slovenia) • **Jernej Zupančič** (University of Ljubljana, Slovenia) • **Mitja Žagar** (Institute for Ethnic Studies, Slovenia) • **Jelica Štefanović Štambuk** (University of Belgrade, Serbia)

EDITORIAL ADVISORY BOARD

Murat Bilhan (Istanbul Kultur University, Turkey) • **Erhard Busek** (Institute for the Danube Region and Central Europe, Austria) • **Mustafa Cerić** (University of Sarajevo, Bosnia and Herzegovina) • **Victor Jackovich** (Jackovich International, USA) • **Jacques Rupnik** (Centre for International Studies and Research, France) • **Goran Svila-nović** (RCC, Bosnia and Herzegovina) • **Savo Kentera** (Centre for International Relations, Montenegro)

EDITORIAL OFFICE ADDRESS

European Perspectives is a peer-reviewed Open Access international scientific journal, published twice a year (in April and October) by International Institute for Middle East and Balkan Studies - IFIMES.

Articles are licensed under Creative Commons Attribution-NonCommercial-NoDerivatives 4.0. International Licence - <https://creativecommons.org/licenses/by-nc-nd/4.0/>. There is no article processing fee charged to the authors and articles are immediately available on the journal website once published.



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

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

More information about the journal on website:

www.europeanperspectives.org

Manuscriptis should be forwarded to the Assistant Editor by email on office@europeanperspectives.org.

ISSN 1855-7694

E-ISSN 1855-9131

Print: Center Grafike, Damjan Mišmaš s.p.



EUROPEAN PERSPECTIVES

INTERNATIONAL SCIENTIFIC JOURNAL ON EUROPEAN PERSPECTIVES

VOLUME 14 NUMBER 1 (25) APRIL 2023

DOI: <https://doi.org/10.60073/euper.2023.4>

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

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

EUROPEAN PERSPECTIVES

INTERNATIONAL SCIENTIFIC JOURNAL ON EUROPEAN PERSPECTIVES

VOLUME 14 NUMBER 1 (25), APRIL 2023

Letter from the Editor	5
GUEST VIEW	
The AI – Dual Use Technology? <i>Anis Bajrektarevic</i>	9
ARTICLES	
2022: A Super Election Year in Slovenia <i>Drago Zajc</i>	21
Harnessing the Benefits of Regional Integration: Achievements, Challenges, and Prospects Within the East Africa Community <i>Joseph Vungo</i>	41
Serbia's Campaign to Derecognize Kosovo: A Foreign Policy Tool for National, Not International Gain <i>Ismet Hajdari</i>	71
The Rainbow Beyond the Soul: The individuality within the world of diplomacy <i>Natalija Shikova</i>	99

BOOK REVIEWS

Populism as meta ideology Kire Sharlamanov <i>Neja Bergant</i>	121
Diplomacy and Globalization Milan Jazbec <i>Natalija Shikova</i>	125
General Submission guidelines	129

Letter from the Editor

DOI: <https://doi.org/10.60073/euper.2023.4.01>

The winter that we all feared for a possible huge energy scarcity, is over. However, this does not look like at all with the prospects of war in Ukraine. Although there were some predictions that winter conditions could influence its pace, this old military rule proved to be not present in this case. The diplomatic and policy community is left to seek for scenarios that could possibly change the stream of events on the battlefield.

This journal, however, feels the duty to continue with its mission. So, our distinguished authors prepared again a rich set of competitive and comprehensive reading, having in mind a broad spectrum of topics, including an eye on the region of the Western Balkans. Additionally, also this time we offer another view on African affairs, this time on its regional prospects.

The first contribution is a posthumous one and discusses the super election year 2022 in Slovenia. The late author, who passed away soon after submitting his paper, with a routine, but skilled manner presents the main characteristics and challenges of the year 2022 in the Slovene politics as well as its main consequences. With its publication we pay due tribute to the late colleague, friend and supporter of this journal. *Respectful.*

Our second paper dwells, as annotated above, on regional processes in the East Africa Community region, with an eye on the way they are being currently manifested. The respected author claims that regional integration in Africa has transformed from political to its current economic concept. It has been widely embraced by states and understood as a way towards peace, stability and accelerated economic progress. The discussed Community seeks to meet various benefits of its broader population. Hence, it is supposed to be one of the cornerstones of the African Continental Free Trade Area. *Valuable.*

The third discussion contemplates efforts to derecognize Kosovo as a particular foreign policy tool that primarily serves internal political

goals of the promoter. The paper argues that the background of this process is not founded on the question, if Kosovo meets fundamental Montevideo criteria for a state, but on political aspects. However, the Montevideo doctrine even forbids derecognition in international affairs. At the end of the day, it remains to see to what extent this will influence international politics and its practical approaches. If such a practice would continue, it could influence the way recognition functions and compensates it for tactical political calculations. *Detailed.*

The fourth article presents an analysis of a novel on diplomacy *The Rainbow beyond the Soul* and the way diplomacy is manifested in this work of fiction. The distinguished author, professor of international law, takes her academic field as a point of departure to uncover these dimensions. She argues the novel rests on three pillar that show what diplomacy is, how it is intertwined with the private life of its protagonist, and how diplomat's intimate life copes with this demanding and responsible profession. But it's not only the vocation, diplomats also have emotions, beliefs and ambitions that sometimes reach out of their profession's frame as it is with the novel's main protagonist, being a reknown writer. *Thoughtful.*

Our first book review focusses on the phenomenon of populism as meta ideology that shows spreading and concerning characteristics of metastases. And the second one contemplates the newly published volume on diplomacy and globalization. The current Guest View innovatively discusses the issue that is becoming all-encompassing, the AI and its reflections that have yet to be seen.

Finally, there is no any other way than to repeat from our previous issue: we still face an unbelievable and outcrying breach of international law that shocked us with its brutality, i.e., the aggressive war on Ukraine. As we more described then predicted already in the April's 2022 issue, our current slogan, which stems from the late 60s, continuous to illustrate Ukraine as the 21st century Vietnam. See you in autumn.

Ljubljana, April 2023

M. J.

War, what is it good for? Absolutely nothing!

guest view

The AI – Dual Use Technology?

Anis Bajrektarevic

The AI – Dual Use Technology?

Anis Bajrektarevic¹

DOI: <https://doi.org/10.60073/euper.2023.4.02>

The international community should rather energetically and urgently work on a new social contract to tackle new technologies and their disruptive potentials. It is particularly related to artificial intelligence (AI) that must be deployed safely and in conformity with a globally shared ethical standard.

Deep fake, dark web, polarising contents, swarms of bots are expanding all over the cyberterritory. Just recall the events that are still shaking western hemisphere: The 2016 US Presidential elections and Brexit vote are still surrounded with a controversy. Their outcome is frequently connected with an alleged leak of personal data from a world's leading social platform to an Analytic agency to reportedly manufacture voters' choices. On the other side, the state (and non-state) actors have deployed huge quantities of motion-tracking and facial-recognition cameras to commodify continuous streams of intimate data about citizens, ostensibly to prepare them for a bonus-malus behavioural grading system.

The bold and commercially promising alliance between the AI and data-ified society has switched most of the contents of our societal exchanges towards the cyberspace. These new masters are already reshaping the very fabric of our realities.

No wonder, our common anxieties are on a rise; Are we losing control to an algorithmic revolution of nanorobots? Is the AI escaping our traditional modes of understanding and collective action? Confidence in our national governance and global stewardship is at breaking point. Popular revolts will follow.

¹ Dr. Anis Bajrektarevic is chairperson and professor in international law and global political studies, Vienna, Austria. He has authored nine books and numerous articles on, mainly, geopolitics energy and technology; he is also editor of the New York based Geopolitics, History and International Relations journal, and editorial board member of several similar specialized magazines on three continents.

Simultaneously, the AI-powered nano-, geo bio- and info- technologies will tend to weaken, rather than to enforce, global and regional governance mechanisms. The UN and similar regional multilateral settings do face a wide range of interconnected challenges. Let us briefly elaborate on some.

THE AI AND DEEPPFAKE

The AI is essentially a dual-use technology. Its mighty implications (either positive or negative) will be increasingly hard to anticipate, frame and restrain, or mitigate and regulate.

The so-called *Deepfake* is a good example. Presently, the advanced algorithmic AI programs have reached the stage to easily alter or even manufacture audio and video images by creating impersonations which are practically identical to its original. Deep-learning facial recognition algorithms can already, with an astonishing accuracy, copy eye-motion, trace and simulate variety of facial expressions or even synthesize speech by analysing breathing patterns in combination with a movement of tongue and lips.

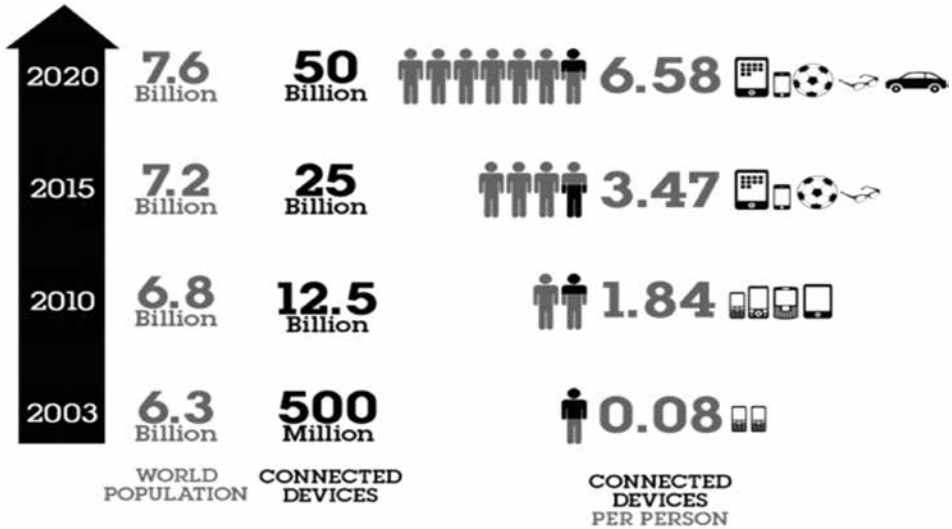
Once released by a state or non-state actor, such artificial interventions could be easily maliciously utilised for a wide range of impacts: political campaigns, racketeering, peer pressures and extortive mobbing. It is not hard to imagine such a fake video triggering public panic (eg. if displays non-existent epidemics or cyberattack), mass demonstrations (eg. if portrays a high-ranking official in bribing scene or similar grave crime), or forged security incidents that may provoke serious international escalations.

The ever-growing number of actors and their increasing capacitation to influence citizens with doctored simulations could pose the long-lasting detrimental implications for the UN and other International FORAs dealing with peace and security. By corroding the very notion of truth and of a mutual confidence between citizenry and their state as well as among states, the *Deepfakes* may turn to be the largest disruptive force to our global governing system.

THE AI AND HUMAN PREDICTABILITY

Due to advancements in the Internet of Things (IoT), the AI is already

bridging and coupling with a range of other technologies, especially with the metadata provided by the Bio-tech. These mergers pose a significant challenge for global security. Driven by the lucrative commercial prospects or by state security considerations, the AI systems around the world are largely programmed towards the predictability of human behaviour. Quite at reach, they already have accurate and speedy analytics of urban traffic patterns, financial markets, consumer behaviour, health records and even our genomes.



These – still unregulated – AI technologies are increasingly able to channel our behavioural and biological data in a quite novel and rather manipulative ways, with implications for all of us. Neither this spares the youngest among us. For instance, the *i-Que* boys’ robot or *Cayla* girls’ doll transmit voice and emotional data of kids interacting with them (of everyone in their 10 meters proximity radius) and send it back to their manufacturers via the Cloud. This feature led the European authorities to examine automated toys closely and conclude that it violates basic principles of consumer and privacy protection. Similar dolls are still in extensive use all over Arab world and Asia where consumer protection awareness is s/lower or less organised than in the EU.

In several OECD countries, the deployment of the court rooms’ emotional analysis is seriously discussed. In such a scenario, the powerful algorithmic biometrics would measure a level of remorse when witnesses are testifying, and audio-video materials are presented. If once

operable, that would be than easily extended by granting corporate (and state) entities to utilise different types of biometrics in assessing the job applicants.

That may furtherly tempt some outcast regimes to force biometric bracelets upon part or even entire populations, and have a real-time and accurate measuring of the popular support they enjoy. (Such bracelets are already heavily advocated in some OECD countries for the prison population, especially for re-convalescent inmates charged with blood delicts.)

Finally, if the humans' individual or group behaviours can be monitored, hoovered, processed and hence, altered, who (or what) will be a driver of electability – be it of a change or status quo preservation – people or algorithms? If the entire biometrics, emotional data and past behaviouristic history (meta) of all parliamentarians, all political parties' protagonists, top military and the key business people is hackable by the national or foreign state or non-state actors – than the sense of democracy, military affairs, security and especially human rights will be changed beyond recognition. Most probably, beyond return, too.

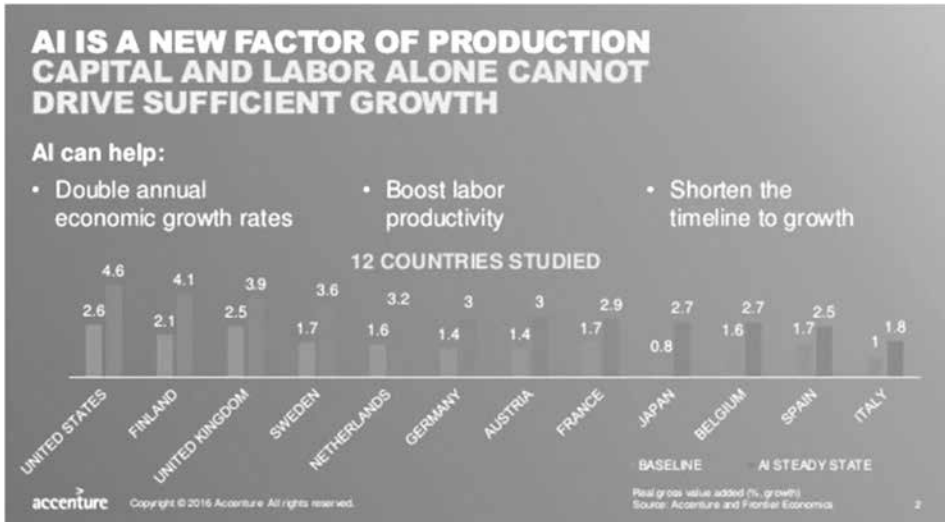
If the AI has such a potential to penetrate – and even steer – individual and group human behaviours, it inevitably disrupts a very notion of human rights as embedded in the UN Human Rights Charter, as well as of peaceful coexistence, security, prosperity and equality among states as stipulated by the UN Charter.

New means of social and biometric control will inevitably necessitate us to revisit and reimage the framework currently in place to monitor and implement the Universal Declaration of Human Rights. Notion of independence and inalienable right to economic development, too. This will require a concerted effort from regional developmental FORAs and the UN as universal multilateral system to anticipate and adjust.

THE AI: THEATRE FOR FUTURE CONFLICTS

Since it reduces jobs in their numbers, configurations and intensities due to automation, the AI is excellently suited for the countries in demographic transition (decline), rather than for the booming demographics of Muslim world, sub-Saharan Africa and of (non-Fareast)

Asia. Dramatic shrinking in domestic labour conjecture and forthcoming shift in global manufacturing dependences will especially hit hard the global south. Often enveloped in the ‘wait-and-see’ stance, the Global south traditionally has a low trust-rate between its citizenry and government.



Logically, the ‘promise of the AI’ to sway large regions and their populations is so immediate and mesmerising, that it already puts its main drivers to a fierce competition. Accelerating competition (with such a disruptive technology) in absence of cooperation (as the best tool to build and maintain confidence) or comprehensive regulation is only one step from a conflict.

The SF-like prospects of ruling ‘AI-race’, thus, are becoming (seemingly) realistic: Powerful state or commercial (technology platforms) actors bitterly competing over our collective data – as a new, cyber currency – to aggregate bio-medical, economic and politico-military supremacy across the globe. The “cyber-colonization” – especially of the global south – is increasingly likely. (Hoovering data without any remuneration and monetising it without any warning, data-collection taxation, or remuneration to its proprietor.) Leaders in the AI field are already capable to globally Hoover data, are in possession of storing capacities, and will soon master (quantum) computing powers to process and analyse, and potentially control other countries’ populations and ecosystems.

THE ANSWER TO AI SHOULD BE UNIVERSAL

Quite disturbingly, our societies are far from prepared for deployment of the AI: Be it philosophically or practically, we are still short of a thorough socio-political, legal or ethical considerations. Moreover, the UN and its Agencies – architected 75 years before the emergence of these technologies – are in many aspects poorly equipped to offer comprehensive and timely AI governance. Speed of this technological innovation cycle outpaces any administrative response, even as the technological disruptions are becoming apparent to ever larger number of countries. In the near future, they will increasingly come in unpredictable severities and frequencies, and in hard-to-connect contexts.

The new political trends of autarchic ‘neo-nationalism’ are further trivializing capacity of the multilateral FORAs to play a norm-setting and monitoring-of-compliance role in the global governance of AI. In such a climate, technologically advanced Member States (pressured by their national security or commercial interests) may see little incentive in letting the international FORAs to govern what they perceive as own lucrative and proprietary technology. Thus, collective decision-making mechanisms could sink into the dark of obscure centres of projected power, out of reach or any control.



Having all this in mind, the UN and its Specialised Agencies (including the ITU, UNESCO and UN University), along with variety of regional FORAs hold the answer. That very much includes the developmental segments – especially of global South – such as the African, Asian, Interamerican or Islamic Development Banks as well as regional politico-administrative settings like the OIC, SAARC, ASEAN, AU, to name but few. They have to initiate and navigate their member states, but also participate in steering the world through the universal, UN bodies.

Letting the AI train to pass without a collective, collaborative form of governance would be a double irreversible setback: Disruptive dual-use technology along with a digital ownership would be handed over to an alienated few to govern it, while the trust in multilateral system (especially within the developing world) would further deteriorate.

Such inaction would inevitably raise the level of planetary confrontation to unfathomable proportions (including new forms, unseen so far), and that on two fronts – within societies and between states. Some would do anything to dominate and rule, while others would do anything to escape the iron fist of goo(g)lag.

For the three gravest planetary challenges (technology, ecology, nuclear annihilation), we need an accurate just and timely multilateral approach. In this struggle for relevance, everyone has its own share of historical (generational) responsibility.

POST SCRIPTUM

Back in 2011 (while feeling the amplitude but not yet seeing the today's dimensions of its omnipresence and pervasiveness), I coined term a *McFB* way of life. Then and there – in my book 'Is there Life After Fb', I noted:

Ergo, the final *McSociety* product is a highly efficient, predictable, computed, standardized, typified, instant, unison, routinized, addictive, imitative and controlled environment which is – paradoxically enough – mystified through the worshiping glorification (of scale). Subjects of such a society are fetishising the system and trivializing their own contents – smooth and nearly unnoticed trade-off. When aided by the IT in a mass, unselectively frequent and severe use with-

in the scenery of huge shopping malls² (enveloped by a consumerist fever and spiced up by an ever larger cyber-neurosis, disillusional and psychosomatic disorders, and functional illiteracy of misinformed, undereducated, cyber-autistic and egotistic under-aged and hardly-matured individuals – all caused by the constant (in)flow of clusters of addictive alerts on diver-ting banalities), it is an environment which epitomizes what I coined as the *McFB way of life*.

This is a *cyber-iron cage* habitat: a shiny but directional and instrumented, egotistic and autistic, cold and brutal place; incapable of vision, empathy, initiative or action. It only accelerates our disconnection with a selfhood and the rest. If and while so, is there any difference between Gulag and *Goo(g)lag* – as both being prisons of free mind? Contrary to the established rhetoric; courage, solidarity, vision and initiative were far more monitored, restricted, stigmatized and prosecuted than enhanced, supported and promoted throughout the human history – as they've been traditionally perceived like a threat to the inaugurated order, a challenge to the functioning status quo, defiant to the dogmatic conscripts of admitted, permissible, advertised, routinized, recognized and prescribed social conduct.

Elaborating on a well-known argument of 'defensive modernization' of Fukuyama, it is to state that throughout the entire human history a technological drive was aimed to satisfy the security (and control) objective; and it was rarely (if at all) driven by a desire to (enlarge the variable and to) ease human existence or to enhance human emancipation and liberation of societies at large. Thus, unless operationalized by the system, both intellectualism (human autonomy, mastery and purpose), and technological breakthroughs were traditionally felt and perceived as a threat.

Consequently, all cyber-social networks and related search engines are far away from what they are portrayed to be: a decentralized but unified intelligence, attracted by gravity of quality rather than navigated by force of a specific locality. In fact, they primarily serve the predictability, efficiency, calculability and control purpose, and only then

2 Shopping malls – these vertically erected symbols of our horizontalities – are increasingly occupying urbanistic and social centrality of our civilizational contents. These air-conditioned parameters are gradually substituting the traditional axes of urban sociableness (such as sacral edifices, theaters, galleries, operas, public parks, sports halls and the like). Attended persistently and passionately, they are emerging as new temples for the XXI century believers, who worship the polytheistic gods of free market (with mobile gadgets in uplifted hands, instead of sacral candles, illuminating their faithful faces). The functional focality of shopping malls nowadays is steadily transforming a large spectrum of socio-cultural possibilities into a box of addictive consumerist probabilities.

they serve everything else – as to be e.g. user-friendly and *en mass* service attractive. To observe the new corrosive dynamics of social phenomenology between manipulative fetishisation (probability) and self-trivialization (possibility), the cyber-social platforms – these dustbins of human empathy in the muddy suburbs of consciousness – are particularly interesting.

2022: A Super Election Year in Slovenia

Drago Zajc

**Harnessing the Benefits of Regional Integration:
Achievements, Challenges, and Prospects
Within the East Africa Community**

Joseph Vungo

**Serbia's Campaign to Derecognize Kosovo: A
Foreign Policy Tool for National,
Not International Gain**

Ismet Hajdari

**The Rainbow Beyond the Soul:
The individuality within the world of diplomacy**

Natalija Shikova

2022: A Super Election Year in Slovenia

Drago Zajc¹

DOI: <https://doi.org/10.60073/euper.2023.4.03>

ABSTRACT

The election year 2022 set a record in the number of direct expressing of political will of voters in the recent political history of Slovenia. Citizens went to polls even seven times. The parliamentary elections and the referendum trio were the most echoed and important ones. The former, on one hand, brought political shift to left liberal centre, after two years of the rightwing coalition that misused the pandemic time for strengthening of the autocratic approach. This was most obvious in continuing efforts to dismantle the Slovene Press Agency and the National TV. The latter, on the other hand, focused on the right to clean drinking water for everybody. The presidential elections only confirmed that political trend, bringing victory to the independent candidate from the political centre. Key characteristics of the super election year were the defeat of rightwing parties, huge election turnout and an outstanding activity of civil society that contributed significantly to a political change.

KEYWORDS: Elections, Slovenia, parliament, political parties, The Freedom Movement, civil society

POVZETEK

Volično leto 2022 je bilo v novejši politični zgodovini Slovenije rekordno po številu neposrednih izjasnjevanj volje volilcev. Ti so se na volišča odpravili kar sedemkrat. Po politični odmevnosti so izstopale parlamentarne volitve in referendumski trojček, kjer je bil v ospredju referendum za pravico do čiste pitne vode za vse. Parlamentarne volitve so prinesle korenit preobrat v levo liberalno sredino, po dveh letih vladanja desne koalicije. Ta je čas pandemije izrabila za krepitev totalitarnih teženj, ki so se najbolj izrazito pokazale v prizadevanjih za demontažo STA in TV Slovenija. Predsedniške volitve so prav tako prinesle zmago neodvisni kandidatki s politične sredine. Ključne značilnosti supervolilnega leta so bile poraz desnih strank, zelo velika volilna udeležba in izjemna, vsestranska aktivnost civilne družbe, ki je v ključni meri pripomogla k političnemu preobratu.

KLJUČNE BESEDE: volitve, Slovenija, parlament, politične stranke, Gibanje Svoboda, civilna družba

¹ Dr. Drago Zajc (1938-2023), retired Associate Professor of political sciences, Faculty of Social Sciences, University of Ljubljana, internationally reknown expert on parliamentarism. Former Chairman of the Slovene Political Science Association as well as a cofounder and first Secretary General of the Central European Political Science Association (CEPSA). This article is published posthumously in the memory of the distinguished Professor. Suggestions of the reviewers have been included by this journal's Editor, though without interfering in the basic idea and composition of the paper.

INTRODUCTION

Slovenia is one of the Central-Eastern European post-socialist countries that underwent the transition process in the late 1980s and the first half of the 1990s, when it implemented the values of liberal democracy and adopted new democratic constitutions that introduced the parliamentary system. The new Slovenian constitution was based on certain decisions regarding the constitutional organisation, including the proportional representation system for elections of the 90-member National Assembly and the direct election for the President of the Republic, which is the only directly elected high state function, unlike other parliamentary democracies where the president of the state is appointed by the parliament. Slovenians were enthusiastic about the modern parliamentary democracy and the possibility for political parties to be freely established and to compete in elections.

The election system (in 2000, the 4% electoral threshold was laid down in the constitution) enabled a very open National Assembly. Besides the established political parties, new inexperienced ones entered the National Assembly, which was largely the result of the 2008 economic crisis and the decreasing confidence in the established political parties. This created considerable problems in the formation of coalitions, which united parties with similar programmes and ideological orientations, but due to the low coalition potential they were unable to form stable governments. The period of government instability, which began with the government of Borut Pahor (2008), lasted for a long time, as individual parties refused to associate with ideologically different parties or those on the other side of the political divide between conservative and centre-left parties, or parties with a different attitude to the past. Here, it would be interesting to dwell on the question, whether the electoral system or political culture prevents coalitions across ideological divide.

The main focus of this paper goes for the parliamentary elections, since they present the main election event of the super election year 2022.

ELECTIONS TO THE NATIONAL ASSEMBLY, PRESIDENTIAL ELECTIONS AND REFERENDUMS

PARLIAMENTARY ELECTIONS 2022: A 2018 PRELUDE

The very open nature of the National Assembly was demonstrated at the eighth election to the National Assembly on 3 June 2018, with a 52.6% turnout, when nine parties entered the National Assembly. After the first-placed Slovenian Democratic Party – SDS (24.9% of votes) failed to form a majority coalition, the second-placed List of Marjan Šarec – LMS (12.6% of votes) under the leadership of Marjan Šarec managed to form a minority coalition of five centre-left parties. However, due to leadership problems and the cancellation of external support from the Left Party, it disintegrated in the middle of its four-year term of office (Zajc, 2020: 233). SDS leader Janez Janša managed to form a new majority coalition government together with the liberal Modern Centre Party – SMC and a small Christian-Democratic Party – New Slovenia (NSi). The new coalition took office on 13 March 2020, which enabled Slovenia to avoid early elections and the lengthy formation of a new government during the outbreak of the Covid-19 pandemic.

During the last two years of its mandate, the centre-right coalition government under Janša's leadership operated under Covid-19 pandemic conditions, during which period there was a large asymmetry in the balance of power between the National Assembly and the government. On the basis of its programme and special powers it had due to emergency situation, the government adopted a series of urgent measures to limit the spread of Covid-19, with which it disproportionately interfered into human rights (some of those measures were annulled by the Constitutional Court) and tried to influence the media and subordinate the Slovenian Press Agency (STA).² Despite great difficulties, the coalition government managed to contain the pandemic and achieve some positive economic results (economic growth and a historically low unemployment rate). In the second half of 2021 it also successfully presided over the Council of the European Union. However, dissatisfaction with the imposed measures and limitations, the authoritarian leadership of the state and the degrading attitude towards civil society led to growing dissatisfaction with the government and increasing political polarization. This was demonstrated at the referendum on waters in July 2021, the initiator of which was the 8th of March Institute

² In its 2021 report, the U.S. non-governmental organisation Freedom House ranked Slovenia among the countries with substantial decline of democracy as compared to Central European countries.

(expertise on the subject matter was provided by professional associations in the water field), when 86.7% of voters (with a 46% turnout) voted against the amendment of the waters act proposed by Janša's government.³

The next regular election to the National Assembly, which was the first in a row of elections during the “super-election year”, marked a significantly higher turnout (70.9 percent) in comparison with the previous elections. This shows that citizens began to realize the importance of political participation, and similar trends were also noticed in some other European countries (at the same time, presidential elections were held in France, where Emanuel Macron's liberal party *La République en Marche* defeated the far-right populist party *Rassemblement National* led by Marie Le Pen). This time the election was not an ordinary race between political parties that allows for a change of power – growing uncertainty among the people due to the consequences of the pandemic as well as the outbreak of the war in Ukraine made it different. The election was special also because of the main antagonists – on one side was a long-time politician, the head of the established SDS and the leader of several coalition governments from the Demos times, Janez Janša, and on the other side was Robert Golob, a representative of the younger generation who had not previously participated in politics, otherwise the chief executive officer of Gen-I, a successful Slovenian state-owned company, who took over the green party Z.DEJ and renamed it into the new one, called Freedom Movement.⁴

PARLIAMENTARY ELECTIONS 2022: RESULTS AND CHARACTERISTICS AND FORMATION OF THE COALITION

Unlike the previous elections, this time only five parties made it to the National Assembly. Four out of nine parties did not reach the electoral threshold, which represented considerable rationalization in the political sphere. Only 32 members of the National Assembly were re-elected, which is less than at previous elections, while a record number of female members of the National Assembly (36) were elected and this put Slovenia on par with the countries of Northern Europe. The

3 The environmental activists and a vast part of civil society called upon a referendum, since they were convinced that the Government's proposal aims to have detrimental effects on environment, drinking water in particular. The proposal was rejected with a huge majority and with one of the biggest turnouts in the recent Slovene political history.

4 The Freedom Movement, which represents the ideas of liberalism and green politics and ranks between the political centre and the left-centre, was founded on 26 January 2022, with Robert Golob elected its president. It presented its programme and candidate list for elections at its assembly on 19 March 2022.

largest share of votes (34.4%) went to the completely new Freedom Movement party led by Robert Golob. Founded as a political project only a few months before the elections, the Freedom Movement won 41 seats and thus enjoys unprecedented power held by one political party in the National Assembly. Its ideology and programme follow liberal political parties (it belongs to the European alliance of liberal parties ALDE), although its MPs have no political experience. It answered people's expectations for change, but it also brought risks, as it had not (yet) been sufficiently institutionalized and consolidated, nor did it have an adequate political network. The second by the number of votes was the previous leading centre-right SDS party, which won 23.5% and 27 MPs, and the third was the Christian-Democrat NSi with 6.8% and 8 MPs – both slightly increased their number of MPs.

The biggest losers were the centre-left parties united in the so-called Constitutional Arch Coalition (KUL) – the well-established SD (Social Democrats) won only 6.6% of the votes and reduced the number of MPs from 10 to 7, while the Left Party came close to the electoral threshold with 4.3% of the votes and reduced the number of MPs from 9 to 5. The centre-left LMŠ, which was the leading government party in the first part of the mandate, suffered a complete defeat – it received only 3.7% of votes, while SAB⁵ received 2.6% of votes. Contrary to expectations, the Let's Connect Slovenia coalition, consisting of several smaller parties including the Concrete party (former SMC), did not cross the electoral threshold – it received only 3.4% of votes. The Truth (Resnica) Citizens' Movement with 2.8%, SNS⁶ with 1.5%, Our Country with 1.5%, Vesna – Green Party with 1.3% and even DeSUS (Democratic Party of Pensioners of Slovenia) with 0.6% of votes all remained far below the threshold. Among the parties that crossed the electoral threshold, there was no longer any “personified” party, i.e. a party that would be named after its leader, which is a sign of normalization in the political party sphere. The election results showed great changeability of voters' support for parties, which is typical of countries that have developmental problems or are affected by economic, social or other crises (Zajc 2015, p.190). It was actually a case of spill-over of votes or tactical voting: the voters, especially those in the centre-left, mostly supported an alternative party that had a better chance of success.

5 SAB – Stranka Alenke Bratušek (Party of Alenka Bratušek) Mrs. Bratušek was the first Slovene female Prime Minister in the period 2013-2014.

6 SNS – Slovenska nacionalna stranka (The Slovene Nationalist Party).

An important result of these elections was the rationalization of the number of parties (Slovenia with five parties in the parliament can be compared to Germany with six), which made it easier and faster to form a new coalition. A smaller number of parties in the government enables faster and more predictable decision-making, and can thus contribute to greater transparency and better manageability of the political space and to greater accountability for the adopted policies. The Freedom Movement leader Golob emphasized that the formation of the coalition would not be based on political affiliation and party loyalty but rather on professionalism and competences of individuals, as it is the case in more successful countries. Based on his experience in economic management, Golob also promised a faster and more dynamic decision making, which represented a big change compared to previous non-operational centre-left governments.

The overview of the results of the parliamentary elections is presented in the Table 1.

Table 1: Results of the Parliamentary Elections
Elections to the National Assembly (24 April 2022)

Party	%
Freedom Movement	34.3%
SDS	23.5%
NSi	6.8%
SD	6.6%
The Left Party	4.3%

Source: The Author

PARLIAMENTARY ELECTIONS 2022: FORMATION OF THE COALITION

When forming the coalition government, Golob did not want to associate with political parties outside the political centre. He invited the centre-left SD, which represents itself as a classic social-democratic party, and the radical far-left Left party, which waived its requirement for Slovenia's withdrawal from NATO before it entered the government. While SDS is a party with long history and experience in joining in coalitions and cooperating with partners, the Left Party, which has entered the coalition government for the first time, lacks the ability to accept differences and to cooperate with its coalition partners. The coalition thus acquired some characteristics of centrist liberal govern-

ments, which were common in Western and Central Europe, at least until the outbreak of Covid-19 pandemic. The new opposition consists of only two parties – SDS and NSi, which are ideologically similar, but quite different in terms of management, cooperation and public relations. Since they have both been in the opposition before, their current status has not caused any upheaval.

Another specific feature of the last parliamentary elections was the speed of forming the three-party coalition and of forming the government in accordance with the timeline drawn up by the election winner. The Freedom Movement, whose goal is to win the next elections as a unified party of the liberal centre-left, quickly reached an agreement with SD and the Left Party on common interests and priorities as well as the number of ministerial portfolios, whereby the achievement of programme goals seemed more important than gaining the seats in the government (while the areas of some new portfolios remained unclear). At the first regular constitutive session of the National Assembly on 13 May, 2022, at which the mandates of the MPs were confirmed and the Vice-President of the Freedom Movement Urška Klakočar Zupančič was elected as the National Assembly Speaker (after SD gave up this position), the coalition government submitted a proposal for amendments to the Government Act with the aim to increase the number of ministries and change the powers of some departments. Coalition negotiations between the three partners led to the initialling of the coalition agreement on 16 May 2022, which was supposed to represent a shift towards a modern, developmentally- and socially-oriented state. Considering this coalition's great ambitions, their agreement is not very extensive – it comprises only 74 pages, which is comparable to the extent of coalition agreements concluded between Slovenian parties in previous mandates.⁷ Like some previous coalition agreements (Krašovec and Krpič, 2019, p.229), the current coalition agreement emphasized the resolution of conflicts between the partners with the aim to ensure the survival of the coalition, and placed regulation of the health system and measures to mitigate the energy and food cost crisis in the foreground. However, it remained largely unelaborated. In terms of content, it represents harmonisation of the individual part-

7 The coalition agreements signed by Slovenian political parties in the past were of similar volume. In 2014 the coalition agreement concluded between the centre-left parties SMC, SD and DeSUS for the coalition government led by Miro Cerar, contained 72 pages. The shorter coalition agreement signed in 2018 by LMŠ, SMC, SD, SAB and DeSUS for the coalition government led by Marjan Šarec had 47 pages, while the 2020 coalition agreement between SDS, NSi and SMC for the coalition government led by Janez Janša, contained only 13 pages. In countries with longer tradition of parliamentary democracy coalition agreements are much longer – thus the 2021 coalition agreement between the German SPD, FPD and the Green Party contains of 177 pages.

ners' most important programme guidelines and goals, whereby the Left Party and SD managed to incorporate more content from their respective programmes. At the same time, it contains considerable financial risks – compared to coalition agreements in other developed countries, it does not provide an accurate financial evaluation of the planned measures. The agreement was signed on 24 May 2022, and the day after, Robert Golob was elected Prime Minister by secret ballot in the National Assembly with 54 votes in favour. He proposed a list of candidates for ministers, half of whom were politicians, including members of some previous governments, and the other half were experts from various fields. At the same time, the Freedom Movement undertook the process of uniting with the SAB and LMŠ parties, which remained below the electoral threshold. This was another tactical move, as the Freedom Movement thus consolidated its dominant position on the centre left, and gained an extensive network of committees at the local level and professional staff (especially in the National Assembly). At their “dissolution” congresses in June 2022, the two parties adopted decisions to merge with the Freedom Movement (the symbolic merger congress took place on 10 November 2022). During the coordination of priorities, the three parties hastily prepared a Protocol on Coalition Cooperation in order to ensure equality and communication between them. Unlike those of previous governments, it is more specific, stating that proposals for laws and meeting documents may be included in the government session until the content is fully harmonised, and that coalition partners should avoid filing or voting on interpellations against ministers or votes of no confidence in the government.

At the end of May 2022, all 17 candidates for ministers, who were nominated under the existing Government Act, undergone hearings by the respective committees of the National Assembly. At those hearings, in accordance with Article 230 of the Rules of Procedure of the National Assembly, they presented their respected areas and the necessary measures. During the presentations, considerable differences emerged between the candidates who had very different political experiences, especially in terms of their expertise and competences, and individual candidates also differently interpreted the content of the coalition agreement – particularly as regards their willingness to spend financial resources and the need to control the spending, which should be in line with the possibilities. All the proposed candidates (including seven female candidates) were approved by the majority of committee members.

PARLIAMENTARY ELECTIONS 2022: THE FIRST FEW MONTHS OF THE NEW GOVERNMENT

Due to the quick formation of the coalition and the speedy procedures laid down in the Rules of Procedure of the National Assembly, Slovenia got its fifteenth government at the 3rd extraordinary session of the National Assembly on 1 June 2022, i.e. 38 days after the elections, which was faster compared to the time it took to form previous coalition governments (the proposed list of ministers was elected by a majority of 63 MPs). In view of the situation in Slovenia and the world, the new coalition government tried to establish a more effective organisational structure of the ministries. With the proposal for amendments to the Act on the Government of the Republic of Slovenia, it aimed to establish three new ministries in priority areas (the Ministry of Solidarity-based Future, the Ministry of Higher Education, Science and Innovation, and the Ministry of the Environment, Climate Change and Energy), which would place Slovenia among European countries with the largest number of ministries (20). The law was adopted at the 6th extraordinary session on 22 June 2022, but the opposition demanded a consultative referendum.

Having announced rapid changes in priority areas, the coalition government ensured a faster pace of work of the National Assembly (17 extraordinary sessions were convened within a hundred days after the constitutive session). Aiming for quick changes, the government sent meeting documents to the National Assembly at a fast pace, which led to numerous violations of the Resolution on Legislative Regulation. This could affect the quality of the adopted acts, as pointed out by the National Assembly's expert services. In a short period of time, they submitted some important laws to the National Assembly, such as the amended Communicable Diseases Act prepared by the civil society. The Constitutional Court found that this Act – which was almost three decades old – was not in conformity with the Constitution. On 27 June 2022, at the 7th extraordinary session of the National Assembly, the proposed amendments were supported by the coalition majority with 49 votes in favour (SDS voted against, NSi abstained). The amendments precisely determine the order of taking measures against infectious diseases and strengthen the role of the National Assembly. After Russia's aggression against Ukraine and with the aim to act in accordance with the security policy of other EU countries and NATO members, the government prepared the Act on the Ratification of the Protocols on Sweden and Finland's acces-

sion to NATO, which was passed at the 10th extraordinary session of the National Assembly on 14 July, despite the disagreement of the Left Party. The government also prepared an intervention Act Determining Emergency Measures to Ensure Stability of Healthcare System, which was adopted by the urgent procedure at the same session on 14 July (by 48 votes in favour and 27 against). During this time, the coalition government also prepared the Act Amending the Radio-Television of Slovenia Act, which was supposed to prevent the influence of political parties and re-determine the organizational structure of the National Radio and Television (RTV) Slovenia (instead of 29 members of the Programme Council, a 17-member RTV Council was introduced). The Act was prepared with the assistance of the Legal Network for the Protection of Democracy and it was adopted by the urgent procedure at the 11th extraordinary session on 14 July, which started 15 minutes after the end of the 10th extraordinary session (by 53 in favour and 2 against). At the 12th extraordinary session on 21 July, MPs also adopted amendments to the Long-Term Care Act, which postponed the implementation of the Act till 2024 due to major financial consequences. The National Assembly also adopted the very complex Act to Reduce Inequality and Harmful Policy Interventions and Ensure Respect for the Rule of Law, prepared by the March 8 Institute, which was supposed to abrogate the amendments to eleven laws adopted during the previous government – the Act was passed, and after a veto by the National Council, the National Assembly re-adopted the law at the 13th extraordinary session on 21 July. After a number of European countries decided for tax cuts, Slovenian government also decided to lower the VAT on energy products at the end of July, which should have had a positive effect on the economy – the MPs passed the VAT Reduction Act following an urgent procedure at the 14th extraordinary session on 23 August (with 78 votes for and none against). Subsequently, the government also prepared the Covid-19 exit strategy and began removing the barbed-wire fence along the border with Croatia.

The coalition government, which maintained a convincing majority and unity during its first six months, began to fulfil the main commitments from the coalition agreement, although with some delays. There was also some dissatisfaction with the government's attitude towards MPs who did not want to be the coalition's voting machine. Due to speedy proceedings, there is also insufficient coordination between the Freedom Movement, SD and the Left Party in the preparation of

legislative proposals and also in personnel selection. Neoliberal orientation of some proposed and adopted laws, especially in the field of healthcare, caused some friction within the coalition. The differences within the Freedom Movement became apparent in December during the voting on amendments to the Financial Administration Act, when only 38 of its MPs supported it (MPs from the SD and the Left party abstained). At the same time, there was a need for more efficient government with greater use of soft and smart power (Fabiani, 2015, p.42) and better coordination between the coalition partners. The way each prime minister operates is also important – Prime Minister Golob, who transferred his management style from economy to politics and concentrated great decision-making power in his hands, has showed considerable competence in addressing the public. However, the results of government work are not only evaluated by the market, but also by the citizens, the civil society and the social partners (Svetlik, 2022, p.12). It should not be overlooked that during this time the differences between the state and the civil society have decreased (Igličar, 2022, p.7) and that the civil society has been very intensely involved in politics through discussions and the preparation of proposals for various laws, so that it eventually became an extension of politics.

On the other hand, the opposition, which initially announced a constructive and state-building stance, did not allow the government a hundred days of peace. It has sharpened its rhetoric and used numerous means of control provided by parliamentary democracy. Both opposition parties, which also have the most experienced MPs, know well how to use those means of control. It showed its power already on the first day at the constituent and the only regular session of the National Assembly on 13 May 2022, when SDS and NSi submitted 34 legislative proposals, including some fundamental ones, which were the first to be deliberated by the National Assembly. This kind of pressure from the opposition was unprecedented in Slovenian parliamentary history, as well as in the practice of other parliaments. After the MPs rejected the proposal for a consultative referendum on the Government Act, the SDS submitted a demand for a subsequent legislative referendum and began collecting signatures, which dragged on and caused a deadlock in government formation (due to summer holidays, the collection of 40,000 verified signatures was delayed until 5 October). The opposition intensified the pressure on the government also by filing interpellations (they were unsuccessful against Foreign Minister Tanja Fajon and Interior Minister Tatjana Bobnar in November) just as in the

previous period the KUL coalition constantly threw spanners in the works of previous government with meaningless and unsuccessful interpellations.

Although it is a strong coalition government, it had to undergo the first stability test after the first six months. At the beginning of December 2022, the Minister of Internal Affairs Tatjana Bobnar resigned due to the Prime Minister's influence on police staffing, after the government failed to support her proposal to appoint Borut Lindav as Director General of the Police (after reporting alleged pressure, Prime Minister Golob's conduct was examined by the prosecutor's office and the Commission for the Prevention of Corruption). However, the government has maintained a fairly high level of voters' support since its inception.⁸ Under the circumstances of the energy, environmental and food crises and the general cost of living crisis together with the forecasts of inflation and much slower economic growth in 2023 (1.7%), the performance of the government may be affected by highly volatile international circumstances with the possibility of a serious security crisis due to the war in Ukraine.

PRESIDENTIAL ELECTIONS

Not long after parliamentary elections, the campaign for presidential election began. This is a directly elected office, unlike in other countries with parliamentary democracy, where the president of the state is appointed by the parliament. President of the state also enjoys the highest repute among the voters, regardless of the relatively limited powers of this function. In contrast to the campaign for the parliamentary elections, the presidential election campaign was tolerant, respectful and professionally run. Seven candidates competed in the first round of presidential election on 22 November 2022, among them Anže Logar, a long-time SDS member (though proclaiming that he is running as an independent candidate), who represented the classic European centre-right orientation, and a non-party candidate Nataša Pirc Musar, who comes from the business and economic elites. Logar, who has considerable political experience (he was also foreign minister in the previous government led by Prime Minister Janša), in his rather reassuring rhetoric also made reasonable statements about Slovenia's past and reconciliation, but did not explicitly distance himself

⁸ According to opinion polling carried out by Mediana (5-8 December), support to Golob's government remained high - in December 2022 it was supported by 45% of respondents (Delo, 12 December 2022).

from the leader of his SDS party. Nataša Pirc Musar, who had not been a member of any party in the past, registered her candidacy with voters' signatures, and she was supported by the two previous presidents of the country, Milan Kučan and Danilo Türk as well as the Freedom Movement. As a lawyer she showed high professional competence, but had no political experience. She also represented a new successful younger generation, and she built trust by advocating human rights and the rule of law.

In the first round Logar won 33.9% and Pirc Musar 26.8% of votes. Other candidates received much smaller shares of votes: Milan Brglez, who was supported by the Freedom Movement and SD, got 15.4%, Vladimir Prebilič as an independent candidate received 10.6%, the physician Stanka Senčar won 5.9%, NSi candidate Janez Cigler Kralj got 4.3%, and the Left Party candidate Miha Kordež only received 2.8% of votes.

In the runoff presidential election there was a significant spill-over of votes from candidates with lower chances to candidates with higher chances of being elected. Thus Logar, won 46.1% of votes, which was more than in the first round and even more than SDS and NSi won together at the parliamentary elections half a year ago. Although he received a high share of votes due to his rhetoric and speaking skills, he did not get sufficient support from voters outside the narrow centre-right circle. He exceeded the expectations, but that was not enough to defeat his rival Pirc Musar, who received high support in the centre-left circle as a non-party candidate and got 53.8% of votes due to tactical voting. The ratio of votes in support of one or the other candidate was affected by the current political polarization between centre-right and centre-left parties, which prevented them from turning to a more moderate and more pragmatic politics and integration in the Slovenian political space.

The results of the second round of the presidential elections are presented in the Table 2.

Table 2: Final Results of the Presidential Elections
Presidential elections (runoff 13 November)

Share of votes for Nataša Pirc Musar	53.8%
Share of votes for Anže Logar	46.1%

Source: The Author

On 22 December 2022, Nataša Pirc Musar took the oath as the first female president at a ceremonial session in the National Assembly, and the next day she took over business from former president Borut Pahor, who had held the office for two terms.

REFERENDUMS, NATIONAL COUNCIL AND LOCAL ELECTIONS

In autumn 2022, a referendum was held on three laws that had already been passed by the National Assembly. The demand for three referendums, which were supposed to show the true will of the people, was submitted by the largest opposition party SDS, which gathered the signatures of 160,000 voters. This was actually a special form of checking the voters' attitude after SDS suffered a major defeat at parliamentary elections in April and later at presidential elections in November. The intention of the SDS was to reject the laws that were previously adopted in parliament.

The referendums on the Government Act, Long Term Care Act and Act Amending the Radio-Television Act were held together on 27 November 2022. The voters supported all three acts, although the voting result for Government Act was not as convincing as for the other two acts. The voting "against" the three acts can be compared with the voting "for" Anže Logar at presidential election – the share of votes against the Government Act was only slightly lower than the share of votes that Logar received. The differences between the share of votes for the other two acts and the share of votes for Logar were much larger, which indicated greater opposition to the government.

After the National Electoral Commission issued a report on the referendum results on 1 December, the National Assembly announced those results on 23 December. All three acts came into force after publication in the Official Gazette on 28 December. Prime Minister Golob was then able to propose ministers for the new and the changed ministries to the National Assembly (immediately after this, an initiative was filed to assess the constitutionality of the Act Amending the Radio-Television Slovenia Act, the author of the initiative was a reknown legal expert Matej Avbelj).

The overview of the referendum results is presented in the Table 3.

Table 3: Referendum Results
Referendums (27 November 2022)

Referendum	For	Against
Long Term Care Act	62.3%	37.8%
Act Amending the Radio-Television Slovenij Act	62.8%	37.2%
Government Act	56.6%	43.3%

Source: The Author

In 2022, indirect elections to the 40-member National Council were also held. The National Council of the Republic of Slovenia is a representation of social, economic, professional and local interests, and its composition is supposed to neutralize the excessive influence of political parties. In 2022, the National Council cast 21 vetoes, ten of which were successful. This should contribute to the quality of decision-making in the National Assembly. The new leadership of the National Council (elected on 19 December) expressed the ambition to increase the powers of the National Council and to establish a dialogue with the leadership of the National Assembly, but this would require changes to the constitution and an extended legislative process (should the National Council obtain the right to propose amendments to adopted laws), and in case of a constitutional veto by the President, they would have to vote again. This is not very likely, bearing in mind the coordination of interests and the speed of decision-making, especially since the Freedom Movement does not see the need for it.

Local elections were also held in autumn 2022. Again, individual parties tried to win as many seats as possible – SLS⁹ came first and SD second in terms of the number of elected mayors and municipal councillors.

⁹ SLS – Slovenska ljudska straka (a nonparliamentary Slovene Peoples Party).

CONCLUSION

The super-election year 2022, in which citizens were repeatedly invited to the polls, was the first such year in the history of Slovenia. The most important among the elections were those for the National Assembly, which marked the victory of the liberal-oriented centre represented by the new Freedom Movement, against its opponents on the right and competitors on the centre-left. Accordingly, a new coalition government was formed. In the same year, there were also presidential elections (held in two rounds), referendums on three acts, indirect elections to the National Assembly and local elections. Thus, voters could express their will seven times in one year.

Slovenian right-wing parties experienced a series of defeats in 2022. This was partly the result of the actions taken by SDS-led government during the Covid-19 pandemic, when it imposed disproportionate measures and numerous restrictions on human rights through its authoritarian leadership. Its (un)successful fight against Covid-19 can be compared with the governments of other countries affected by the pandemic, where they also adopted stricter measures (France, Spain, New Zealand), but were able to better explain them to the citizens with well-intentioned communication.

However, the reasons for the failures are not only in the way SDS operates and its inadequate communication with the public, but are also related to the past and recent history of Slovenia and large imbalances of social power in the post-war period, which resulted in the continuity of deep political polarization. Another reason for the changes in voters' support to parties and their candidates is the strong impact of the economic crisis in the last decade and a half, which led to the emergence of many new parties and the spill-over of votes or tactical voting, which has led to great instability. The third reason for the social changes brought about by the super-election year is probably the need for periodic generational renewal of any political system and the introduction of new innovative ideas. This points to the need for greater cooperation between political parties. If Slovenia wants to avoid further crises and actively participate in the formation of policies at EU level, it should make a realistic plan for the near and more distant future.

The new liberal-left government has great possibilities and potential to end the period of instability after a decade and a half and enable

greater political steadiness. It also has the possibility to start cooperating with the opposition NSi party. However, it should be taken into account that the new coalition government lacks the experience. Its ability to create new, urgently needed policies in some areas (health, economy, energy) has not (yet) proven to be sufficiently successful. Doubts have also been raised about the way the government is run and the use of certain methods of operation and influence in personnel changes.

REFERENCES

- Fabiani, A., 2015. Mehka moč in voditeljstvo. Ljubljana, FDV.
- Fink Hafner, D., Hafner, B., 2017. Democracy and Alternative Modes of Governance: Comparative Framework. TiP, special issue.
- Igličar, A., 2022. O razmahu ljudske zakonodajne iniciative. Pravna praksa No.33, pp.8-9.
- Kraševc, A., Krpič, T., 2018. Naj ostanem ali grem? Vladne koalicije in koalicijski sporazumi v Sloveniji med letoma 1990 in 2018. TiP, No.1/2019.
- Mueler W., Stroem K., 2000. Coalition Governments in Western Europe. Oxford, Oxford University Press.
- Svetlik, I., 2022. Način vladanja. Delo, 18 June 2022.
- Zajc, D., 1999. Institucionalizacija slovenskega državnega zbora, in: Parlamentarno vodenje, Zbornik referatov mednarodne konference. Ljubljana, Državni zbor RS, 1999.
- Zajc, D., 2009. Oblikovanje koalij v Srednji Evropi. Ljubljana, Založba FDV
- Zajc, D. 2015. The Cycle of Increasing Instability Within the Coalition Government – The Impact of Economic Crisis in Slovenia in the Period From 2008 to 2014. TiP, No.1.
- Zajc, D., 2020. Racionalnost oblikovanja manjšinskih vlad. TiP, No.1.
- Zajc, D., 2022. Upravljanje tveganj v času epidemije Covid 19 v Sloveniji – delovanje vlade in državnega zbora. Pravna praksa, No. 19, 19 May 2022.

Harnessing the Benefits of Regional Integration: Achievements, Challenges, and Prospects Within the East Africa Community (EAC)

Joseph Vungo¹

DOI: <https://doi.org/10.60073/euper.2023.4.04>

ABSTRACT

Regional integration as an economic concept has rapidly been embraced within Africa due to its benefits. The first-generation integration initiatives in Africa were motivated by the political vision for African Unity and the need to scale up import substitution industrialization policies. The second-generation regional integration process in the early 1980s took the form of open-door policies after the continent switched from the import-substitution approach. Key stakeholders in the process were the national governments, private sectors, financial institutions, and the international donor community. The eight Regional Economic Communities (RECs) of the African Union are focused on harnessing the benefits of successful integration. The East African Community (EAC) was created by Kenya, Tanzania, and Uganda in 1999 through a Treaty, to facilitate trade and economic development within its partner states. Since then, Rwanda, Burundi, South Sudan, and the Democratic Republic of Congo have joined the Community. This article analyzes the integration process of the EAC, its achievements, challenges, and prospects.

KEYWORDS: economic prosperity, regional integration, peace, stability, prospects

POVZETEK

Regionalno povezovanje kot gospodarski koncept je Afrika zaradi svojih prednosti hitro sprejela. Pobude za vključevanje prve generacije v Afriki so bile motivirane s politično vizijo afriške enotnosti in potrebo po povečanju politik industrializacije nadomeščanja uvoza. Proces regionalnega povezovanja druge generacije v zgodnjih osemdesetih letih prejšnjega stoletja je prevzel obliko politik odprtih vrat, potem ko je celina zamenjala uvozni pristop. Ključne zainteresirane strani v procesu so bile nacionalne vlade, zasebni sektorji, finančne institucije in mednarodna skupnost donatorjev. Osem regionalnih gospodarskih skupnosti (REC) Afriške unije se osredotoča na izkoriščanje prednosti uspešnega povezovanja. Vzhodnoafriško skupnost (EAC) so ustanovile Kenija, Tanzanija in Uganda leta 1999 s pogodbo, da bi olajšale trgovino in gospodarski razvoj v svojih partnerskih državah. Od takrat so se Skupnosti pridružile Ruanda, Burundi, Južni Sudan in Demokratična republika Kongo. Ta članek analizira proces integracije EAC, njegove dosežke, izzive in obete.

KLJUČNE BESEDE: gospodarska blaginja, regionalna integracija, mir, stabilnost, obeti

1 ABOUT THE AUTHOR: Joseph Vungo, a Ph.D. Candidate at NOVA University. A Kenyan career diplomat and Ambassador. Currently serving in the position of Director, Legal, and Host Country Affairs at the Ministry of Foreign and Diaspora Affairs Headquarters, Nairobi, Kenya.

INTRODUCTION

The concept of regional integration is ordinarily defined in terms of geographic scope, substantive coverage, and depth of integration. Geographic scope connotes the number of countries in the arrangement while substantive coverage and depth of integration denote the nature of sectors and activities covered and the measure or degree of sovereignty a country is ready to surrender respectively². Regional integration is a building block to economic globalization³. It is achieved when member states in a trading block deepen their trading ties by promoting the free movement of goods and people along borders, reducing trade tariffs, developing skilled human capital, and maintaining peace among themselves⁴.

Traditionally the concept is understood as a way, to encourage trade flow between member states and to facilitate the efficient allocation of resources by stimulating competition and increasing the capacity of the internal market⁵. It entails the process by which two or more individual states within a region join together to cooperate and work closely to achieve common interests related to economic, security, peace, political, social, and cultural issues. Whatever the motives for integration, membership by countries is a political choice whether based on political, geographic, social, and or economic considerations. Cooperation efforts by the countries are therefore centred on overcoming barriers created by their geographical, infrastructural, and economic policy differences that impede the smooth movement of people, and flow of goods, services, capital, and ideas within their defined geographical areas.

In today's world, regional integration has been recognized and embraced by many country groupings as a practical avenue to help countries achieve peace, stability, and accelerated economic prosperity (Miguel, 2017).

A successful regional integration, therefore, requires cooperation, policy commitments, and shared sovereignty among the partner/member states. It is also premised on the existence of domestic

2 Niekerk, L.K.,1996.

3 Miguel, J., 2017

4 Lee., 2003

5 Butorina, O.V, and Borko, A. Yu, 2022.

peace and security in the countries involved; political goodwill, commitment, and mutual trust among the countries; a reasonable degree of macroeconomic stability and good financial management as well as sufficiently broad national reforms to open markets⁶.

This article examines the general concept and benefits of regional integration with specific reference to the East African Community. It commences with a general overview of the benefits of regional integration and regional integration in Africa after which focus narrows down to the case of the East Africa Community. The examination of the EAC mutates around the rationale for its initial establishment; the evolution of the Community integration process; the political and economic factors that led to the breakup of the original EAC in 1977; the admission criteria of a new partner state; achievements, challenges; conflicts, and disputes settlement mechanisms; and the prospects.

BENEFITS OF REGIONAL INTEGRATION

Regional Integration is regarded to yield varied benefits among members. Ordinarily, countries inter-se experience divisions created by geography, poor infrastructure, and inefficient policies. The divisions undoubtedly impede economic growth. Integration allows countries to overcome these costly divisions by integrating goods, services, and other market factors⁷.

Regional integration can be promoted through common physical and institutional infrastructure. In particular, the process entails countries' cooperation in a wide range of sectors covering, trade, investment, and domestic regulation; Transport, ICT, and energy infrastructure, macroeconomic and financial policies; and the provision of other common public goods such as shared security, natural resources, health, and education⁸. Cooperation by countries in different global regional countries has been done in different institutional forms with different levels of policy commitments and shared sovereignty.

On benefits, Regional Integration can lead to substantial economic gains. The scope of benefits from Regional Integration has been explained by scholars through different theories. The classic theories

6 Ibid., note 4

7 World Bank, Home Page, www.worldbank.org, Regional Integration home.

8 Ibid, Note 1

of customs and optimum currency area. The integration process thus entails among others improving market efficiency, and facilitating the flow of goods, services, capital, people, ideas, and technology. Countries are also able to share the costs of public goods or large infrastructure projects; decide policy cooperatively and have a building block for global integration. Furthermore, stronger regional integration grouping leads to peace and stability between the Member countries and provides them with greater visibility and weight internationally as they face the world as one, rather than speaking and negotiating separately.

Successful regional integration can in the long run lead to substantial economic growth, well-being, and economic development among members. (Perries, 2010) as it allows countries to improve market efficiency; and to share the costs of public goods and other large infrastructure projects. The integration also fosters a variety of non-economic objectives such as promoting regional security and political coordination among members (Carbaurg, 2011).

REGIONAL INTEGRATION IN AFRICA

In Africa, regional economic integration has a fairly long history in all parts of the continent. Since independence, African governments have embraced regional integration as an important component of their development strategies and consequently concluded a very large number of integration arrangements to the extent of creating membership overlap.⁹ Regional integration in the continent is seen by policymakers and academics as a relevant strategy to raise the level of intra-regional trade, boost economic growth, and ensure the integration of African countries into the global economic system. It is also viewed to be a lever for accelerating the structural transformation of African countries through economies of scale, improved competitiveness, more effective resource mobilization, and the promotion of the regional value chain¹⁰.

Although a good number of African leaders advocated for the integration of the African continent immediately after emerging from colonialism, elaborate initiatives were only taken to re-launch or establish economic integration in all sub-regions in the period of

⁹ Hartzenberg, T., 2011, pp.2.

¹⁰ Drapper, P., 2010

the 1970s and 1980s¹¹. The first-generation integration initiatives were motivated by the political vision of African Unity and also as a means for providing sufficient scale to import substitution industrialization policies. This inward-looking strategy however failed to succeed due to too small and poor national market, high input costs that adversely affected transformation and export, lack of commitment and support from national governments, and lack of efforts to create unified markets for private operators¹².

The second-generation regional integration process in Africa took place in the early 1980s in the form of open-door policies after the continent switched from the import-substitution approach. The second-generation process was collectively driven by the national governments, private sectors, financial institutions, and the international donor community.

Over time, regional integration has tremendously gained prominence, and today, the promotion of regional integration in Africa remains an important economic and political goal in Africa. As such there are eight Regional Economic Communities (RECs) in Africa that are mirrored on geographical regions. The RECs comprise of Economic Community of Central Africa States (ECCAS), Economic Organizations for Western African States (ECOWAS), South African Development Cooperation (SADC), Inter-Governmental Authority on Development (IGAD), Common Market for Eastern and Central Africa (COMESA), Arab Maghreb Union (UMA) and Community of Sahel – Saharan States (CEN-SAD).

THE EAST AFRICA COMMUNITY AND ITS INTEGRATION EVOLUTION

The East Africa Community (EAC) is one of the eight (8)¹³ Regional Economic Communities (RECs) that form the building blocks of the African Union. The Community is a regional inter-governmental organization established in 1999 through a Treaty¹⁴, to facilitate trade and economic development within its founder member states of

11 Nickerk, L.K.,1996. Regional Integration: Concepts, Advantages, Disadvantages, and Lessons of Experience.

12 Ibid.

13 The Community for Central Africa States (ECCAS), (18 October 1983), South Africa Development Community (SADC) (17 August 1992), Inter-Governmental Authority on Development (IGAD) Jan. 1986), Arab Maghreb Union (UMA) (February 1989), Community of Sahel – Saharan States (CEN-SAD) (14 February 1998), and Common Market for Eastern and Southern Africa (COMESA) (December 1994).

14 Treaty Establishing the East Africa Community, signed in 1999 by the Heads of States of Kenya, Tanzania, and Tanzania, and entered into force on 7th July 2000.

Kenya, Tanzania, and Uganda. The operations and activities of the East African Community are guided by both its Mission and Vision which strive to widen and deepen economic, political, social, and cultural integration to improve the quality of life of the people of East Africa through increased competitiveness, value-added production, trade, and investments.

The genesis of East African integration dates back to the pre-colonial period. 1892 – In 1917, Kenya and Uganda formed a customs Union which the then Tanganyika and now Tanzania joined in 1927. All three countries were then under British rule. The move by the trio was informed by their differing economic orientation which invariably posed compatibility problems¹⁵. Therefore, to strengthen their economic links, the three countries further in 1948 formed the East African High Commission (EAHC) with a unified income tax. Immediately after the colonial period in the 1960s, the EAHC was replaced by the East African Common Service (EACSO), which fundamentally was too closely associated with the pre-independence structure. Attempts to put in place a Central Bank however faltered in 1965, and so were the plans to introduce a common market.

Despite the drawbacks, aspirations for regional cooperation among the three countries remained alive. Consequently, in 1967, the first East African Community was established and Kenya, Tanzania, and Uganda agreed to cooperate on a wide spectrum of economic and social issues¹⁶. Despite the extensive integration milestone, the first EAC accomplished, the Community nevertheless collapsed in 1977.

The collapse of the Community was attributed to four major factors namely; lack of steering functions, the unequal distribution of benefits, the purely inter-governmental (interstate) nature; and the differences of opinion between leading players, particularly the Ugandan President Idi Amin and Tanzanian President Julius Nyerere. Within the economic field, Uganda and Tanzania were substantially export-oriented while Kenya had a domestic-focused economy a fact that rapidly favored the country's financial sector development.

The collapse of the first EAC did not however sweep away the spirit

15 Stefan Reith, & Moritz Boltz, (2011), *The East African Community, Regional Integration between Aspirations and Reality*, Kas International Reports

16 East African Integration: Dynamics of Equity in Trade, Education, Media and Labour, Page 5, Society for International Development

for cooperation among the three-member countries. Accordingly, the three countries in the Mediation Agreement¹⁷ for sharing Assets and Liabilities that they negotiated after the dissolution of EAC agreed to explore areas for future cooperation and to make concrete arrangements for such cooperation¹⁸. As such, the trio states continued to cooperate through individual multilateral Agreements between 1993 and 1997 on diverse sectors including security.

In 1993, the Heads of State through an Agreement¹⁹ established the Permanent Tripartite Commission for East African Co-operations to act as a coordination institution. On 14 March 1996, the Secretariat of the Commission was launched in Arusha, marking the commencement of full East African Cooperation operations. Buoyed by the desire to consolidate regional cooperation, the East African Heads of State at a meeting held in Arusha on 29 April 1997 directed the Permanent Tripartite Commission to commence the process of transforming the Agreement establishing the Permanent Tripartite Commission for East African Co-operation into a Treaty. The Commission undertook the negotiation process involving member states and the public and finalized the Treaty for the Establishment of East African Community within three years. The Treaty that was eventually signed on 30 November 1999, in Arusha by the Heads of State of Kenya, Uganda, and Tanzania came into effect on 7 July 2000, giving birth to the present East African Community.

To avoid the pitfalls that crippled the first EAC, elaborate management measures were put in place including the enactment of the Customs Management Act²⁰. The measures comprised setting up permanent institutions to manage the cooperation; ensuring fair distribution of the benefits of cooperation by designing transitional customs regulations to protect the Tanzania and Ugandan economies from the dominance of Kenyan exports; and allowing civil society and market forces to play a more prominent part. The powers of the interstate institutions however remained an issue since all major decisions regarding the Community require the consensus of the member states.

17 The East Africa Community Mediation Agreement was signed on 14 May 1984 to provide for the Pision and sharing of Assets and Liabilities of the Former East African Community that was dissolved in 1977.

18 Article 14 (14.02) First Schedule to the East Africa Community Mediation Agreement signed on 14 May 1984.

19 Agreement for establishing the Permanent Commission for East African Co-operation was signed on 30 November 1993.

20 East Africa Community Customs Management Act 2004.

The countries of Rwanda and Burundi joined the membership of EAC on 1 July 2007, South Sudan joined on 16 April 2016, and the Democratic Republic of Congo joined on 11 July 2022. The application by the Federal Republic of Somalia to become a member is undergoing the verification²¹ process.

ADMISSION PROCESS OF NEW MEMBERS TO THE COMMUNITY

The admission of a new member state to the EAC is guided by the provisions of the Treaty Establishing the Community. Under Article 3 (2) of the Treaty when a country applies to join as a partner, the Community looks into geographical proximity to and inter-dependence between the applicant and the Partner States; its acceptance of the Community; adherence to universally acceptable principles of good governance, democracy, the rule of law, observance of human rights and social justice; potential contribution to the strengthening of integration within the East African region; establishment and maintenance of a market-driven economy; and the compatibility of the applicants social and economic policies with those of the Community.

After the preliminary consideration of the application, the Community sends a verification mission comprising experts from each Partner State to assess the country's suitability to be admitted into the Community. In assessing the country's suitability, the verification mission also reviews the current status of the applicant in international law. The report of the verification Mission is considered by the Council of Ministers which makes recommendations to the EAC Heads of State for final decision.

GEOGRAPHICAL SCOPE OF EAST AFRICA COMMUNITY

At the inception stages, the geographical scope of the East Africa Community focused on territories of Kenya, Uganda, and Tanzania. With time and to widen the market, membership was opened to Rwanda and Burundi and subsequently to South Sudan and the Democratic Republic of Congo. A fundamental criterion for admission into the Community however remains the geographical proximity to and inter-dependence between the applicant and the Partner States as stipulated under Article 3(2) of the establishment Treaty.

²¹ The 22nd Communiqué of the Summit of the Heads of States of the EAC Member States held on 22 July 2022 directed the EAC Secretariat to fast-track the verification process of Somalia's application.

ACHIEVEMENTS BY EAST AFRICA COMMUNITY

The integration process of the re-launched EAC is premised on a structured roadmap to be realized through four stages as espoused in the Treaty establishing the Community. Article 5(2) of the Treaty provides for the establishment of a Customs Union, a Common Market, a Monetary Union, and a Political Federation. Unlike other federations in Africa, the EAC is hailed for setting sight quite high by enshrining a political union²² in its founding Treaty. Currently, the EAC region has a total population of 283.7 million and a GDP of US\$ 305.3 billion²³.

In terms of achievements, the East Africa Community is often cited as one of the fastest-growing regional economic blocs in the world. Since its establishment, the community has gradually and steadily taken milestone steps aimed at widening and deepening cooperation among its Partner States in various areas of their mutual benefits including in political, economic, judicial, legislative, and social sectors. The Community's current membership of seven countries and one application under active consideration from the initial three in 2002 is a clear testimony to its fast growth.

Custom Union. As a first step, the Partners states in March 2004, signed the Customs Union Protocol which entered into force on 1 January 2005 with the main objective to facilitate inter and intra-regional trade in goods and services through the gradual elimination of internal tariffs and establishment of common external tariff on imports from third countries. In that respect, the Protocol created a Customs Union that provided for the establishment of four elements namely, i) a Common External Tariff (CET) on imports (tariff structure of 0% for raw materials, 10% for intermediate goods, and 25% for finished goods) from third countries and to gradually eliminate internal tariffs; ii) EAC Rules of Origin (RoO) criteria, including Certificates of Origin and Simplified Certificates of Origin; iii) the internal elimination of tariffs for goods meeting the EAC RoO criteria and; iv) the elimination of Non-Tariff Barriers (NTBs).

In essence, the Community by enacting the Customs Union intended to promote production efficiency, enhance domestic, cross-border, and foreign investment, and also promote economic development and

22 Article 5(2) of the Treaty Establishing East Africa Community.

23 East Africa Community Home page, about EAC available at: www.eac.int/trade.

diversification in industrialization within the region²⁴. Both Rwanda and Burundi joined the Customs Union on 1 July 2009, and eventually, the gradual process of establishing a Customs Union was completed in January 2010.

Under the Customs Union pillar, the EAC has increased a variety of aspects of inter and intra-regional trade. Through the implementation of custom unions and common markets, the Community has been able to eliminate most of the trade barriers within its internal borders. The establishment of a Single Customs Territory (SCT) simplified procedures for clearance at the ports of entry and exits, at weighbridges, and roadblocks have been simplified. All intraregional trade goods are cleared under the SCT regime. Moreover, the procedures for handling non-EAC Certificates of Origin, non - non-recognition of quality marks issued by the EAC Bureau of Standards, and retesting of products have been put in place through the enactment of the EAC Elimination of NTBs Act 2017²⁵ and adoption of the EAC Customs Valuation Manual document that provide guidelines on how to implement and uniformly interpret EAC Customs valuation provisions within the Community. The guidelines have been very helpful in preventing possible valuation disputes. To ensure efficiency, the Community established National and Regional Committees to identify and monitor the implementation of the Customs Union.

The removal of non-tariff barriers has enhanced bilateral trade between member states including intra-EAC Foreign Direct Investments (FDI) as well as FDI from outside. Some barriers however remain related to non-harmonized technical regulations which are hindering the seamless flow of goods and movement of people between the member states. In the case of Kenya and Tanzania, the removal of 50 non-tariff obstacles increased Kenya's exports to Tanzania from Ksh. 31.4 billion in 2020 to Ksh. 45.6 billion in 2021. Also, imports from Tanzania doubled from Ksh. 27.2 billion in 2020 to Ksh. 50.1 in 2021. Overall, the total trade value moved from Ksh. 58.6 billion to Ksh. 95.7 billion in 2021²⁶.

As a measure to build a strong export-led economic sector each of the Partner States has established and gazetted Export Processing Zones (EPZ) and Special Economic Zones (SEZ). The Zones aim at

²⁴ Article 3 of the Treaty Establishing East African Community.

²⁵ The EAC Elimination of Non-Tariff Barriers Act 2017 was assented to by the EAC Heads of State in April 2017

²⁶ East Africa Business Daily, (2022)

spurring industrialization hence they provide specific incentives for investors operating within the Community. The incentives under these arrangements are fiscal and non-fiscal comprising corporate tax holidays, duty, and VAT exemptions²⁷.

On **tax harmonization**, the Community in line with Article 83(c)²⁸ of the EAC Establishment Treaty has put in place appropriate legal regimes and policy frameworks. The EAC Model Investment Treaty²⁹ is being used to guide negotiations of Tax Treaties with other countries and third Parties. Two policies namely, the Policy for the Harmonization of Income Taxes, and the Policy for Harmonization of VAT and Excise Duties were developed in 2014 and are currently in operation.

To ease **mobile communication connectivity**, the region is implementing the EAC Broad Band Infrastructure Network Project. A -Network- Area has been established with lower calling rates. Harmonization of the calling rates has been done and today, Kenya, Uganda, Tanzania Rwanda have already implemented the common calling rates on mobile communications within their territorial boundaries.

In the infrastructure sector, several regional road and energy projects have been accomplished. These include the construction of the Athi River- Namanga - Arusha Road, and Voi- Taveta - Arusha Road all connecting Kenya and Tanzania. Malindi - Lungalunga -Tanga road design is underway. Through the EAC Vehicle Load Control Act 2016, harmonization of Gross Vehicle weights for vehicles has been done to 56 tons for vehicles under seven axles. Cross border electrification project has also been completed linking the Kenya- Tanzania border one-stop - points of Namanga and Lunga Lunga. Generally, however, infrastructure at the national level in some of the Partner states remains a challenge.

Common Market. The establishment of the Customs Union was followed by that of the Common Market through the signing of the Protocol on the Establishment of the East African Community Common Market in November 2009. Article 104 of the East Africa Community

27 Supra Note 11.

28 Article 83(c) of the EAC Establishment Treaty provides that Partner states agree to harmonize their tax policies with a view to removing tax distortions in order to bring about a more efficient allocation of resources within the Community.

29 The East African Model Investment Treaty was adopted in 2016.

Establishment Treaty recognizes the free movement of persons, services, and labor. In that respect, the main purpose of the Common Market is to accelerate the economic growth and development of the Partner States through the attainment of free movement of goods, persons, and labor, and the rights of establishment and residence³⁰. Accordingly, under Article 5 (2) (b) and (c) of the Common Market Protocol, Partner states agreed to make the cross-border movement of persons easy, adopt an integrated border management system, remove restrictions on the movement of labor, and harmonize labor policies, programs, and legislation.

Even though the Common Market Protocol guarantees the free movement of people who are citizens of partner states and removes visa requirements, this however does not imply the intra-regional movement of the citizens of EAC Partner States is free of conditions. The protocol requires the citizens to follow the conditions imposed by national laws on grounds of public policy, security, or public health. The citizens must also possess valid and common standard travel documents for citizens in EAC. A notable achievement in this area is that in September 2019, the Community rolled out a Common standard e-East Africa Passport which individual countries are currently issuing to their citizens.

The entry into effect of the Common Market in July 2010, gave impetus to the integration implementation process of all these aspects. Thus, under the Common Union, a lot of strides have been made. This includes the reciprocal opening of border posts for 24 hours to ensure an unhindered flow of trade, humanization of entry and exit forms, and procedures for the issuance of work permits. Student passes are issued free. Kenya and Uganda have waived work permit fees while Kenya and Tanzania are conducting joint tourism promotions on a different note.

According to the 2019 African Regional Integration Index (ARII)³¹ which assesses the regional integration status and efforts in Africa, the East Africa Community has the highest average score on the free movement of people, infrastructural integration, trade integration, productive integration, and macroeconomic integration. Full achievement of

30 Article 4(2) (a) of the Common Market Protocol.

31 African Regional Integration Index (ARII) is prepared jointly by the African Union, United Nations Economic Commission for Africa, (UNECA), and the African Development Bank.

free movement of people is however hindered by unfounded fear that ethnic animosity from other member states will spread. The Tanzanian population has all along been apprehensive about the possible loss of land from the overpopulated Rwanda, Uganda, and Burundi.

Monetary Union. The EAC Heads of States on 30 November 2013, signed the Protocol for the Establishment of the EAC Monetary Union. Since then, however, not much has been done collectively by Partner states. Currently, negotiations are underway for the establishment of both the East African Surveillance Compliance and Enforcement Commission and the East African Financial Services Commission. At the national level Kenya, Tanzania, and Uganda have each developed Fiscal Transparency Evaluations (FTEs). Kenya³² and Uganda³³ have also anchored regional fiscal surveillance in their Public Finance Management Act (PFM) laws.

The completion of these first three phases of integration gave way to the process of an **East African Political Federation**. The EAC Heads of State on 20 May 2017 adopted the Political Confederation as a transitional model of the East African Political Federation and directed commencement on the drafting of the Federation Constitution. The process towards a full Federation is actively being fast-tracked by the East African leadership to construct a powerful and sustainable East African political and economic bloc.

In the legislative and judiciary fields, the Heads of State during the 3rd Summit of EAC that was held in Arusha on 30 November 2001, inaugurated the East African Legislative Assembly (EALA) and East African Court of Justice. EALA is charged with discharging functions in furtherance of the objectives of the Community. The work of the East African Court of Justice as the judicial organ of the Community is to interpret the Treaty and laws of the Community and ensure compliance by the regional bloc. Since their inauguration, the two bodies have been very active in making Community laws on matters of critical benefit to the people of the partner states as well as adjudicating on fundamental issues. In addition to legislative actions, the East African Community Council of Ministers has established various Sectorial Councils to oversee policy issues in the regional integration process.

32 The Public Finance Management Act 2015 of Kenya has Fiscal Rules on debt and deficit.

33 The Fiscal Responsibility Charter of Uganda has Rules conforming to East Africa Monetary Union Criteria.

In matters of peace and stability in the region, the Community through its peace processes patronage has made tremendous contributions in addressing Intra and inter-member state conflicts and political hostilities. In the past, the Community brokered the peace process in Burundi, and currently, the search for peace in the DRC is ongoing. The Third Inter-Congolese Consultations of the Nairobi Peace Process took place at Safari Park on 5 December 2022, under the facilitation of Kenyan former President Uhuru Kenyatta. Similarly, the EAC Heads of State in July 2015 established the Inter-Burundi Dialogue and appointed Ugandan President Yoweri Museveni to mediate political crises in Burundi. Later, in March 2016, the Heads of State appointed former Tanzanian President Benjamin Mkapa as a facilitator to assist President Museveni in the dialogue process. The dialogue was aimed at solving political conflict and crises triggered by the decision of the then Burundian President Pierre Nkurunziza in April 2015 to seek a third term in office.

Besides the peace patronage process, the Community has established EAC Military Industrial Facilities which are availed for shared utilization among EAC Armed Forces. Partner states are also offering training opportunities within their respective military training institutions. Military cooperation is complimented by the gathering and sharing of intelligence information within the EAC bloc by the EAC chief of Military Intelligence, Criminal Departments, and National Intelligence bodies.

Participation of stakeholders. The EAC Treaty³⁴ advocates for the participation of stakeholders in the integration and development of the Community and requires governments of Partner states to create an enabling environment for the stakeholders to thrive. Over time, the Community has to some extent witnessed growth in the participation of civil society, professionals, women, the youth, and the private sector in matters towards regional integration. The involvement of the non-state actors has not reached the desired levels. Power is still concentrated in the EAC policy organs which are political. The effect of this is that there are scenarios whereby EAC policies lack domestic constituency ownership. The former German president Horst Köhler in June 2011³⁵, warned against EAC integration that is too strongly

34 Articles 127,128 and 129 of the Treaty Establishing East Africa Community.

35 Horst Köhler was speaking in June 2011 at a conference in Arusha organized by the Konrad-Adenauer-Stiftung and the East African Community for the purpose of discussing integration issues.

focused on a small elite since such integration has a shaky foundation because it ignores the majority of people in East Africa.

As a means of enhancing continental cooperation and integration, EAC has been in constructive engagement with other Regional Economic Communities. In that case, discussions for a Single Free Trade Area and merger of the three regional blocs EAC-COMESA-SADC that commenced on 22 October 2008 during the first Tripartite Summit held in Kampala Uganda have progressed very well. It is envisaged that a merger of the three regional blocs will not only increase trade opportunities for the people but also accelerate the attainment of the aspirations of the African Union Agenda 2063³⁶ for an integrated prosperous Africa. It will also solidify the expanded region's negotiating position and bargaining power with other external economic communities including the European Union.

In terms of the resultant benefits of the EAC to each partner state, there have been different perceptions. On the positive side, the region has experienced reduced prices of goods and services arising from the free market, increased welfare of the society, improved trade policies, and improved productivity³⁷. It has also registered increased trade among its members due to harmonization and reduced tariffs. members feel reduced inflation levels as a result of collective economic policies being in place³⁸. Generally, the EAC economic integration has a positive influence on bilateral trade within and among its partner states. Despite the positive gains, some authors opine that EAC partner states do not enjoy equity in economic growth and trade flowing from the integration. Kenya is perceived to benefit hugely from the integration trading while Rwanda has received high economic growth due to heavy trade with DRC.

CHALLENGES ENCOUNTERED BY THE EAST AFRICA COMMUNITY

Although the East Africa Community has made great strides in the integration, the process has nevertheless not been smooth. There have been various challenges ranging from disputes to competing interests among the partner states on various issues including governance,

36 The African Union Agenda 2063 was adopted by the African Union Heads of State Summit in January 2015, in Addis Ababa

37 Lorenzo, J., 2012.

38 Mwapachu, J.V., 2011.

borders, economic interests, and political hegemonies. Burundi has been calling for the removal of the speaker of the East African Legislative Assembly, a situation that has delayed the holding of the Heads of State Summit.

Political hostilities and competing interests between Rwanda and Uganda's top political leaders have seen frequent closure of their borders a move that is affecting cross-border trade and movement of people. At present, the borders (Gatuna One Stop Border Point) between Rwanda and Uganda have been shut since 28 February 2019. The border between Rwanda and Burundi has also been closed. These EAC states accuse each other of sponsoring political movements seeking regime change. The same situation also hit DRC where Rwanda and Uganda are viewed as the main sponsors of the standoff between the DRC Government forces and the M23. These political hostilities are occasionally disrupting the smooth flow of trade within the Community.

At times, personality differences between the political leadership of some of the member states have been a hindrance to the desired cohesion of the Community. For instance, in 2013 the differences that led to the emergence of the 'Collection of Wiling' pitting Kenya, Uganda, and Rwanda were very intense to the extent of threatening to split the Community contrary to the objectives of the founding treaty.

Trade Wars: In the trade sector, despite the existence of elaborate Custom Union and Common Market promotion and protection measures, there has been all manner of trade wars pitting the partners. Trade rivalry and conflicts in the region include border closures, burning of products, blockade of some products as well as denial of the national airspace to commercial flights from partner states³⁹.

In November 2017, the Tanzania authorities burnt 6,500 live chickens imported from Kenya. The burning of poultry from Kenya was preceded by the confiscation and auctioning of 1,325 heads of cattle belonging to Kenyan herders in October 2017 by the Tanzanian authorities. The Cattle who belonged to the Maasai community of the Kenyan side were grazing on the Tanzania side of the Common border. On a related situation, Tanzania has occasionally been locking out Ugandan timber, sugar, and maize into its market while Kenya

39 Daily Nation News Paper, 25 November 2017

is reluctant to open its market to manufactured products including milk from Uganda.

Poor Infrastructure. The infrastructure network in many of the EAC Partner States is still poor. Safe for Kenya, Uganda, Rwanda, and Tanzania, there is a large deficit in railway and road networks. The available road network is further degraded and congested. This situation has slowed down economic growth by increasing the cost of doing business and limiting trade and growth opportunities. Moreover, the airfreight capacity is low while the maritime sector is hampered by congestion in ports, inadequate container capacity, and transport shipment performance. To address the infrastructure challenges, the community have been engaging in project financing partnership with the East African Development Bank and the African Development Bank. Some projects undertaken through these arrangements include the Northern Corridor Road Network driven by Kenya, Uganda, and Rwanda.

Weak EAC Financing Base. Apart from the assessed annual contributions from Partner States, the Community does not have a sustainable source of resources. The Community has been relying on donor funding for its integration projects. In practice, traditional donors contribute up to 65% of the budget of EAC. The reliance on donors has created incentives towards developing policies that appeal to them but which in most cases don't appeal to the interests of partner States.

The protracted and unresolved internal conflicts and political power struggles in the DRC coupled with the inter-state hostilities pitting against Rwanda, Burundi, and Uganda do not promote a conducive security environment. Potential investors are therefore taken aback in making rational decisions to invest in such affected countries which would otherwise offer advantageous business space and returns.

The weak capacity of national institutions and structures quite often presents a challenge in the implementation of community decisions at the national level. This challenge also has a link to that of the interstate where the Community decisions have to be taken through consensus. Furthermore, the East Africa Legislative Assembly has been criticized for not representing the interests of the East African Community people. They are not elected directly by the East Africa Community electorate,

rather they are selected by Member States' national Assemblies, and therefore it is not known what their accountable constituency.

Other underlying challenges to the East African Community relate to Member States' multiple memberships as well as their external trade partnership engagements with other regional unions and individual countries. Practically, all member states of the EAC belong to more than one REC⁴⁰. Such arrangements have resulted in competition, and duplicity of activities, efforts, and resources that could otherwise be consolidated for effective utilization in one regional bloc. Further, they have created difficulties in the treatment of goods from those other RECs to which other member states hold membership. Supporters of multiple memberships have however argued it provides countries with various options to achieve their interests from different fronts continentally and globally.

On the external Partnership Trade engagements, there has been disunity and divergences within the community in the form, approach, and modalities of engagements. This disunity is exacerbated by the multiple memberships and inadequate harmonization of national economic policies, a fact that weighs more heavily than long-term cooperation gains. For instance, at the negotiations between the EU and EAC on the Economic Partnership (EPA), member states initially conducted negotiations in separate groups⁴¹. Notably, Tanzania initially negotiated as a member of SADC before switching abruptly to EAC when talks seemed likely to stall⁴². In the end, EAC did not get a favorable deal with EPA. In the case of Bilateral Trade with the United States, the decision by Kenya to launch negotiations directly has strained relations with other EAC member states. Kenya's action is being viewed as a continuation of her economic hegemony which for a long time has not been fully embraced by some member states.

All these instances are not healthy for a stable region as they fly against the Community's cornerstone objective and spirit of enhancing regional free trade and spurring economic development. They also have the potential to influence the perception and participation of the citizens of member states in regional integration.

40 South Sudan is in EAC, IGAD, Rwanda is in EAC, COMESA, Burundi is in EAC, ECCAS, COMESA; the Democratic Republic of Congo is in EAC, SADC, COMESA, and ECCAS.

41 Supra Note 4.

42 Ibid Note 20.

The positive step is that the inhibiting trade practices have been admitted by some of the region's top leadership and have committed to boosting trade relations with neighbors. In particular, the advent of new political leadership in Tanzania has given hope for a more robust trade environment going forward, particularly with Kenya. During the visit to Kenya, in March 2022, President Suluhu regretted the burning of the imported live chicks. According to the President, 'An order five years ago to burn 6,400 live chicks imported from Kenya was wrong. Such counterproductive acts would not feature anymore⁴³. On the same visit, President Suluhu made business commitments and trade deals with the former President Uhuru Kenyatta of Kenya which included eliminating 55 out of the 64 persistent non-tariff trade barriers that existed between Kenya and Tanzania in early 2021. Further, during a meeting between Kenyan President Dr. William Ruto and Tanzania President Mrs. Suluhu on 9 October 2022, in Dares Salaam, the two agreed to boost trade between the two countries by removing trade barriers effective January 2023.

CONFLICT AND DISPUTE RESOLUTION WITHIN EAST AFRICA COMMUNITY

On dispute and conflict resolution within its partner states, EAC has elaborate mechanisms that are provided for in the establishment Treaty and also protocols creating specific sectors. The mechanisms cover a wide scope including matters of interpretation of the Treaty, trade, and political disputes.

At the judicial level, the EAC Court of Justice is anchored under Article 9 of the Treaty and adjudicates disputes emanating from the Treaty, civil and commercial between state parties, non-state actors and state parties, the Community and its employees as well as the Secretary-General and state parties concerning the interpretation, application of, and compliance with treaty obligations. The Court does arbitration of investment disputes which are referred by the council of Ministers. Furthermore, private parties are, in their own right, entitled to legal remedies when their rights within the EAC Treaty are violated.

On matters of trade disputes, the Community encourages partner states to give priority to negotiations and reconciliation initiatives.

⁴³ Kenya Citizen Newspaper, Sunday, 27,2022, H.E Samia Suluhu, stated that it was wrong to burn 6,400 live chicks from Kenya.

Art. 24 of the Customs Union Protocol establishes the EAC Trade Remedies Committee to handle matters about rules of origin, anti-dumping, subsidies, countervailing measures, and safeguard measures. The Trade Regulations provide for two different avenues of dispute settlement. In one avenue, disputes be settled using good offices, conciliation, and meditation. Where there are no positive results, the Committee on Trade Remedies can then be requested to establish a panel. The panel then presents a report with recommendations to the Committee, which makes final determinations on the matter that are final and binding on the parties. Disputing parties may have recourse to arbitration. Under Art. 54 of the Common Market Protocol national constitutions, laws and administrative procedures, and competent national authorities are mandated to handle disputes.

On the political conflicts, some partner states have experienced security challenges emanating from internal elections and resource competition between different factions within countries and between the countries. In resolving the conflicts, frameworks stipulated in the Treaty as well as ad-hoc political mechanisms have been employed. Alternative Dispute-Resolution mechanisms have also been used for sustainable peace and security⁴⁴. The ADR mechanism is domesticated in all partner states of the Community. In South Sudan mediation and arbitration has been constantly used in mitigating conflicts.

Following the outbreak of the political crisis and instability in Burundi in 2014, the EAC Africa Heads of State on 13 May 2015 intervened by initiating a negotiation dialogue between key Burundian parties particularly the ruling party and the opposition. The crises had been triggered by the decision of the late President Pierre Nkurunziza to seek re-election for a third term contrary to the country's constitution. The standoff was followed by an attempted *coup detat*. The Ugandan President Yoweri Museveni was the mediator while the former Tanzanian President Benjamin Mkapa was the facilitator for the dialogue. Both leaders were also pivotal in the Arusha peace process of 1996 to 2005 that ended Burundi's first civil war⁴⁵.

Currently, to address the insecurity threats from the M23 militia that is operating in the eastern-northern part of DRC particularly Ituri province and northern Kivu EAC Heads of State on 20 June 2022

⁴⁴ Mugambi, K., 2017

⁴⁵ Nantulya, P., 2017

created a regional joint combat force consisting of 12000 soldiers. The mandate of the force is to assist the Congolese army in containing, defeating, and eradicating the negative forces in the eastern DRC⁴⁶. The force mandate extended to 6 months, with troops coming from countries Kenya, Burundi, Uganda, South Sudan, and Tanzania. Even though the EAC Heads of State have taken elaborate decisions and initiatives to address political disputes and conflicts within their partner states, the effectiveness of the initiatives is hindered by the principles of state sovereignty and non-interference with the internal affairs of each country.

PROSPECTS FOR THE EAST AFRICAN COMMUNITY

Despite the functional teething problems, East Community Africa holds a promising future. The Community has tremendous opportunities and resources that if well planned, managed, and harnessed can create economic prosperity including sustainable peace and security which has been eluding some countries of the region.

The expanded Community is a region endowed with plenty of natural resources. It also holds a geo-strategic position including access to the sea. The huge perennial rivers within DRC contain a hydropower base that can be harnessed to provide adequate electricity for the entire region and beyond. Perhaps, the only major drawback, however, is insufficient infrastructure to produce and distribute the power.

The region's combined population of about, 283,7 million people presents a huge market base that is ideal for the growth of the region's industrial and manufacturing sectors besides providing the desired human resource expertise. Moreover, the region has plenty of arable lands and large freshwater reservoirs in the form of lakes and rivers which can boast food security through large-scale irrigation farming as well as cheap inland water transport. The re-invigoration of Ferry transport services in Lake Victoria by EAC Heads of State in May 2022, the World's largest freshwater which is shared by Kenya, Tanzania, and Uganda has greatly boasted inter-regional trade.

Additionally, two of the Community's member states, Kenya and Tanzania enjoy democratic space and political stability which has continued to act as a catalyst in efforts towards the search for peace and

46 Walle, N., 2022.

political stability in some affected countries in the region. Evidentially, Tanzania and Kenya are spearheading a peace process sponsored by the Community to address the hostilities in Burundi and DRC respectively. Three countries namely Kenya, Uganda, and Tanzania who are the original EAC Members share a fairly homogeneous historical and cultural outlook, a similar colonial past that formed the basis for integration in the post-colonial era.

The admission of Somalia to the membership is going to widen the Community's intra-market base for its products and services. Currently, Somalia's population stands and relies heavily on food imports. Somalia's admission issue is however being viewed with caution due to the country's political instability and security-oriented problem. The political leadership in Kenya and Tanzania will have to play a pace setting.

The possibility of the EAC merging with COMESA and SADC presents a suitable opportunity to reduce the challenges associated with multiple memberships in Regional Economic Communities. The bloc comprises 26 countries and the finalization of the merger would create one of the largest Free Trade Areas globally. The economic bloc would be characterized by a population of over 650 million people and a GDP of more than USD 1.3 trillion. The 26 countries of EAC-SADC-COMESA make up 26% of the African Union membership. A successful merger would moreover contribute to the attainment of the African Union's aspirations of a prosperous integrated continent envisaged under the African Union Agenda 2063⁴⁷.

While the Community might have more prospects, the member states will have to be aware of the possible problems associated with the admission of new members, particularly Somalia. The many problems in Somalia comprising of political instability, insecurity, religious fundamentalism, and extremists will have to be addressed seriously to stem the spread of Al-Shabaab. This coupled with differences between Kenya and Somalia emanating from maritime border disputes is likely to slow down the pace of regional integration.

Membership in the Community of the Democratic Republic of Congo is likely to be a double-edged sword for its progress. The country holds the largest resources yet is full of wars and political power struggles.

⁴⁷ Supra, Note 29.

In that regard, the Community can on one hand benefit immensely by effectively harnessing the vast natural resources. On the other hand, however, there could be an increase in a proxy resource-based war involving more community member states.

CONCLUSION

The analysis of the birth, evolution, and integration of the EAC exhibits a journey full of unparalleled spirit for success. That unwavering determination has given the Community impeccable success in various areas of integration albeit hampered to some extent by an intervening variety of factors including lack of supranationally, competition of national interests, and absence of societal participation. Indeed, the growth trajectory has earned the Community global recognition to the level whereby representatives from various countries and international organizations submit their credentials to the Secretary General of the East African Community.⁴⁸

Therefore, despite the underlying challenges, it is fair to hold that, the East Africa Community remains on the path to achieving its founding objectives of one people, one destiny. Based on its achievement, going forward, the Community is also bound to be a key dependable pillar in the implementation of the African Continental Free Trade Area (AfCFTA), a key flagship Aspiration of the African Union Agenda 2063, that roots for a prosperous integrated Continent. In that regard, for the Community to remain on the track towards full integration and harnessing benefits for its people, it will need to seriously:

- I) Ensure the framework and modus operandi transcends the personal interests of its political leaders and harmonizes political objectives. candid and open dialogue in such cases threatening interest, unity, and founding purpose of the Community of One Destiny, One People;
- II) Address the issue of multiple memberships. Perhaps the merging of EAC-COMESA-SADC will provide the most desired results of consolidating resources, and also avoid competition and duplication of priorities;
- III) Address non-tariff barriers that are inhibiting the smooth flow of trade and infrastructure challenges. In the infrastructure sector, the Community will need to consider expanding infrastructure funding models by utilizing Private -Public Partnerships as well as Design - Finance- Build- Operate (DFBO);

⁴⁸ Supra, Note 14.

- IV) Ensure that there are competencies and strengths of the existing and new EAC institutions and those at the national level. A strong Community Secretariat is necessary to assist member states in implementing difficult Community issues at the national level. Moreover, the political will from all Partner states must be there to improve EAC institutions;

- V) Intensify involvement of private stakeholders in industrialization sectors as well as continued involvement of civil societies in the activities of the Community. Participation is important for the support of regional unification as it particularly ensures transparency, accountability, and legitimacy of the Community in the eyes of the general population.

REFERENCES

- African Development Bank 2000, African Development Bank Report, Abidjan: Regional Integration in Africa. Available at: <https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications>
- African Regional Integration Report (2019) produced by the African Union, United Nations Economic Commission for Africa (UNECA), and African Development Bank (AfDB). Available at: <https://repository.uneca.org/handle/10855/43774>
- African Union Agenda 2063 was adopted by the African Union Heads of State in January- 2015 in Addis Ababa.
Available at: <https://au.int/en/agenda2063/overview>
- Butorina, O.V, Borko, A. Yu., 2022. Benefits of Regional Integration: Refining the Concept. Available at: <https://www.x-mol.net/paper/article/1542202521300340736>
- Carburg R, J.,2011. International Economics, 13th Edition., South Western, Cengage Learning. P. 497-524. Available at: https://wyamaka.files.wordpress.com/2019/08/international-economics_30.pdf
- De Melo, J., Panagariya, A., 1992. Regional Integration: Old and New. World Bank Policy. Available at <https://econpapers.repec.org>
- Dickson, K., 2015. Governance and Development of the East Africa Community: The Ethical Sustainability Framework, Studies in Applied Ethics 16, pp. 7 -11. Edition 1:1, ISSN 1402 -4152:16. Available at: <http://liu.diva-portal.org>
- Dion, D.P., 2004. Regional Integration and Economic Development: A Theoretical Approach. Discussion Paper Series of SFB/TR 15 Governance and the Efficiency of Economic System, 20, Free University of Berlin. Available at <http://ideas.repec.org>
- Draper, P., 2010. Working Paper No. 293, Rethinking the (European) Foundations of Sub-Saharan Africa Regional Economic Integration: A Political Economy Essay, OECD Development Centre, Available at: <http://www.oecd.org/dev/wp>
- East Africa Community Home page, about EAC. <https://www.eac.int/trade>
- East Africa Business Daily, 2022. <https://www.businessdailyafrica.com/bd/news/east-africa>
- Economic Commission for Africa 2004. Assessing Regional Integration in Africa. ECA policy Research Report Addis Ababa: Economic Commission for Africa. Available at: <https://repository.uneca.org/handle/10855/5513>
- Economic Commission for Africa 2010. Assessing Regional Integration in Africa IV. Enhancing Intra-African Trade (online), available: <http://www.uneca.org/aria4/index.htm>
- Frazer, G., 2012. The EAC Common External Tariff (CET) and Rwanda. International Growth Centre (IGC) Working Paper.

- Golit, P.D., Adamu, Y. 2014. Regional Integration Models and Africa Growth in the 21st Century. A Fitness Evaluation. African Development Review. 26 (SI), pp.111-121.
- Hartzenberg, T., 2011, Regional Integration in Africa. Working Paper, World Trade Organization, ERSD. Available at: <https://econpapers.repec.org/paper/zbwwtowps/ersd201114.htm>
- Hosny, A.S., 2013. Theories of Economic Integration. A Survey of the Economic and Political Literature. International Journal of Economy, Management and Social Sciences, 2(5). pp. 133-55.
- Makame, A., 2013. The East African Integration: Achievements and Challenges, ecdpm, The Centre for Africa-Europe Relations, Great Insights Magazine.
- McCarthy, C., 1999. Regional Integration in Sub-Saharan Africa: Past, Present and Future. In Oyejide, A., Ndulu, B., Greenaway., Regional Integration and Trade Liberation in Sub-Saharan Africa, Volume 4 Synthesis and Review. Houndmills, Basingstoke Macmillan Press.
- McCarthy, C., 2010. Reconsidering Regional Integration in Sub-Saharan Africa. In Tralac, Supporting Regional Integration in East and Southern Africa. Stellenbosh: Trade Law Centre for Southern Africa.
- Miguel, J., 2017. Theories and Methods of Regional Integration and Free Trade Agreements, Available at: <http://www.redalyc.org/articulo.oa?id=86654076010>
- Mugambi, K, 2017. "The Role of Alternative Dispute Resolution Mechanisms on Prevention of Conflicts: A case study of Isiolo County." Thesis. University of Nairobi.
- Nantulya, P., 2017. The Costs of Regional Paralysis in the Face of the Crisis in Burundi.
- Nelleke, W., 2022, East Africa's DR Congo Force: The Case for Caution, International Crisis Group, Available at: <https://www.crisisgroup.org/africa/great-lakes/democratic>
- Njogore, L.K., 2010. The Impact of Regional Integration on Economic Growth: Empirical Evidence from COMESA, EAC., and SADC trade blocs. American Journal of Social and Management Sciences, 1(2). pp.150 -163.
- Nuwagaba, A., 2020. The Impact of East Africa Economic Integration on Bilateral Trade in East Africa: Uganda as the Case Study. International Institute of Social Studies pp.36-45.
- Odebero, S.O., 2011. East African Integration: Dynamics of Equity in Trade, Education, Media, and Labour, Page 5, Society for International Development. Available at: <http://catalog.jhia.ac.ke>
- Schiff, M., Winters, L. A., 2003. Regional Integration and Development; Washington D.C: The World Bank Economic Review.
- Schiff, M., Winters, L.A., 1998. Dynamics and Politics in Regional Integration Arrangements: An Introduction. The World Bank Economic Review, 12(2), 177-195.

Stefan Reith, S., Boltz, M., 2011. The East African Community, Regional Integration between Aspirations and Reality, Kas International Reports.

Vamvakidis. A. 1998. Regional Integration and Economic Growth. World Bank Economic Review, 12 (2) pp. 251-70.

Velde, D.W., 2011. Regional Integration, Growth, and Convergence. Journal of Economic Integration, 26(1), pp.1-28.

Warui, D. N. "The East African Community and Dispute Settlement: A Case of Migingo Island". Thesis, University of Nairobi, 201.

World Bank, Home Page, Regional Integration home. Available at: <https://www.worldbank.org>

LEGISLATIONS

The Public Finance Management Act 2015 of Kenya on Fiscal Rules on Debt and Deficit

The Fiscal Responsibility Charter of Uganda on Rules conforming to the East Africa Monetary Union Criteria 2016

The East Africa Community Customs Management Act 2004

HEADS OF STATE COMMUNIQUE

The 22nd Communiqué of the Summit of the Heads of States of the EAC Member States held on 22 July 2022 directed the EAC Secretariat to fast-track the verification process of Somalia's application

REGIONAL TREATIES

The East African Model Investment Treaty Adopted in 2016

Treaty Establishing the East Africa Community, signed in 1999 by the Heads of State of Kenya, Tanzania, and Tanzania, and entered into force on 7 July 2000

The Agreement for the Establishment of the Permanent Commission for East African Co-operation was signed on 30 November 1993

The East Africa Community Mediation Agreement signed on 14 May 1984 to provide for the Pision and sharing of Assets and Liabilities of the Former East African Community that was dissolved in 1977

Serbia's Campaign to Derecognize Kosovo: A Foreign Policy Tool for National, Not International Gain

Ismet Hajdari¹

DOI: <https://doi.org/10.60073/euper.2023.4.05>

ABSTRACT

The article examines the phenomenon of state derecognition in the context of Serbia's campaign urging countries to withdraw their recognition of Kosovo's independence, the legal underpinnings of the campaign, and its objectives. In lobbying for derecognition of Kosovo, Belgrade does not engage in legal evaluations of whether the youngest European state meets the fundamental Montevideo criteria for statehood. Instead, the justification for encouraging countries worldwide to reverse their recognition tends to exclusively be the "the damage" Kosovo's independence declaration has caused to Serbia. Among others, the analysis tends to find out if Serbia has used the recognition of Kosovo primarily as a tool to prevent the creation of a majority among UN members who support Kosovo's independence, not to defend the international order. Against this backdrop, the paper seeks to clarify whether international law recognizes and legalizes the revocation of diplomatic recognition of states in general. In conclusion, the paper will try to prove that by bypassing of the Montevideo recognition doctrine, which not only sets the major criteria for recognition but forbids derecognition in international relations — Serbia conducts its campaign primarily for the sake of domestic consumption rather than for the presumed international benefits.

KEYWORDS: Serbia, Kosovo, derecognition, Montevideo doctrine, diplomacy

POVZETEK

Članek preučuje fenomene nepriznanja države v kontekstu srbske kampanje, ki države poziva k umiku priznanja neodvisnosti Kosova, pravne podlage kampanje in njene cilje. Z lobiranjem za odpoved priznanja Kosova, se Beograd ne spušta v pravne ocene, ali najmlajša evropska država izpolnjuje temeljna montevideoska merila državnosti. Namesto tega je utemeljitev za spodbujanje držav po vsem svetu, da razveljavijo svoje priznanje, po navadi „škoda“, ki jo je razglasitev neodvisnosti Kosova povzročila Srbiji. Analiza se med drugim nagiba k zaključku, da je Srbija odpoved priznanja Kosova uporabila predvsem kot orodje za preprečitev oblikovanja večine med članicami ZN, ki podpirajo neodvisnost Kosova, ne pa za obrambo mednarodnega reda. V tem ozadju skuša prispevek razjasniti, ali mednarodno pravo priznava in legalizira preklic diplomatskega priznanja držav na splošno. V zaključku bo prispevek poskušal dokazati, da Srbija z obhodom doktrine priznanja Montevidea, ki ne le določa glavna merila za priznanje, temveč prepoveduje odvzem priznanja v mednarodnih odnosih, vodi svojo kampanjo predvsem zaradi domače potrošnje in ne zaradi domnevne mednarodne koristi.

KLJUČNE BESEDE: Srbija, Kosovo, odpoved priznanja, doktrina Montevidea, diplomacija

1 ABOUT THE AUTHOR: Ismet Hajdari is a journalist and academic researcher. He earned his Ph.D. in political sciences at the South East European University-SEEU (North Macedonia). Lectures European Integrations at the International Business College (IBC-M) in Kosovo. Email: i.hajdari@ibcmirovica.eu

INTRODUCTION

Kosovo's declaration of independence has ignited a fiery feud with Serbia. As the fiercest opponent of independent Kosovo, due to its persistence that it seceded unilaterally and illegally, Serbia has not sat idly by since Pristina declared independence in 2008. The main direction of its "anti-Kosovo independence" campaign was launched almost on the same day on which Kosovo broke away from Serbia. Parallel to it, Serbia launched in 2017 something that has been seen very rarely in contemporary international relations: a derecognition lobbying campaign among Kosovo's recognizers for the annulment of the decision to recognize the youngest European democracy. The campaign in particular relies on convincing smaller, faraway countries not so familiar with the dispute between Pristina and Belgrade to withdraw their recognition of Kosovo. It is very challenging to discern an accurate picture of the derecognitions of Kosovo the six years after the campaign was launched, as the authorities of Belgrade and Pristina provide conflicting accounts about them. Belgrade claims that the derecognition campaign delivered a strong blow to Kosovo's dream of full independence, achieving so far number a total of 28 countries that have withdrawn recognition of Kosovo.² Pristina, on its end, refuses to accept that derecognition campaign has made any significant impact on Kosovo's prospects for universal recognition, claiming that it has been recognized by 117 countries, including those which Belgrade lists as de-recognizers. To make everything more puzzling, the derecognizers states have largely stayed silent on the issue.³ Further adding to the confusion, three of them (Burundi, Comoros, and Togo) sent Belgrade diplomatic notes which are "textually identical", (Papic, 2020, p.289) in their argumentation for the derecognition of Kosovo.⁴

Academic researches on the topic of derecognition in international relations have so far been scarce and there are hardly any papers or data available on it, probably because it has so far been a rare or almost entirely unprecedented phenomenon in international practice that one country lobbies other countries to withdraw their decision to recognize a third country. This article will study the possible ef-

2 "I want to tell you clearly and precisely under full responsibility, as Minister of Foreign Affairs, that 28 UN members have withdrawn their recognition of Kosovo", said Minister of Foreign Affairs, Ivica Dačić, at the session of the UN Security Council on April 27, 2023, [online] Available at: <https://www.danas.rs/vesti/politika/sta-su-porucili-ivica-dacic-i-donika-gervala-svarc-na-sednici-sb-un/> [Accessed 2 May 2023].

3 Only one single derecognition *verbal note* out of alleged 28 has arrived in Pristina by now, stating the annulment of the decision on the recognition of Kosovo. It was from Suriname.

4 Guinea Bissau, Liberia and Sao Tome and Princes.

fects of derecognition, examining whether it affects the existence of a state and limits the applicability of rights that stem from statehood on the international scene. Also, the aim of this paper is to examine contemporary international practice when it comes to the withdrawal of recognition by one state of another state. The author will analyze if recognition and its subsequent withdrawal are in accordance with contemporary international law. The paper's research questions are: is it possible in international law to withdraw recognition once it has been declared; is this unusual diplomatic tool about upholding international law and what are national and international benefits that led to derecognizers ERS taking Serbia's side in the Kosovo-Serbia diplomatic conflict? The paper hypothesizes that the derecognition of Kosovo is not about defending the international order, but a foreign policy tool for implementing the self-interest of Serbia as the initiator of the process. To achieve the objective of this research, a qualitative approach will be employed; secondary data will be collected from referent websites, books, articles, journals, and media. The paper consists of an introduction, four chapters: the first of which is dedicated to the process of recognition of Kosovo, the second to the derecognition of Kosovo, the third to the impact of the campaign, while the fourth to the derecognition and international law, and the conclusion.

INTERNATIONAL RECOGNITION OF KOSOVO INDEPENDENCE

After Kosovo declared independence on February 17, 2008, its diplomatic forces prioritized the challenging task of lobbying for bilateral and multilateral international recognitions with the ultimate goal of reaching universal recognition and its admittance in the UN. The first to recognize independent Kosovo was Costa Rica, whose "Foreign Ministry congratulated Kosovo for 'the successful achievement' of gaining independence democratically and peacefully".⁵ After this, bilateral recognitions of the newly declared country started landing on the Kosovo government's desk from all over the world, primarily thanks to backing from Western powers.

Both the US and UK lobbied countries around the world to recognize Kosovo. With the support of these and other influential actors, Kosovo quickly received a bevy of recognitions (Democracy for Development, 2021, p.12).

5 <https://ticotimes.net/2008/02/22/costa-rica-high-fives-kosovo-on-independence> [Accessed 20 August 2022]

It was clear at the very beginning that countries found in the U.S. sphere of influence, with strong political, economic and military ties to the leading world power, have been more likely to recognize Kosovo. As a result, by the end of 2008, Kosovo received a total of 53 recognitions, among them: all Western powers allied with the U.S., 23 out of 28 EU member states⁶ and influential regional powers like Turkey, Canada, Japan and Australia. Later it would turn out that 2008 would be the most successful year when it comes to the number of recognitions of Kosovo. However, the prediction of then Prime Minister Hashim Thaçi – who said on the eve of the declaration of independence that there would be “a powerful, massive and consolidated recognition”, and that his government had confirmation that “more than 100 countries have promised to recognize our independence, once we declare it”⁷ – was not fulfilled. Recognitions in the first year of independence reached only half of the projected number. Interestingly, what lacked in 2008 and still lacks is the recognition of powerful actors in key regions of the world such as Argentina, Algeria, Brazil, India, Iran, Indonesia and Mexico. In 2009 the total number of recognitions dropped to only 11 new ones during the entire year, in 2010 the number of recognitions declined further, totaling only 8, although the ruling BY the International Court of Justice regarding Kosovo’s independence declaration represented a great opportunity for obtaining new recognitions as “it added significant credence to Kosovo’s cause,” (Democracy for Development, 2021, p.11). With the exception of Bosnia and Herzegovina and Serbia, the former Yugoslav republics all recognized Kosovo. However, EU members Cyprus, Greece, Romania, Slovakia and Spain do not. Neither do Serbian allies Russia and China, both veto-holders on the UN Security Council.

In 2011, the Government of Kosovo consolidated its recognition efforts into a single campaign, the “Strategy for the Achievement of Full International Recognition of the Republic of Kosovo,” (Newman, Visoka, 2018, p.376). Nevertheless, despite these activities, in the following years the number of new recognitions remained low. In 2011 and 2012 respectively, Kosovo received 13 recognitions. According to Kosovo’s foreign ministry, the country received 20 new recognitions from 2013 to 2022, reaching the total of 117 recognitions for its 14th birthday, which was more than half the members of the UN General Assembly.⁸

6 While the Great Britain was a member of the EU.

7 <https://balkaninsight.com/2008/02/08/kosovo-recognition-by-100-states/> [Accessed 24 August 2022]

8 <https://mfa-ks.net/lista-e-njohjeve/> [Accessed 20 August 2022]

The total number of recognitions has not changed indeed for Kosovo's 15th birthday. The last recognizer was Israel who announced its recognition of Kosovo in September 2020. Support from the U.S. and Western allies paved the way to the membership of many key international bodies, including the World Bank (WB), International Monetary Fund (IMF), the European Bank for Reconstruction and Development (EBRD), International Olympic Committee (IOC), the Union of European Football Associations (UEFA), and International Federation of Association Football (FIFA). According to a press release from the Ministry of Foreign Affairs in Pristina from November 2017, Kosovo "has established diplomatic relations with 88 countries, has joined more than 60 regional, European and international organizations, has opened almost 40 diplomatic missions and consular posts and has accredited non-resident ambassadors in about 60 countries around the world" (Democracy for Development, 2021, p.12).

However: China and Russia's opposition to Kosovo's independence has effectively deterred Kosovo from seeking a UNGA vote on UN Membership (Ibid).

One of the most significant acknowledgements of Kosovo's existence based on international law came from the international judiciary. The ICJ ruled in 2010 that "the declaration of independence of Kosovo adopted on February 17 did not violate international law," (International Court of Justice, 2010, p.403). The decision of the ICJ was a heavy blow for Serbia (Papic, 2020, p.690).

After the verdict, the UN General Assembly adopted in its sixty-fourth session in September of 2010 a resolution in which it "acknowledged the 22 July advisory opinion of the International Court of Justice on whether Kosovo's declaration of independence was in accordance with international law," transferring the mandate for future negotiations on Kosovo's status to the EU (UN General Assembly, 2010). The Assembly welcomed that the proposed dialogue between the parties would help promote cooperation, achieve progress on the path to the European Union and improve the lives of the people (Ibid).

The situation concerning the international recognition of Kosovo has changed dramatically in recent years. The country failed in 2015 and 2018 to become a member of UNESCO and Interpol, as it lacked the required two thirds-majority. On both occasions, Russia and Serbia lobbied

against Kosovo's membership.⁹ In the last four years only one recognition poured in. The recognition *verbal note* came from Israel and is a result of the U.S. lobbying. Otherwise, the recognition process has stalled. Commenting on the reasons for slowing down the process of international recognition of Kosovo and the poor impact of the 2011 strategy that has not achieved its objectives, Demjaha says that Pristina's focus of lobbying mainly to political levels and the lack of proper coordination was a major obstacle to the practical implementation of the strategy (2017, p.57): Instead of coordinating and building state culture, recognition efforts were often personalized... for internal political promotion.

To make things worse for Kosovo, a series of internal political crisis after almost every cycle of parliamentary elections after declaration of independence have had seriously damaged Kosovo's image in the world scene, and additionally disturbed its efforts to gain new recognitions. "The domestic political situation in Kosovo in recent years has done enormous damage to recognition efforts," says Ker-Lindsay, identifying the disruption in the parliament, which saw opposition parties even resort to letting off tear gas, has been particular harmful. It was a public relations disaster (2017, p.15).

Going forward, the situation regarding further recognitions is rather critical. Easy recognitions, mainly secured through intensive lobbying of key western partners are a thing of the past. For example, Great Britain, along with the U.S., played a key role in leading the international efforts to persuade countries to recognize Kosovo and secure its place in various international organizations. But, as Ker-Lindsay argues, the intensity of British pro-Kosovo lobbying activity at the international scene "has decreased in recent years," (Ibid).

As one British official noted, 'the low hanging fruit has been picked'. Those countries that were in any way inclined to recognize Kosovo did so long ago. The remaining 80 or so United Nations members that have not recognized Kosovo are, by and large, the tougher hold outs (Ibid).

"The reality of the decreasing number of potential new recognizing states and the slow progress on the Belgrade-Pristina dialogue make these lobby efforts more difficult," (Himmrich, 2017, p. 17).

9 <https://europeanwesternbalkans.com/2022/05/12/kosovos-membership-in-the-council-of-europe-and-the-come-back-of-the-washington-agreement/#:~:text=It%2C%20however%2C%20has%20not%20become%20a%20member%20of,become%20a%20member%20of%20UNESCO%20and%20Interpol%2C%20respectively> [Accessed 12 March 2023].

DERECOGNITION CAMPAIGN

Alongside Serbia's lobbying to prevent Kosovo's membership to international institutions and new individual recognitions, the young country's foreign policy since 2017 has faced an unusual challenge coming from its northern neighbor: a campaign among countries which recognized Kosovo's independence to withdraw their decisions. The campaign has enjoyed the top state priority and was decided at a meeting of the highest political and security structures in Belgrade.¹⁰ The official justification of the move is not known, but Cakolli (2020, p.21) says that by countering recognitions of Kosovo from individual states Serbia hoped to gain leverage over it in a bilateral dispute on the final settlement of Kosovo statehood:

Serbia's campaign for the international derecognition of Kosovo is in fact part of a strategy of Serbia, which in principle aims at the international delegitimization of Kosovo, making it impossible for the latter to secure the necessary votes for membership in international organizations.

Little is known about how this campaign has been run. It is to be assumed that the main implementer of the campaign is the diplomatic network of Serbia and that its Ministry of Foreign Affairs is the main coordinator. The campaign has been mainly focused on small, distant countries in Africa and Latin America and island nations in Oceania that are little known in global affairs. Little is also known about the real motives of the derecognizing countries to violate their decision to recognize Kosovo. De Olivier sheds more light on this phenomenon:

Impoverished Central American, Asian, and African states bargain with the relevant interest groups for the continued recognition or derecognition of breakaway territories they had previously recognized in exchange for humanitarian aid, technical assistance, investment, military, and security cooperation, among others (2023).

Small countries, often desperate for foreign investment and humani-

¹⁰ Commenting on the criticism of the opposition after reaching an agreement with Kosovo Prime Minister Albin Kurti in Ohrid (Macedonia), on March 18, 2023, the President of Serbia, Aleksandar Vučić, boasted a day later that Serbia collected 27 de-recognitions of Kosovo and called on the opposition to say whether it managed to achieve one-only such de-recognition. As there was no positive answer to this, Vučić stated that of course it was not, because the campaign for the de-recognition of Kosovo was launched when he came to power and that it was decided at the National Security Council of Serbia, which he otherwise presides over officially, [online] Available at: <https://www.youtube.com/live/xHB0oUMT-yI?feature=share>

tarian aid, are known to rent their ability to recognize to the highest bidder. Kosovo was never likely to be the highest bidder, (Democracy for Development, 2021, p.17).

The first recognizer to break the ice and withdraw its recognition of Kosovo in October 2017 was the Republic of Suriname, the former Dutch colony on the north-western coast of South America.¹¹ This country had recognized Kosovo as an independent country in July 2016, becoming the 112th state to do so.¹² The news of Suriname's withdrawal from the block of states which recognize Kosovo's independence was announced to the media by then (and current) Serbian Foreign Minister Ivica Dačić: "This is a historic event for us - we didn't do it with money because we don't have it, nor with pressure because we can't, but with dedication".¹³

Suriname, "through its diplomatic mission in the United Nations, sent (the verbal note) to the ministries of foreign affairs of both Serbia and Kosovo, but despite the letter in which it says so, Pristina immediately denied that Suriname withdrew its recognition," (Ibid). An adviser to the Kosovo Prime Minister even declared that "in international law, there is no derecognition or withdrawal of recognition" and that "Kosovo has excellent relations with all the countries that have recognized its independence".¹⁴ Suggesting the possible background behind Suriname's decision to cancel its recognition of Kosovo, a former diplomat of Serbia, Srećko Djukić, said that the "road from Suriname leads to Moscow".¹⁵ "Namely, when that (verbal note on de-recognition) was sent to our (UN) mission in New York, Suriname's foreign minister was visiting Moscow."¹⁶ Scholars like Ker-Lindsay highlighted the first de-recognition of Kosovo as "undoubtedly significant" as there has been "a perception that Kosovo's acceptance by the international community is a one-way street, so to speak".¹⁷ This perception has been challenged by new derecognitions that followed.

11 <https://eadaaily.com/en/news/2017/10/31/suriname-recalls-recognition-of-kosovo> [Accessed 2 April 2023]

12 <https://www.bing.com/search?q=Suriname+recognise+Kosovo&form=ANNT11&refig=5ecce0ab02d06453fb2d-d847c6e0623da> [Accessed 02 March 2023]

13 <https://www.politika.rs/sr/clanak/391726/Dacic-Surinam-povukao-prizanje-Kosova> [Accessed 2 February 2023]

14 Halil Matoshi, media adviser to PM [online] Available at: <https://www.evropaelire.org/a/surinami-njohje-terheqje/28826124.html> [Accessed 15 January 2023]

15 https://www.b92.net/eng/news/politics.php?nav_id=102703 [Accessed 20 January 2023]

16 This is just one of several indications of Russia's involvement in the derecognition campaign that the author came across during his research. Unfortunately, any delving into this topic would divert attention from the main topic as well as exceed the permitted scope and size of this paper

17 https://www.b92.net/eng/news/politics.php?nav_id=102703 [Accessed 12 April 2023]

“During 2018, recognitions of Kosovo were withdrawn by eight other countries.¹⁸ By 2019, the number of recognition withdrawn dropped to five states,¹⁹ while in 2020, Sierra Leone claimed to have rescinded the recognition of Kosovo,” (Cakolli, 2020, p.19).

Several years later, when announcing the news that Sierra Leone withdrew its recognition of Kosovo, Dačić, said in March 2020 that it was the eighteenth country in a row. The years 2021 and 2022 were also fruitful for Serbia in lobbying against Kosovo's independence as Serbian officials claimed even greater number than those reported before. The Director of the Government Office for Kosovo and Metohija, Petar Petković, said in May of 2022 that “a total of 22 countries have withdrawn their recognition of Kosovo” and announced that “this number will be increased”.²⁰ President of Serbia Aleksandar Vučić said in August 2022 that “at this moment, in my drawer and in the drawer of the Minister of Foreign Affairs, there are seven documents concerning the withdrawal of recognitions”. “We were successful,” he added.²¹ Several derecognitions were announced in press conferences where Dačić presented “the letter of withdrawal”, or a few other times during joint conferences with respective representatives of those states. Most of these letters state that the countries withdraw de-recognition of Kosovo to allow the EU-facilitated dialogue to finish and meanwhile they recognize the Resolution 1244 of United Nations (PIPS, 2019, p.10).

KOSOVO'S EFFORTS TO DEBUNK DERECOGNITION CAMPAIGN

Serbia's campaign for the international derecognition of Kosovo is in fact part of a strategy which in principle aims at making it impossible for the latter to secure the necessary votes for membership in international organizations, with a special focus on ensuring that “[...] most UN member states do not recognize Kosovo's unilateral declaration of independence”.²² Almost all information related to the withdrawal of recognition of Kosovo have been announced from Belgrade, but very rarely by the states themselves, which had withdrawn the recognition of Kosovo. These statements with a dateline from Belgrade have been repeatedly challenged by the Kosovo Ministry of Foreign Affairs,

18 Burundi, Papua New Guinea, Lesotho, Comoros, Dominica, Grenada, Solomon Islands and Madagascar.

19 Palau, Togo, Central African Republic, Ghana, and Nauru

20 <https://www.danas.rs/vesti/politika/petkovic-ukupno-22-zemlje-povukle-priznanje-kosova/> [Accessed 13 April 2023]

21 https://www.b92.net/info/vesti/index.php?yyyy=2022&mm=08&dd=27&nav_category=640&nav_id=2203158

22 <https://kossev.info/dacic-sierra-leone-18th-state-to-withdraw-kosovos-recognition-pristina-denies/> [Accessed 12 January 2023]

which responded that, except for A single *verbal note* by Suriname, it had not received any other official notification from the de-recognizers listed by Serbia.

Such a claim has not been proven even after personal conversations with representatives at various levels of these states, nor after consultation with the important partners of our country.²³

According to a list of recognitions on Kosovo's Foreign Ministry website, 117 countries have recognized its 2008 declaration of independence from Serbia.²⁴ The list includes countries that Serbia claims have since withdrawn their recognition. Although Belgrade had never explained why the derecognitions reached them first and were sent only to them instead of those to whom the *verbal notes* were addressed, it has assumed the role of the one who exclusively informs the world about new cases of derecognition of Kosovo. The states that were said to have derecognized Kosovo were staying silent despite Kosovo's claim it did not receive any communication about the revocation nor notes about their renouncement, except for Suriname.

The silence of Kosovo's international partners in the face of Serbia's aggressive campaign for the derecognition of Kosovo has also played a negative role in this regard, (Cakolli, 2020, p.21).

No country that has withdrawn recognition of Kosovo has justified that decision by questioning Kosovo's qualifications for statehood. Instead, they either argue that Kosovo's declaration of independence was illegal or they point to ongoing negotiations between Kosovo and Serbia as evidence that Kosovo's status is unresolved and that recognition is therefore premature," (Democracy for Development, 2021, p.15).

On diplomatic notes disclosed by the Serbian Ministry of Foreign Affairs, the inexistence of statehood elements in Kosovo was never presented as a reason for derecognition by third states, (de Oliveira, 2023).

At the annual press conference in January 2023, Vučić said that currently 106 countries do not recognize Kosovo's independence, that 84 recognize it, while, as he said, three countries do not know whether

23 <https://www.evropaelire.org/a/njohje-gervalla-vu%c3%a7iq-mpjd-pretendime/32211070.html> [Accessed 04 April 2023]

24 <https://mfa-ks.net/lista-e-njohjeve/> [Accessed 12 January 2023]

they recognize IT or not. He justified new and high derecognition figure by saying that nine new countries had withdrawn the recognition of Kosovo: Somalia, Burkina Faso, Gabon, Eswatini, Libya, Guinea, Antigua and Barbuda, Saint Lucia and the Maldives, and that “we are waiting for the tenth”.²⁵ One day after, Pristina refuted Vučić’s statement:

The Ministry of Foreign Affairs and Diaspora of the Republic of Kosovo announces that there is NO announcement in the Ministry of Foreign Affairs and the missions of the Republic of Kosovo, regarding yesterday’s claims by the Serbian president that some countries have withdrawn their recognition.²⁶

The ministry’s press release called for Serbia to urgently give up “aggressive attacks on Kosovo and its sovereignty and return to the negotiation table centered on mutual recognition” (Ibid). Meanwhile, Kosovo diplomatic missions launched a debunking offensive against Serbia’s latest claims about new de-recognitions of Kosovo’s independence. Six days after Vučić’s statement, on January 10, 2023 Kosovo’s ambassador to Turkey, Agon Vrenezi, met with his Somali counterpart, Jama Abdullahi Mohamed, discussing the possibilities of cooperation between the countries.²⁷ On January 11, 2023 the ambassador of Kosovo in Brussels, Agron Bajrami, announced the meeting with the ambassador of Libya in Belgium, Amel Jerary. He wrote on Twitter that he and Jerary “agreed to deepen Kosovo-Libya relations”.²⁸ On the same day, the ambassador of Kosovo in Canada, Adriatik Kryeziu, published on Twitter the news that he met representative of the Gabonese Embassy in Canada, Engone Rosine Epouse Oliveira and discussed “current bilateral and future cooperation” with his counterpart.²⁹ Meanwhile, the head of the Consulate General of Kosovo in the United States, Blerim Reka, met with the permanent representative of Maldives in the UN Thimeeza Hussain on January 12, 2023 and they reconfirmed their “excellent bilateral relations”. Kosovo’s ambassador to the United Kingdom, Ilir Kapiti, visited Eswatini’s embassy in London on January 12, 2023. “We welcome the strengthening of relations between Kosovo and Eswatin, exploring economic opportunities”, Kapiti wrote after

25 <https://www.danas.rs/vesti/politika/vucic-otkrio-imena-zemalja-koje-su-povukle-priznanje-kosova/> [Accessed 28 February 2023]

26 <https://top-channel.tv/2023/01/05/ministria-e-jashtme-e-kosoves-mohon-pretendimet-e-vucicit-per-terheqje-te-njohjeve-ndaj-kosoves/> [Accessed 12 April 2023]

27 <https://twitter.com/IlirKapiti/status/1613530301795373056> [Accessed 12 April 2023]

28 <https://twitter.com/AgronBajrami/status/1613153470915268609> [Accessed 13 April 2023]

29 https://twitter.com/Adriatik_K/status/1613254147721109505 [Accessed 12 April 2023]

meeting with the high commissioner of this country in London, Thandazile P. Mbuyisa.³⁰

Some of the withdrawals of recognitions were considered highly dubious. Guinea-Bissau withdrew its recognition in November 2017, according to Belgrade, but in 2018 “the Embassy of Guinea-Bissau in Brussels transmitted to the Ministry of Foreign Affairs the *note verbale* reconfirming that Guinea-Bissau’s recognition of Kosovo’s independence in 2011 is sustainable,” said then Foreign Minister of Kosovo, Behgjet Pacolli.³¹ There were also cases where the alleged withdrawal of recognition has been denied by some of the states themselves. Liberia revoked its recognition of Kosovo in June 2018, following a meeting between Liberian Foreign Minister Gbehzohngar Milton Findley and Dačić. A note from the Ministry of Foreign Affairs of Liberia was published which stated in part that it “annuls its letter of recognition of Kosovo”. But just a few days later the government of Liberia issued a statement “reaffirming” bilateral relations with Kosovo.³² Furthermore, Liberia’s MFA posted a notice on its website saying that it refutes reports on its revocation of diplomatic relations with the Republic of Kosovo.”³³

Liberia was one of the first countries to recognize Kosovo’s sovereignty on May 30, 2008 following its declaration of independence, and remains committed to the Joint Communiqué on the Establishment of Diplomatic Relations. The two countries continue to enjoy mutual confidence and friendship.³⁴

The most conflicting derecognition was that of Sao Tome and Principe. Although the Council of Ministers of this country in 2012 had adopted a resolution for the recognition of Kosovo, the decision was considered invalid by the President of this country, Manuel Pinto da Costa, in early 2013, who said that his country had never officially recognized Kosovo and the decision has also not been ratified by parliament,³⁵ thus casting doubt on whether there had ever been official recogni-

30 <https://balkaninsight.com/2023/01/13/kosovo-debunks-serbian-claims-about-derecognitions/> [Accessed 18 April 2023]

31 <https://twitter.com/pacollibehgjet/status/959439612526575616> [Accessed 20 April 2023]

32 <https://frontpageafricaonline.com/politics/diplomatic-snafu-liberia-in-row-with-kosovo-after-recognition-of-serbia/> [Accessed 18 April 2023]

33 https://www.mofa.gov.lr/public2/2press.php?news_id=3108#:~:text=Liberia%20Reaffirms%20Bilateral%20Ties%20with%20Kosovo%20Flag%20of,of%20diplomatic%20relations%20with%20the%20Republic%20of%20Kosovo. [Accessed 11 March 2023]

34 https://www.mofa.gov.lr/public2/2press.php?news_id=3108&related=7&pg=sp [Accessed 12 March 2023]

35 <https://balkaninsight.com/2013/01/10/kosovo-s-number-of-recognitions-questioned/> [Accessed 02 April 2023]

tion by this country or not. However, former Kosovo Foreign Minister, Enver Hoxhaj, insisted the recognition remains valid: The *verbal note* received by Sao Tome and Principe on Kosovo's recognition proves the country has been recognized as an independent state," (Ibid).

There were also conflicting reports on whether Oman had recognized, or derecognized Kosovo. In a press release issued on 20 September 2011, the Government of Kosovo said that "following successful meetings in New York, the Prime Minister of the Republic of Kosovo, Hashim Thaçi and the Minister of Foreign Affairs, Enver Hoxhaj received confirmation from the Minister of Foreign Affairs of the Sultanate of Oman, Yusuf bin Alawi bin Abdullah of full recognition of the independence of Kosovo."³⁶ But, than Serbia's Foreign Minister Vuk Jeremić claimed that a note from Oman said that this country "never recognized Kosovo".³⁷

DERECOGNITION CAMPAIGN AND KOSOVO'S INTERNATIONAL STATUS

The negative impact of derecognition on newly declared states is huge, especially in political and diplomatic terms as this process not only hinders universal international recognition of these states but also deepens their isolation on the international scene. If Belgrade's claims about 28 countries withdrawing their decision to recognize Kosovo are true, then the Serbian campaign could be characterized as a useful tool that serves Belgrade's major goal of putting a stop to Kosovo's admission in the UN by reducing "the number of Kosovo recognitions to 96 or less than half the number of UN member states," (de Oliveira, 2023).

By reducing Kosovo's recognition total, Serbia impedes Kosovo's ability to join multilateral organizations (most of which require two-thirds a majority for membership) and benefit from the increased interaction and diplomacy that those memberships provide, (Democracy for Development, 2021, p.16).

Cakolli supports the claim, adding that the Serbian campaign "impacts the political process of consolidation of Kosovo's statehood, especially in terms of membership in international organizations," (2020, p.24).

36 <https://kryeministri.rks-gov.net/en/blog/the-sultanate-of-oman-fully-recognizes-the-independent-state-of-kosovo/> [Accessed 03 February 2023]

37 <https://www.eurasiareview.com/11092011-serbia-claims-countries-cancelling-kosovo-recognition/> [Accessed 30 January 2023]

However, Kosovo claims that it is recognized by more than a half of members of the UN and the derecognition campaign orchestrated by Serbia has not in any existential way lessened its existence or diminished its statehood. From the very beginning of its independent path launched on February 17, 2008 and regardless of the number of recognitions landing sporadically in Pristina lately, Kosovo has been assuming the status of state under international law. Observers in Pristina share this approach, claiming that the status of Kosovo as a newly declared country at the world scene has also remained unaffected by the campaign carried out by Serbia. They also argue that Kosovo's case has proved that several individual acts of derecognition do not seem to affect its rights at the international level by limiting or denying its existence. As for the research conducted by the author for this paper, he could not identify one single case of the derecognition campaign affecting the right Kosovo enjoys or had before the campaign at the international level. The country continues to be backed mainly by the West and ignored mainly by the East. Theoretically, it is possible to assume that the first harmful consequence of the act of derecognition results in the denial of rights for the targeted state by the derecognizing state. If so, has Kosovo been limited in its rights in the domestic realm of allegedly 27 or so derecognizing states? It is difficult to respond authoritatively to this question as none of the rights Kosovo could have enjoyed in the domestic legal order of derecognizing states were used before derecognition. These are distant countries on the periphery of other continents. They and Kosovo have not undertaken any essential moves to further establish and develop bilateral cooperation between them after recognizing Kosovo, starting with establishing diplomatic relations or opening embassies. We also cannot talk about any deterioration of the relations between them and Kosovo after the derecognitions were made. However, perhaps Serbia itself stands to profit domestically from the derecognition campaign. Conley and Saric argue that "Serbia carried out a derecognition campaign against Kosovo to gain leverage over Kosovo in negotiations," (2021, p.3). Along with the political and psychological pressure on Pristina, the campaign aims at strengthening its leverage to hinder the process of Kosovo's membership in international organizations.

"Serbia's derecognition campaign, developed in response to Kosovo's recognition efforts, has proven effective, (Democracy for Development, 2021, p.16).

If it is true that 28 states withdrew their recognition of Kosovo, Serbia would be able also to turn the derecognizing countries against Kosovo's membership in international organizations. From this perspective, there is no dilemma that the derecognition campaign affected Kosovo's ability to join multilateral bodies and will exercise a huge impact should a vote on UN membership occur. Potentially, this can represent a huge setback for the young country and its dream for universal international recognition. One of the negative outcomes of the campaign to persuade recognizers to withdraw the recognition of Kosovo's independence consists of the tightening of relations between Pristina and Belgrade, which occurred especially on the economic front. In November 2018, in response to Serbia's lobbying against Kosovo's admission in Interpol:

Kosovo has slapped 100% customs tariffs on Serbian imports, blaming the government in Belgrade for its latest failed bid to join international police organization Interpol.³⁸

This escalation damaged Serbia economically and Kosovo diplomatically as it has weakened support for Kosovo amongst its western allies. It proves that the act of derecognition in the first place significantly affects bilateral diplomatic relations between those who lobby for derecognition and the derecognized state more than it worsens the status of the derecognized state on the international scene.

KOSOVO DERECOGNITION CAMPAIGN AND INTERNATIONAL LAW

Despite the signs of growing interest from scholars for the derecognition phenomenon after Serbia launched it in 2017, the topic still remains under-explored subject in the international law and international relations theory. The first papers on this topic those begin pouring in share the finding that derecognition, in particular an arbitrary one, as Visoka claims, is not regulated legally and still is out of the system of international law as an unusual development in state practice:

It seems that arbitrary derecognition by states will continue to remain a black hole in international law, and an unpredictable, destabilizing foreign policy instrument, (2020, p.330).

Cakolli (2020, p.10) adds that as such derecognitions are "entirely

38 <https://www.bbc.com/news/world-europe-46287975> [Accessed 18 April 2023]

discretionary upon states, based in their interests”: Consequently, in the absence of a prohibitive or restrictive provision on derecognition, the international practice of states will continue to face actions of this nature.

Visoka, Doyle and Newman, list alongside Kosovo as the most characteristic examples of derecognition the cases of: Palestine, Taiwan, Western Sahara, South Sudan, Somaliland, Abkhazia, South Ossetia, Transdnistria and Northern Cyprus (2020, p.344-473). The authors’ experience while working on this paper shows that the phenomenon of derecognition cannot be examined successfully if it does not begin from existing international legal provisions for state recognitions as the ground work for analyzing derecognitions. Derecognition of someone can be declared by another one only if we have had a prior recognition of the first one by latter one. This takes us to the Montevideo Convention on Rights and Duties of States that could be considered the foundational basis for legal international recognition.³⁹ Ninety years after its adoption, this convention is without a doubt the most influential and widely-cited international document when it comes to the recognition of new states, while its four criteria for recognition (population, territory, government, and the capacity to engage in international relations) represent universal conditions for recognition under international law. According to the Convention, the act of recognition is a result of the free will of each state as international law has not foreseen duty to recognize new states, but that each state freely decides upon it. Moreover, the Convention stipulates in Article 6 that recognition: acknowledges the identity of the other and cannot be reversed.⁴⁰

The recognition of a state merely signifies that the state which recognizes it accepts the personality of the other with all the rights and duties determined by international law. Recognition is unconditional and irrevocable, (Ibid).

A strict interpretation of the Montevideo criteria unavoidably leads to the conclusion that by stating that recognitions were irrevocable under international law, the Convention, in its Article 6, provides for final character to the decision for recognition. Also, The Convention does

39 Montevideo Convention on the Rights and Duties of States is adopted in 1933 in Montevideo, Uruguay. [online] Available at: <https://www.ilsa.org/Jessup/Jessup15/Montevideo%20Convention.pdf> [Accessed 11 April 2023] and also at https://h2o.law.harvard.edu/text_blocks/28904 [Accessed at: 11 April 2023]

40 Ibid

not even introduce the possibility of derecognition. At the same time, it does not ban this instrument in a direct and active way, providing only for its passive use: if someone has the (active) right to recognize new states, it also should enjoy the (passive) right for derecognition, applying the same criteria as for recognition but in the reverse direction. It means that derecognition can be declared in exceptional cases when one or more of the four Montevideo conditions for recognition of statehood itself ceases to exist or disappear, ending with erasure of a country from the world political map. Like in the Montevideo Convention, derecognition is not provided for in an active way also in any other generally accepted and binding international document. However, Papić (2020, p.722) claims that here are strong reasons for the claim that recognitions may be revoked beyond the stringent rules for derecognition offered in the doctrine, which are embodied in situations where the criteria of statehood ceases to exist: First, the lack of international law rules prohibiting derecognition seriously undermines the argument on the irrevocability of recognition. The lack of such rules suggests that states are free to derecognize because they were free to recognize in the first place (Ibid).

Mutually opposite and sketchy interpretations about the (i)legality and (i)llegitimacy of derecognition only show how unexplored this topic is and how little coverage it has by international law. Before Serbia launched its campaign for Kosovo's derecognition, cases of withdrawal of recognition were so infrequent and states so rarely resorted to derecognition that this phenomenon did not attract the attention of academic circles at all, nor was this issue researched thoroughly and continuously by scholars. In this regard, the topic that has provoked immense interest and debate in the doctrine of international law was the recognition of states, while derecognition has never been researched systematically because this phenomenon has been very uncommon in state practice. Derecognitions of statehood are "by any account an exceptional phenomenon in international practice", says Papić (2020, pp.683-684), adding that "the literature on de-recognition, i.e. the withdrawal of recognition once given, is measured not in books, but in paragraphs". The Serbian derecognition campaign against Kosovo has started to draw attention to this topic, focusing on the two nations (the derecognizing and the derecognized country) which are actors in an exceptional process in state practice and international relations. Derecognition in this way begins to question the domination of doctrinal opinions on irrevocability of recognition that

was built up upon the normative framework and the criteria for statehood from the Montevideo Convention as a pillar in this regard. The dominant doctrinal position of international law scholarship has been that, once freely given, recognition of emerging states is not revocable and cannot be taken back. This claim - without state practice to the contrary - has survived until the present day. Before Belgrade pressed the Kosovo derecognition campaign button, the international doctrine has even denied the possibility of derecognition, “save in exceptional cases when statehood itself would objectively cease to exist”, (Pacic, 2020, p.711). So, the predominant view on the doctrine remains to this day, that without the factual disappearance of statehood criteria regarding a previously recognized state, recognition, once given, is irrevocable”, (Ibid,p.712).

Very rare cases of derecognition have not supported the “legalization” of this phenomenon by international law. They also prevented the development and adoption of specific derecognizing rules that would be applied once it needs to happen in the practice. In the absence of convincing derecognition practice and rules, it has been only logical that those who wanted to withdraw their recognition of other countries are to apply the Montevideo criteria, but in the opposite direction. According to this interpretations, states that do recognition by the Montevideo criteria will consider derecognition only if one or more of these four criteria cease to exist. Can this interpretation be in favor of Serbia and its campaign against Kosovo? It is difficult to make a positive reply to this question since Kosovo does not lack any single state attribute out of four set as the recognition conditions by the Montevideo criteria. It means that if the derecognition countries in the Kosovo case would have acted accordingly and strictly by the Montevideo book, they would not have any cardinal reason to revoke the recognition of Kosovo.

We have no reliable information about how Serbia has conducted its derecognition campaign against Kosovo behind the closed doors. However, it is obvious that Belgrade has judged that the Montevideo recognition criteria were not in favor of the anti-Kosovo independence campaign. Until now, at least not publicly, Serbian officials have not once referred to the criteria from Montevideo during their campaign, but have rather used other justifications in lobbying for the derecognition of the Kosovo statehood. So, what is Serbia’s argument to conduct the campaign? Not finding support in the Montevideo criteria for carrying

out a derecognition campaign against Kosovo, i.e. correctly concluding that this criterion does not apply to the Kosovo case, Serbia has been trying to introduce another justification for derecognition: the damage caused by the secession of a recognized state to the injured state that initiated the world-wide initiative for derecognition.⁴¹ Serbia has tried to promote a new concept and new and exclusive justification for derecognition that has nothing to do with Montevideo. This concept claims that those who are damaged by someone else's declaration of independence like Serbia, which is damaged territorially by the secession of Kosovo from it - regardless of whether they themselves do not recognize the independence of emerging countries and regardless of the justification of recognized countries to break away also due to "the damage" they suffer in community - have the right not only to lobby internationally against recognition but also for the cancellation of this recognition by other states.⁴² Considering that derecognition campaign against Kosovo challenges the long-standing doctrinal claim that, once given, recognitions of statehood are irrevocable, Papic (2020, p.728) provides for theoretical backup for the new doctrine: I submit that the substantial number of de-recognitions of Kosovo put this claim into question and warrant its reexamination.

But there are also opposing observations on derecognition, contributing to the controversy of this topic. Hrnjaz argues that withdrawal of recognition is a disputable concept and "if the recognition is '*de jure*' it is irreversible; only '*de facto*' recognition is reversible".⁴³

41 Serbia still considers Kosovo as the cradle of its statehood. Kosovo is still defined in the Serbian constitution as a south province of Serbia.

42 It should be mentioned here that international law prohibits statehood recognition of entities that were born out of a violation of the rule against the use of force, which is a *jus cogens* rule. Kosovo, on the other hand, declared its independence from Serbia and did not do so by use of force.

43 <https://kallxo.com/gjate/analize/cnjohja-e-kosoves-a-e-ekziston-dicka-e-tille/> [Accessed 28 April 2023].

CONCLUSION

KOSOVO: LESS COUNTRY WHEN RECOGNISED THAN WHEN DERECOGNOSED

“Serbia, hoping to evade the question of Kosovo’s legitimacy as an independent state, finds it much easier to persuade other states to derecognize Kosovo than to litigate whether Kosovo merits statehood,” (Democracy for Development, 2021, p.15).

Statehood capacity is not a decisive factor in the campaign against Kosovo’s independence advocated by Serbia and backed up by those who derecognized this country. Derecognitions of Kosovo were not provoked by a change of the factual Montevideo circumstances pertaining to the statehood. They also do not match to the Montevideo Convention’s passive (and the only existing internationally legal) doctrinal framework that makes derecognition possible due to a state ceasing to fulfill one or all statehood criteria set in Montevideo. On the contrary, Kosovo has enjoyed a stronger statehood under international law during the derecognition campaign than earlier when the recognitions were granted to the newly declared. At the onset of independence, its sovereignty was internationally monitored and the young country was even partially ruled by an international steering group. This group enjoyed a capacity to even overrule acts passed by Pristina.⁴⁴ It all means that Kosovo met the Montevideo statehood criteria to a greater extent and “was more of a country” at the time of the derecognitions than when the recognitions were initially declared. That could explain why derecognitions have not harmed, let alone erased, Kosovo’s legal existence, doing it only directly in relation to the derecognizing states.

MISING MOTIVES OF THE DERECOGNISERS

The countries that withdrew the recognition mostly did not announce their decision but left it to Belgrade. They did not contact Kosovo in advance, nor did they take a single step towards the state that they were recognized until then in order to clarify possible objections to its account that could lead to derecognition. There is no information about what Serbia’s arguments were to manage to convince small, far-reaching, lesser known, and mostly underdeveloped countries on the other

⁴⁴ Kosovo had been overseen by a group made up of 23 EU countries, the US and Turkey since 2008, when it unilaterally declared independence from Serbia. Western powers overseeing Kosovo have announced in September 2012 the end of their supervision of the tiny Balkan nation: <https://www.bbc.com/news/world-europe-19550809> [Accessed 30 April 2023].

side of the globe to walk back on their previous decision to recognize Kosovo and side with Serbia in one of the most sensitive political conflicts in Europe that just recently was on brink of a major conflict. This conflict concerns Europe, in particular after the full-scale Russian invasion of Ukraine, but does not touch upon them much. It is not clear what the national and international interest were that derecognizing countries were defending by taking sides in the Kosovo-Serbia diplomatic conflict and becoming a tool for preventing the creation of a majority in the UN that supports Kosovo's independence.

It is a generally accepted opinion that the derecognizing countries recognized Kosovo in the beginning not because of successful lobbying from Kosovo or because of a thorough understanding of its need for the statehood, but because Western powers, led by the U.S., lobbied them to do so. What could have been the motive for these countries to take an unpopular step that puts them at odds with Western powers, from whom they can expect much more backing than what Serbia can do for them? Diplomatically, it would be distasteful to claim that the derecognizing states, realized in hindsight that they had made a mistake recognizing Kosovo and, guided by the principle of justice in international relations, decided to quit the recognition of this country. It is also difficult to claim that by withdrawing their recognition of Kosovo the derecognizers opted for the side that is generally right in the dispute, because they were among the first to recognize Kosovo's independence.⁴⁵ This much ambiguity opens the door for scholars to suspect the existence of a tradeoff to Kosovo's derecognition. According to Visoka, different incentives from chequebook diplomacy to domestic and geopolitical interests "play a far more significant role in shaping the prospects for recognition or/and de-recognition than is often assumed," (2021, p.326).

LEGALIZATION OF DERECOGNITION INTRODUCES CHAOS IN INTERNATIONAL RELATIONS

The international law does not possess specific regulations for the process of state-recognition, nor withdrawal of recognition for that matter, (PIPS, 2019, p.5).

Remaining only at the discretion of states, derecognition is one of the

⁴⁵ On 18 February 2008 the National Assembly of the Republic of Serbia declared Kosovo's declaration of independence as null and void per the suggestion of the Government of the Republic of Serbia: <https://www.cbc.ca/news/world/serbia-declares-any-unilateral-kosovo-independence-bid-invalid-1.772561>

most controversial matters in modern international relations. In the Kosovo case it has not served any examination of whether the young country fulfils the core criteria of statehood. Also, being contradictory to the ruling of the ICJ of July 2010,⁴⁶ derecognitions of Kosovo are not about upholding international law as the court ruled that the independence declaration of Kosovo was not against the international law. The derecognition in the Kosovo case was used as a diplomatic tool for implementing the self-interests of the initiator of the process (Serbia) and the derecognizers. We know what Belgrade's IS goal in the derecognition campaign, but we do not know what were the interests of the derecognizers. In a world increasingly relying on peaceful co-existence and cooperation between nations, recognition of statehood matters immensely, determining who deserves international recognition and the benefits FROM it. Derecognition, on the other hand, produces a mess, starting first with recognition, continuing then with derecognition and returning in a position from which recognition can be executed again. Imagine what the world would look like if the 193 Member States of the UN start withdrawing their recognitions of other states with or without any justification based on international law? The legalization of the phenomenon in international law, according to which one country has the discretionary right, in the absence of specific and strict regulation, to withdraw the recognition of another whenever it considers that the targeted country does not deserve it, would introduce a lot of uncertainty and would increase the permanent presence of chaos in international relations. Why? Because any intention to legalize the phenomenon of withdrawing of recognition in international law would rule out the finality of recognition and will promote an infinite right to temporarily recognize and derecognise. Not to mention the real possibility of trading with derecognition. Chequebook diplomacy and rental recognition are not sustainable practices, as they turn international recognition into a tradable diplomatic commodity," (Visoka, 2021, p.329).

States as the main subject of international relations have used derecognition to a limited or nonexistent level because they have much more effective and legally elaborate means to show dissatisfaction with states with which they are in diplomatic conflict. The dilemma is how to demonstrate that dissatisfaction if the state who should receive that message is derecognized, that it does not exist? Imagine what would happen if international law institutionalizes derecogni-

46 <https://icj-cij.org/case/141/advisory-opinions> [Accessed 09 January 2023].

tion as an acceptable tool for punishing states that are not or do not behave to someone's liking, despite meeting the Montevideo criteria? With the decision to withdraw Russia's recognition, would the West successfully manage to cause some effect on the aggressor in the direction of giving up their territorial pretensions over Ukraine? Will it be in the position to negotiate peace more easily with a Russia that is derecognized or a Russia which is still recognized? That is why the author argues that Serbia's derecognition campaign against Kosovo does not represent a suitable and a long-term means for dispute solution or crisis management.

DERECOGNITION WORSENS THE IMAGE OF DERECOGNIZERS

In an analysis like this, it is impossible not to examine the role of the derecognizing states, as they are subjects of legally and politically unusual manifestation of will in international relations. The entire phenomenology of this process in the Kosovo case speaks a lot about their seriousness to be a worthy member of the international community, first by making fundamental decisions with international implications and then withdrawing them without any weighty justification.

Derecognition comes with a price, damaging the reneging country's credibility and potentially jeopardizing beneficial relations with those countries that support Kosovo, (Democracy for Development, 2021, p.17).

From the very beginning of the Kosovo derecognition campaign, it was strange and uncustomary that the states that withdrew the recognition, except in one case, were informing only Serbia, but not Kosovo, who is the addressee and subject of the decision to cancel the recognition. Was it a matter of the de-recognizers' great trust in Serbia that they would not manipulate their derecognition and use it for daily political purposes? Whatever reply, 'to recognize and then not to recognize' tool, blames the de-recognizers in the first place. They cannot turn the clock back and unmake a state, if it exists and the domestic reality remains factually unchanged. Derecognition can have a spill-over effect which not only undermines efforts to normalize relations between the parties in conflict but also triggers regional tensions, (Visoka, 2021, p.328).

Serbia's campaign to have countries withdraw their recognition of

Kosovo has increased tensions between Belgrade and Pristina, aggravating relations between the two countries. It has provoked the Kosovo government into responding to the campaign with tariffs on the import of Serbian goods. This tit-for-tat series of moves that has endangered the success of the EU-backed dialogue on the normalization of relations between the parties. Kosovo had consistently threatened to withdraw from the dialogue process if Serbia continued its anti-recognition campaign. Fortunately, the huge increase in tensions that the arbitrary derecognition campaign produced did not result in an open conflict between Kosovo and Serbia, but it showed that unjustified and unprincipled de-recognitions represent a destabilizing diplomatic tool that does not encourage peace. The two Balkan neighbors have no perspective in their constant gloating and effort to present themselves to the international public as the only side that is right. Neither can Serbia stop the process of further international recognition of Kosovo, nor can Kosovo convince Serbia to recognize the independence of the territory it still considers its southern province. That is why neither side should try to prove that it is only right in relation or comparison to the other side.

DERECOGNITION: BETWEEN CONSTITUTIVE PRACTICE AND POLITICAL CALCULATIONS

The success of the derecognition campaign, indicate that constitutive practices like derecognition and checkbook diplomacy will continue to shift the motivations that determine recognition away from the Montevideo Convention's criteria and towards political capital, (Democracy for Development, 2021, p.20).

The derecognition of Kosovo has been employed by Serbia as a tool of foreign policy and aims at preventing the creation of a majority in the UN that supports Kosovo's independence, but should not be viewed as a defense of the international order. The stakes in the Kosovo derecognition campaign have been high, not only for the targeted party but for all other young and small states with modest diplomatic capabilities and not entirely friendly or well-meaning neighbors. For now, it is difficult to predict what impact the campaign for the derecognition of Kosovo will have on international practice and how much it will serve as a model for those who would like to erase the existence of a state. As of now and if the practice of derecognition according to the voluntarist Kosovo model continues or expands by becoming so far the strongest contest of the Montevideo doctrine and practice on

recognition, it could be projected that they would produce significant consequences on a global scale by affecting harmony in international relations, moving away from the Montevideo Convention's criteria on the recognition (and derecognition) of states, to the field of political calculations and detrimental machinations.

REFERENCES

- Armakolas, I., Ker-Lindsay, J., 2017. *Lack of Engagement: Surveying the Spectrum of EU Member State Policies Towards Kosovo*. KFOS: Pristina, pp. 10-11.
- Cakolli, E., 2020. *Kosovo: Between Universal non-Recognition and 'De-recognitions'*, Kosovo Democratic Institute (KDI): Pristina.
- Conley, A.H., Saric, D., 2021. *The Serbia-Kosovo Normalization Process A Temporary U.S. Decoupling*, Center for Strategic and International Studies (CSIS), [online]. Available at: <https://www.jstor.org/stable/resrep32258>, [Accessed: 25 April 2023].
- Demjaha, A., 2017. *Kosovar Diplomacy after Independence*. In: Ker-Lindsay, J., Armakolas, I. (eds) *Lack Lack of Engagement*. KFOS, Pristina, pp. 55-59.
- de Oliveira, V.S.M., 2023. *Statehood for Sale: Derecognition, "Rental Recognition", and the Open Flanks of International Law*. Jus Cogens, [online]. Available at: <https://link.springer.com/article/10.1007/s42439-023-00075-y#data-availability> [Accessed on 25 April 2023].
- Democracy for Development, 2021. *Successful Stalemate: How Serbia's Derecognition Campaign Stymied Kosovo's March Toward Universal Recognition*, D4D Pristina.
- Government of Serbia, 2017. *Principled Decision of Suriname to Withdraw Recognition of Independence of Kosovo*, Belgrade.
- Himmrich, J., 2017. *Surveying the Spectrum of EU Member State Policies Towards Kosovo: Germany*. In: Ker-Lindsay, J. and Armakolas, I. (eds) *Lack of Engagement*. KFOS: Pristina, pp. 17-20.
- International Court of Justice, 2010. *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo*, [online]. Available at: <https://www.icj-cij.org/en/case/141> [Accessed 21 May 2021].
- Ker-Lindsay, J., 2017. *Surveying the Spectrum of EU Member State Policies Towards Kosovo: The United Kingdom*. In: Ker-Lindsay, J. and Armakolas, I. (eds) *Lack of Engagement*. KFOS: Pristina, pp. 13-16.
- Kos-Stanišić, L., Luša, Đ., 2018. *Position of Latin America Towards Kosovo* in: Proroković, D. (ed.) *Kosovo: Sui generis or Precedent in International Relations*. Belgrade: Institute for International Politics and Economics, pp. 239-260.
- Newman, E., Visoka, G., 2018. *The Foreign Policy of State Recognition: Kosovo's Diplomatic Strategy to Join International Society*, Foreign Policy Analysis, 2018, 14, pp. 367-387.
- Papic, T., 2020. *De-recognition of States: The Case of Kosovo*. Cornell International Law Journal, Vol. 53, 683-728, [online]. Available at: <https://ssrn.com/abstract=3686593> or <http://dx.doi.org/10.2139/ssrn.3686593>

- PIPS, 2019. *Kosovo's Recognition in Face of Serbia's Sponsored De-recognition Campaign: A Summary Report*. Pristina Institute for Political Studies (PIPS).
- Starski, P., 2016. *Silence within the Process of Normative Change and Evolution of the Prohibition on the Use of Force – Normative Volatility and Legislative Responsibility*, Max Planck Institute for Comparative Public Law & International Law (MPIL) Research Paper No. 2016-20, Available at: <https://ssrn.com/abstract=2851809>.
- Tubilewicz, C., 2004. *Taiwan's "Macedonian Project"*, 1999-2001, *The China Quarterly* No. 179, pp. 782-803, Cambridge University Press.
- UN General Assembly, 2010, *Adopting Consensus Resolution, General Assembly Acknowledges World Court Opinion on Kosovo, Welcomes European Union Readiness to Facilitate Process of Dialogue*, [online]. Available at: <https://www.un.org/press/en/2010/ga10980.doc.htm> [Accessed 28 August 2021].
- Visoka, G., Doyle, G., Newman, E., 2020. *Routledge Handbook of State Recognition*, Routledge, Oxon.
- Visoka, G., 2021. *The Derecognition of States*. In: Visoka, G., Doyle, J., Newman, E., (eds.), *Routledge Handbook of State Recognition*. New York: Routledge.

The Rainbow Beyond the Soul: The Individuality within the World of Diplomacy

Natalija Shikova¹

DOI: <https://doi.org/10.60073/euper.2023.4.06>

ABSTRACT

This is an analysis of a Milan Jazbec's novel "The Rainbow beyond the Soul". Though presented as a book about diplomacy, it goes beyond, since it explicates a main protagonist's introspective journey. It is organized around three pillars that hold the book's narrative. The first illustrates the character of the main protagonist – the ambassador, in correlation with the main features and aspects of the diplomatic profession. The second explains the international setting – the place where the plot is occurring, presenting as a highly dynamic arena of international organizations and international relations. The last part deals with the essence of the plot, the introspection and intimate journey of a professional faced with the possibility to reach the pick of his literary pursuits. An ambassador and a writer, a potential and ultimately Nobel laureate, are some of the concepts around which different layers of diplomacy, protocol, intimacy, introspection, and acceptance in the form of ultimate satisfaction are placed. Each of them can be traversed independently, yet they converge harmoniously to create a beautiful narrative – a monument of the author's endeavour to balance professional life with the multifaceted aspects of a human personality.

KEYWORDS: novel, ambassador, diplomacy, international organizations, introspection

POVZETEK

Članek predstavlja analizo romana Milana Jazbeca "Mavrica izza duše". Čeprav predstavljen kot knjiga o diplomaciji, gre dlje, saj pojasnjuje introspektivno potovanje glavnega protagonista. Analiza je urejena okoli treh stebrov, ki tvorijo pripoved knjige. Prvi ponazarja lik glavnega protagonista – veleposlanika, v korelaciji z glavnimi značilnostmi in vidiki diplomatskega poklica. Drugi pojasnjuje mednarodno okolje – kraj dogajanja, ki se predstavlja kot zelo dinamično prizorišče mednarodnih organizacij in mednarodnih odnosov. Zadnji obravnava bistvo romanesknega zapleta, introspekcijo ter intimno potovanje profesionalca, ki se sooča z možnostjo velikih dosežkov. Veleposlanik in pisatelj, potencialni in navsezadnje Nobelov nagrajenec so nekateri od pojmov, okoli katerih se umeščajo različne plasti diplomacije, protokola, intime, introspekcije in sprejemanja v obliki ultimativnega zadovoljstva. Vsako od plasti je mogoče prehoditi neodvisno, vendar se harmonično združujejo v čudovito pripoved – spomenik avtorjevega prizadevanja za uravnoteženje poklicnega življenja z večplastnimi vidiki človeške osebnosti.

KLJUČNE BESEDE: roman, veleposlanik, diplomacija, mednarodne organizacije, introspekcija

¹ ABOUT THE AUTHOR: Dr. Natalija Shikova, Associate Professor at the Faculty of Law, International Balkan University, Skopje, The Republic of North Macedonia, n.shikova@ibu.edu.mk; natalijashikova5@gmail.com

INTRODUCTION

ABOUT THE NOVEL

The novel “The Rainbow beyond the Soul” is an author’s literate work, distinct from its professional writings related to the diplomacy, although the diplomacy is still one of the central subjects within. Placed in the diplomatic and international setting, the novel speaks about the inner world of the main protagonist who is an ambassador, a writer, and a potential Nobel laureate. The novel introduces the ambassador’s deepest personality, his hopes, dreams and expectations, as in his late professional career he faced the possibly to win the highest literate prize.

In a frontline observation, the novel can be read as an explication of the lives of diplomats, their elevated social status and the unique work environment. The diplomatic job is described as respectful one, but in the same time dutiful and demanding, as the person performing it is under constant pressure to adapt and adjust him to a foreign setting and environment defined by the rigorous diplomatic protocol. To sustain that, except the knowledge, the person needs to have various skills, high level of culture, as well as ability to press down his deepest emotions and fully serve to the diplomatic purpose. In its profound leers, and in its essence, the novel action it is a deep emotional ride through protagonists’ live, his childhood, youth years, seniority. In that complexity, the novel on a sophisticated and unpretentious way, presents the dynamic interplay between personal engagements and satisfactions, as well as the need for self-understanding and inner liberation. The plot of the novel is not presented in a linear storytelling. However, the style of the novel is unique and sophisticated, moving beyond traditional literary forms. That is perhaps necessary because its intention is to present the rainbow of emotions that a human soul comprises.

From that point, the novel can be read as travel diary and a personal mind game, through the storm of events and emotions, past and present, happening in different places that are resulting in a multi-coloured road of rainbow that at the end the main protagonist peacefully passes. The compilation between the diplomacy and the literature existent in a novel is not an incident, and that is not a sole author’s attempt towards those endeavours. Being a career diplomat for long years, the author

Milan Jazbec has a professional and experienced eye for observation, grounded on an extensive knowledge of diplomacy, as well as creative pen that exceeds his efforts in attempts to present the diplomacy through the literature (Shikova, 2023). That makes this novel a gold mine in which everyone can take and process the most of it to enrich one's own professional and emotional experiences.

THE PROTAGONIST

THE DIPLOMAT, THE AMBASSADOR, THE PROFESSIONAL

The main protagonist of the novel is an experienced diplomat who is performing a post of an ambassador. The diplomatic profession and its distinctiveness are central of a novel that determines the protagonist's behaviours. But what composes a life of a diplomat? In theory the term "diplomacy" comes from the Greek word "*diploma*" - a document that the state officials were caring during their traveling abroad (Kurbalija, 2021). By the definition diplomacy is as an activity of the state in the international scene and in the international relationships in which the authorized organs of the states are defending the interest of the state and its citizens (Collins, Packer, 2006). Ambassadors are persons appointed by a country to represent and promote its interests in another country. Ambassadors (as the diplomatic missions in general) are representing the sending state in the state where they are accredited (receiving state). He/she is the one that protects the interests of its own state and its citizens, negotiating with the government where it is accredited in order to overcome dispute questions, informs the own state about the development and the events in the state where it is accredited, develops friendly relationship among the states, as well as the scientific, economic and cultural ones. The novel reveals the complexity of the diplomatic profession and puts these features of diplomacy in the centre of the novel's fiction.

Speaking about the main protagonist duties, the novel presents the daily work of the ambassador through the activities that he performs:

"He flipped through the memos for today's session. An extensive heap of material. He had no idea when he would be able to read them. Very detailed and very useful, when you first encounter a given issue, but later on often superfluous. While it is true that one cannot remember everything and pull any piece of information at any time from one's

memory, the line of work was such that you had to keep track of the progress and development of situations and absorb all kinds of new information and that on a day-to-day basis” (Jazbec, 2019, p.34).

Ambassadors are high-ranking diplomatic representatives who serve as official representatives of one country to another. They play a crucial role in facilitating communication, negotiation, and cooperation between nations. Through an ambassador’s monolog present in a novel, it can be understood all the skills that the person needs to have so he/she can successfully fulfill its duties. To manage those complex activities, an ambassador as a professional diplomat should possess in-depth knowledge, qualifications to form well-grounded judgment, but certainly an intuition to help in the situation when the link of the communication with own government, due to various reasons is missing. The novel illustrates in detail the complexity of the occupation and necessary features that one needs to have, to perform it successfully:

“Just like his professor at university, years ago, used to tell him: work in the United Nations, a classical multilateral diplomacy, is something special. You must have a lot of general knowledge and additionally you must have a particular sense for detail. Yet both will not help much if you are not capable of recognizing changes immediately and put them instantly into the right framework. Namely, to listen, to hear, to understand, and to use. Your advantage lies in how fast you understand that and use it against other participants in the discussion, by joining in the discussion and forming decisions concerning the agenda. And if you additionally manage to see and comprehend the rules of the game in all the commotion, then you are already far ahead. You see and understand, and even manage to predict from time to time. That is very important, as instructions sometimes arrive late, sometimes are not accurate enough, and sometimes do not arrive at all. The desk officer forgot about it, or did not manage to get the opinion of the minister or not even of the deputy minister, or the minister has not had a chance to consult the prime minister yet, in any case your session is proceeding and you depend only on yourself” (Jazbec, 2019, pp.34-35).

The ambassador needs to have a political insight. It has to be well-versed in international affairs and the political landscape of both its home and host country. This knowledge helps to navigate the diplo-

matic challenges and contribute to policy discussions. The author, Milan Jazbec, through its protagonist, illustrate this:

“You cannot always be searching through extensive material – or your memory – and find comparisons, some checkpoints, maybe a similar decision or even a resolution. You cannot have everything in your head, either. And often you do not have to. That is why it is important to pay attention to detail, and understand. Wholly and quickly. Despite the slow progress of all processes involved, which are sometimes so slow they do not seem to be moving at all. Yet they do, because there is a constant pile-up of unofficial conversation, position realignment, closed-circle talks and behind-the-scenes negotiations. Paying close attention, it occurs to him that the majority of his – and their – time is spent behind closed doors, at informal counselling. A true stock-market of information, a true diplomatic exchange. If you know, you are useful and wanted, and if you do not, you must find out, you must be taught” (Jazbec, 2019,p.35).

Ambassador need to have leadership skills and sense for detail. Ambassador leads diplomatic missions and teams, and those skills are necessary to manage personnel, to delegate tasks, and ensure that everything is functioning effectively and smooth. The novel protagonist explains that:

“If he had not been so tired, he would have smiled. However, he remained an immovable mask. Actually, that is the charm, he said to himself, that work at the top of world diplomacy brings. On the one side, it is removed from reality, despite full and immediate reflections, while on the other side it requires constant attentiveness, constant agreeing and careful coordination. If you want to be successful, you must be in the midst of the action all the time, you must be present and active with suggestions, thoughts, and everything must work like well-oiled Swiss clockwork” (Jazbec, 2019,p.37).

Ambassadors need to be skilled diplomats, adept at maintaining positive and constructive relations between their home country and the host country. As other diplomats, they must navigate complex political landscapes, different political and professional figures, put aside their ego, be fully in their function, devote to their job fully and do their best to promote mutual understanding. The character of the General Secretary, in the eye of the protagonist is a skilful professional that possess

everything that leader in a multilateral diplomacy needs to have. The protagonist perceives him as an excellent role model of a diplomat, in a full sense of its meaning:

“In August, when he will be presiding over the Security Council, his seat will be precisely in the middle, and the Secretary General, when joining the sessions, will have his seat on his right. It will be the first time that they will be sitting side by side because of business and protocol. This, due to the difference in their function, is something that can happen only rarely. He liked that the Secretary was reserved, but not introverted, humble and not divorced from reality. The latter is a common feature in these circles: some bring it with themselves, both rookies and experienced, it is just adverse selection, while others eagerly adopt the characteristic while working here. Yet humbleness is not a sign of weakness; on the contrary, it is a sign of high spirituality, intellectual strength and potential that shows itself when it is needed. One cannot throw that around when it is simply not necessary. But of course, the Secretary will not join every session. Every once in a while, you need some rest, and anyhow, it is not required that he be there all the time” (Jazbec, 2019, pp.30-31).

Among other skills, maybe the most important skills that the ambassador needs to have are the communication skills. A good diplomat is an excellent communicator (Jönsson, Hall, 2005). Therefore, an effective communication in the ambassador work is a paramount. Ambassadors should be articulate, persuasive, and culturally sensitive. They must convey their government's policies clearly and represent their nation in a positive light. The communication in diplomacy goes beyond verbal language. Therefore, communication takes place through words, but also their absence. Nonverbal communication, such as body language, gestures, facial expressions, and even silence, can play a critical role in diplomatic interactions.

In the absence of explicit verbal communication, individuals engaged in diplomacy can still convey messages through their actions, reactions, or thoughtful silences. Silence, can be a powerful communication tool, that can enable reflection, emphasis, or can signal the need for careful consideration (Lazzarini, 2015). The effectiveness of diplomatic communication often depends on the ability to understand and navigate both the spoken and non-spoken aspects of interaction. This two-

fold understanding of communication highlights the complexities and shades that are key element of any diplomatic effort:

“Occasionally, an important message must be delivered by the highest authority and created pressure by the presence of this authority, to help things move along, but sometimes, it is precisely the absence that can create the atmosphere that allows things to move along” (Jazbec, 2019, p.31), observes the novel’s protagonist.

In the context of diplomacy, the ambassador’s work lies the significance of subtleties, nuances, and variations that are paramount in diplomatic efforts. The author uses the term “shades” suggests the different degrees, tones, or aspects that play a crucial role in navigating the diplomatic scenarios. Diplomacy, according to the author/protagonist, relies on the ability to perceive and understand these subtle variations to effectively engage in negotiations and decision-making.

“Shades again, he said to himself; they must always be on your mind and up your sleeve. Diplomacy exists in shades and in the detection and selection thereof, in recognizing and sorting them out. Its power and purpose lie in shades, it would be impossible without them” (Jazbec, 2019, p.31).

The ambassadors can come from various backgrounds and professions, although most of them are professional diplomats. The novel’s main protagonist is an ambassador, but as well the well-known novelist. Although there are historical and even up to day examples of the writers who have also served as ambassadors, such as for example Alexandre Dumas (1802–1870); W. E. B. Du Bois (1868–1963); Jean-Paul Sartre (1905–1980); Ivo Andric (1892–1975); Mario Vargas Llosa, John Updike, etc. this is not a widespread practice, and such cases are usually unique. However, it is even more unique if an individual is both a career ambassador and a novelist, as it is novel’s main protagonist. Still, it is not without reason. Certainly, the ambassador needs to have a cultural sensitivity. The ambassador works in diverse environment, where understanding and respecting the cultural nuances of the host country is essential.

Cultural sensitivity helps in building trust and respect among local officials and communities. The international training lays the foundation for successful diplomatic interactions, and it is a basis on which

diplomats can develop their intercultural skills. Cultural sensitivity is a highway that leads to diplomatic success, or in other words it can make, or sometimes break, any international career (Bolewski, 2008). Therefore, except being appointed by the president of the state or the governments to represent their countries in foreign nations, to deal with diplomatic matters and to promoting national interests, the ambassador is as well promoting its national culture. There may lie the set of skills that both the ambassador and novelist should possess and where they overlap in their performances. The role of ambassador requires deep understanding of international relations, politics, but as well effective language and communication skills.

The main protagonist effectively and successfully combines the ambassador profession endeavours with his writing powers. And from there, the plot starts to develop. From the protagonist well established professional diplomatic position, to the highest literary pursuits that is about to reach. The complexity of the novel is built upon this interplay between these two roles, two expectations and in some moments even two souls, that on the first sight cannot be compound together. The deepness of the novel lays in constant juxtaposition, towards finding a way to a full synergy and acceptance, that novel protagonists finally manage to reach it at the very end of the novel.

THE SETTING

DIPLOMACY AND INTERNATIONAL LAW

The novel “The Rainbow beyond the Soul” is set in an international context, mainly within multilateral organizations. The narrative explores the dynamics of the international society, in which the states, international governmental organizations, international non-governmental organizations, and entities within the United Nations play the most important role. The novel sets a scene by presenting the ways the international society functions. It is a dynamic place of a community of interacting and interdependent actors that are operating on the global stage:

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

difficult balance of relations between delegations, their heads, diplomatic staff, Secretariat, of course the Secretary General and his closest aides, special guests, representatives, and others who always came to the sessions to present their reports; it seemed that all of it was a large, uninterrupted river. *Panta rhei*, commented his inner voice,” (Jazbec, 2019, p.31).

This lively setting is the place where the diplomats operate and where in fact the international law is created. In this process, while various actors play crucial roles, the states remain the primary ones, being legal equals – i.e. caring equal rights. It is a place where international law is born and in a sub context in the novel, we can observe the process of international law creation and its implementation. This demonstration is important since it puts focus on the international law and its coexistence with the diplomacy. International law is a hallmark of the international community, since the law serves as a cornerstone in any political community, offering structure and stability. The societies, regardless of size or external power, establish a framework of principles to guide their functions (Shaw, 2008). International public law, despite its name, predominantly governs relations among states, yet it extends to relationships between international organizations and states (Alland, 2000).

The overarching goal of international law is to establish and maintain order and stability in the global community, often preserving the existing state of affairs. The international legal system operates horizontally, with states and other international actors interacting on an equal footing. Unlike national law systems, there is no vertical sovereign power that extends from top to bottom. This distinction is crucial for understanding the potency of international law, as its rules and principles aim to ensure a stable, orderly, and predictable functioning of the international society (Lowe, 2015). The rules of international law serve as safeguards against chaos, providing a framework to prevent disorder in the global community. The reflections of the international law in the diplomatic world, the uniqueness of international setting and its distinct characteristics, which determine its operational modes, is illustratively presented by the novel’s main protagonist:

“Almost immediately after, the word passed to the colleague ambassador on the opposite side, representative of a permanent member, who gave a hard look and emphasized that now, demands simply must be

made. There were already more than too many breaches, nothing else but demands will do. The demand must be clear, it echoed harshly across the hall. And the pale lady on that large painting did not even blink. Naturally, she was used to even harsher discussions in this magical space (Jazbec, 2019, pp.36-37).”

International law has more flexible nature than national law. In some circumstances, the substance of a certain rule may be unclear. However, the same as national law – the law is a human product and as such it is never perfect. International law as well as national law is subject of interpretations (Shaw, 2018). Because of the absence of central or supreme legal power in the international scene, sometimes the interpretations are “misty” or simply many, and as a result sometimes it is difficult for states to have clear and unambiguous statement that express their position. Many examples in the novel realistically and through examples show how the international organizations are operating:

“The description of the methods used in the work of the Security Council of the United Nations is important but I add some points. The debates in the hall at Turtle Bay in the UN Headquarters are for the record. Rarely, if ever, decisions there are the result of open debates. The real work is carried out through discreet channels, mostly in New York but also through agents like diplomats and government emissaries abroad. A case in point to which I was witness in the ante room of the chamber: Then general Ariel Sharon had in an unusual move encircled the Egyptian fifth army in the Sinai desert on the eastern side of the Suez Canal. The many Egyptian soldiers were not only threatened by starvation but imminent extinction because their water supply was effectively blocked by Israeli forces. No public debate could have avoided the disaster. The Soviet ambassador Adam Malik and his United States opposite number, John Scali, former governor of the State of Pennsylvania was locked in a small cubicle with only one interpreter each – of their own choice. When after hours of eye-to-eye deliberations – I would have liked to read John Scali’s take of the event – they came to a super power agreement. It led to the negotiations on practicalities at kilometer stone 101 under the UN auspices guided by the famous general from Finland, Ensio Siilasvuo” (Hagard, 2019, pp.6-7).

Unlike national legal systems, international system lacks the extensive network of formal institutions that can be found in municipal political environments. There is neither dedicated legislative body respon-

sible for international law creation, nor a universal law enforcement institution. Consequently, many international legal rules have evolved from an existing state practice. This customary nature of the lawmaking process can be slow and pose challenge when the international society faces rapid changes (Lowe, 2015). The absence of a central institution systematically impacts the operation of international law and that can result in prolonged disputes that may persist for decades. Our diplomat notices:

“The response to the suggestion of the colleague, who wanted to gain more time and manoeuvring space for soft diplomacy, was immediate and nearly self-evident. As soon as someone offers an additional option, someone else immediately jumps in with a sharp suggestion. What a game of nerves and playing with possibilities. The exact formula for understanding diplomacy in its most noble meaning. If you give in too soon, you are weak, and if you give in at the right time, you are wise. You gain acknowledgement and your reputation gains as well. It is a powerful oscillation, that never drops flat, and many behind-the-scene informal counselling and coordination is needed to bring various positions closer together thus enabling a useful decision, a good resolution” (Jazbec, 2019, p.37).

While this slow decision-making process in the international arena may be perceived as a disadvantage, it is inherent to the international system. States represented by their ambassadors and high officials, are pivotal actors in international forums, driven by their individual interests that are deemed crucial for their existence. Their primary concern is safeguarding these interests. When a state perceives that certain action impinge its vital interests, or affects them beyond what is acceptable (from state’s perspective), it acts with all possible means to prevent those events. The novel illustratively explains that:

“The voice of the representative of a permanent member reached into his thoughts, announcing his firm disagreement with the proposed resolution. He is not thinking about a veto, is he? His thoughts over-sounded him, no, they actually silenced him and pushed him back to the very edge of listening” (Jazbec, 2019, p.35).

In the international society (as it is set), the perfect obedience to international law cannot be expected. The likelihood of violating it is significantly greater in comparison to national law. The interplay between

law and politics can be seen as well as a permanent conflict of norms, hard and soft powers. The novel plot is set in the international arena, presenting the atmosphere and the environment where the leading figures are major for setting the main scene. They have special importance in development of the international relations and international law, and the author, through its main protagonist acknowledges this:

“Probably that was one of the reasons why he and the Secretary General were so self-evidently drawn to one another, to a certain extent even attached to one another. The mandate of both was running out, he was thinking of retirement and his friend, already in his second mandate, likewise. Thinking of him he regretted that one must end the run with two mandates. In his opinion the current Secretary General was something special: he had a peculiar sensuous power, with which he had a positive, calming effect and things seemed to work themselves out; under his leadership, things were moving along at a pace they had hardly ever before” (Jazbec, 2019, p.47).

Therefore, although the international law and its potentials is not a central theme of the novel, the novel illustrates the complexity of the world in which the international norms are operating. The novel explains tendencies to globally maintain the international order, the efforts of the international organizations to prevent disorder, and their attempts to provide forum and arena to articulate state positions and maintain meaningful state interactions. As the story’s protagonist navigates through large, intricate setting of the diplomatic relations, at the same time he navigates through its deepest emotions. Through that journey, and as supportive figures in the novel (on the professional level), are protagonists’ fellow diplomats, other international representatives, some of them closer or more distant than other. Some of those figures are episodic, but others are significant and serve as a mirror for reflection and comparison, as a professional ideal, such is for example the unique figure of the Secretary General, and his special qualities through which he influences the global scene in which this novel is happening.

THE PLOT

PROTOCOL, INTIMACY, RETROSPECTION

Performing traditional diplomatic activities requires extreme focus, devotion and persistent energy. Perhaps writing, it’s not a common or

necessary qualification for the role? Still, it is maintaining permanent communication with the country officials and other subjects in the international scene. It makes this qualification extremely important. But if there is ever a creativity in these endeavours? Is there any freedom of mind and spirit that a novelist has? That is an extremely questionable, even more is if the person is a writer, and a free spirit, how to balance the demands of diplomatic duties with the creative process of writing fiction?

“And yet, a diplomat. Is it possible to write, to truly write, in such a profession? Skilfully and thoroughly, with excellence which does not lack content, nobly, not just telegraphically, spelling out dry conclusions, analyses of viewpoints and their influence on the formation of politics? Nobody knows for sure. The work is probably very dynamic, tense, exciting, and surely, at times boring. In any case, you spend a lot of time among people, in different situations, constantly in action, and that must already be quite enough encouragement for writing” (Jazbec, 2019, p.20).

This apparently can be challenging, and the novel main protagonist choose to pursue both paths, being adept at managing the time and priorities. But where his primary focus lies? Is it possible to full devote to the diplomatic efforts while still maintaining the focus on writing? The novel gives possible answer to that, pointing towards synergy and discrepancies among the roles. It is an intricate dance of diplomatic life that unfolds against the backdrop of the ambassador’s critical observations. As both an ambassador and a writer, he scrutinizes his surroundings, providing readers with a nuanced view of the environment he navigates. The narrative delves into the sacrifices and renunciations demanded by this dual role, raising the fundamental question of whether the pursuit is genuinely worthwhile? An ongoing theme that threads through the fabric of the story. At an important stage, the ambassador, also a potential Nobel Prize laureate for literature for its novel “The Face Without A Mirror,” suggestively, faces a crossroads that compels him to embark on a profound introspective journey, under the rainbow of its emotions:

“Their talks were no longer what they used to be, and he could not explain it well. It seemed to him that she was different, that she had changed, and that their orbits were slowly, but definitely, moving apart. At the same time, he tried to find something different, some-

thing changed in him that would be the reason. Actually, he could find nothing through the introspective look into his soul, even though he knew well how to be inexorable and hard on himself; you are too hard on yourself, why, do not do this, occasionally he seemingly heard his parents whispering from their grave - the only link to the past, the past which had been so far behind. It is quite possible that he has been bi-ased towards himself. Maybe he also felt, instinctively and from somewhere back, that things have begun getting under his skin, and that explains his reaction, that is why this mask was there. Maybe he was running out of time” (Jazbec, 2019, pp.60-61).

Diplomacy, with its rigid protocols and behavioral expectations, necessitates constant tact and appropriate reactions. Yet, amid the adherence to such norms, the protagonist grapples with the potential loss of individuality, personality, and soul. The diplomatic landscape can change rapidly. Ambassadors need to be adaptable, able to respond to shifting political situations, emergencies, and other unforeseen circumstances. Is the demanding nature of diplomatic protocol compelling individuals to forsake their true selves within the labyrinth of formalities?

“And even if they would be married, the laureate and *l’Ambassadrice*, he thought – was he blasphemous? –, they would not be sitting here together. Protocol does not foresee such a situation. In any case, they would not be enjoying the evening together. What irony, he thought. Almost a curse. Is it really a punishment if you live together with someone, can you really not achieve as much as you would if you lived separately and only met infrequently, while if that was true, then you better stayed alone, in your own skin; was there really no other way? Is that why he was not successful in relationships, well, at making them last? Because it was the only way to be more successful and to stay close to those he liked, well, to those he thought he liked? And so he was alone” (Jazbec, 2019, p.145).

The protagonist, guided by intuition and common sense, negotiates the diplomatic landscape with precision, but the narrative prompts contemplation on whether such adherence erodes the essence of one’s being. Diplomacy often involves lengthy negotiations and complex processes. Ambassadors must possess patience to work through challenges and persist in achieving diplomatic goals. Ambassadors are the face of their country abroad. They must embody the values and image

of their nation, creating a positive and favourable impression among the host country's leaders and citizens. Maintaining the highest ethical standards is crucial for ambassadors. They must uphold the principles of international law and diplomacy, promoting transparency and fairness. The novel pivots on the theme of retrospection, as memories unveil the richness of diplomatic experiences and the protagonist's repressed emotions, overlooked or ignored throughout the years.

“It is not always understandable, neither acceptable. Although life is the same: when the youthful burst of emotions and force of excitement passes, then you see that there is a better way and say. When you realize that, you have achieved firmness and inner peace; you have extended your license and enriched your soul. When there is no one, you depend on, then you are free. And that is when you become alone” (Jazbec, 2019, p.40).

Central to this personal odyssey are the women characters and the protagonist's relationships with them such as longtime friends, lovers, his former spouse, his daughter. Through conversations and introspections, they become instrumental in helping him to unravel the essence of his existence and find answers to his existential queries. Like Dante's Beatrice in its “Divine Comedy” (1308–21), each of them is leading the main protagonist towards the inner labyrinths, although he comprehends that he is the one who need to find a way towards the light.

“But there also had been – and still are – moments when he was completely without worries. It seemed to him that these moments came more and more often as he got older: but he did not know if it really was all so simple; he could not remember how it had been before, in his youth. There must have been such moments, but their traces had faded long ago. Maybe it was better that way. That is why I can, from time to time, not care at all, he heard himself think. I am completely and absolutely responsible for my own actions. I will settle all my accounts myself and only I will be held responsible for everything I have been doing” (Jazbec, 2019, p.24).

Amidst the backdrop of protocolary, retrospection takes center stage, offering a glimpse into the intimate realm the author transforms into a self-expressive narrative—an escape from the prescribed roles on the diplomatic stage. Ambassadors encounter various issues and challenges in their role. Effective problem-solving skills are essential to address

diplomatic crises, trade disputes, and other issues that may arise. But is the main protagonist able to solve its internal conflicts?

“Yet what do I have, here and now, from all of that? Would I not be happier, would I not be less appeased if I had truly herded cows on the abandoned lowlands of my Kozjansko homeland, written books, enjoyed solitude, and communicated with most people only through a secure, impersonal, and reliable screen? Am I perhaps ungrateful, even vain, for asking myself this? Would I be asking myself all of this if I had not achieved any of it, if I had no clue about how these things went? All this travelling, all these flights, conferences, conversations, words, exertions – why? And all the friendships that were fading away – was the fault only mine? – without new ones forming” (Jazbec, 2019, pp.25-26).

The novel’s depth is evident in the continual contrast as the protagonists strive to achieve complete synergy and acceptance, ultimately succeeding to find its inner peace and reach satisfaction.

“Actually, he was really satisfied. When he looked back, he saw a long road that he always tackled with optimism. He had always prepared himself for new challenges, to benefit as much as he could from them and, by preparing, protect himself from destructive influences. If he would have been whining and despairing, if he had pitied himself and had given in to despair – that would not be a smart thing – it would have only made things harder for him, and all the problems would simply multiply. Because of his constantly positive approach, the problems were, of course, not significantly fewer, but he faced them in a different way, he faced them prepared. And consequently, their effects were less destructive and less stressful. His existence was not significantly diminished than it would have been, had he given in to negative impulses. This last revelation is a great gain. And that is why he can be satisfied. Even more, thinking with a pinch of idealism, he finds out that, to a large extent, it had all really been bright, promising, and friendly. It had been all worth it. And, anyhow, hard work is needed to succeed anywhere” (Jazbec, 2019, p.29).

After going through a variety of experiences, the main protagonist, at the end Nobel laureate for literature manages to overcome his doubts. As the narrative unfolds, there comes a moment alongside the much-anticipated conclusion, giving a protagonist a sense of liberation. Accept-

ance on a calm and relaxing way, his own childhood, release from the primary focus of his thoughts – his own child, as every parent need do that when perceiving that she/he is a grown-up person. At the finale of the novel, the protagonist reassures himself that his live journey was pleasant, rich and satisfactory, ultimately displacing himself into realms beyond the rainbow of his soul.

CONCLUSION

JOURNEY, REJUVENATION, SINERGY

“The Rainbow beyond the Soul” emerges as a novel that transcends its role as a deep and intimate confession. Despite revealing the soul of the diplomat in a protagonist character as an ambassador that has diplomatic, interpersonal, and leadership skills, to excel in his role and effectively represent his country on the international stage, it seamlessly weaves details related to the diplomatic profession. Crafted by Milan Jazbec, an experienced diplomat, the novel serves as a valuable handbook for those navigating in diplomatic waters.

The narrative unfolds on the international stage, offering readers a firsthand insight into the functioning of international society, the strength of international organizations, and the dynamics of decision-making at global forums. The complexity of the novel lies in its intimate and deeply emotional exploration, resembling a tapestry of interconnected layers. Similar like in Stanisław Lem’s science fiction novel “Solaris” (1961), the main protagonist in its own personal spaceship orbiting the world of diplomacy, exploring its deepest sentiments related to its human nature, faced with its consciousness and limitations. An ambassador and a writer, a potential and ultimately Nobel laureate is some of the concepts around which different layers of diplomacy, protocol, intimacy, introspection and acceptance in form of ultimate satisfaction are placed. Each of the layers can be traversed independently, yet they converge harmoniously to create a beautiful narrative – a monument of the author’s endeavor in balancing the professional life with the multifaceted aspects of the human personality.

REFERENCES

- Alland, D., 2000. *Droit International Public*. Press Universitaires de France.
- Allegri, D., 1947. *The Divine Comedy*. Doubleday & Co; Edition and Printing
- Bolewski, W., 2008. Diplomatic Processes and Cultural Variations: The Relevance of Culture in Diplomacy. In: *The Whitehead Journal of Diplomacy and International Relations*, pp.145-160.
- Collins, C., Packer, J., 2006. *Options and Techniques for Quiet Diplomacy*. Folke Bernadotte Academy, Initiative on Conflict Prevention through Quiet Diplomacy.
- Hagard, J., 2019. Diplomatic Style in a Nordic Manner. In: Jazbec, M., *The Rainbow Beyond the Soul*. Skopje: Magor. pp. 5-7.
- Jazbec, M., 2019. *The Rainbow Beyond the Soul*. Skopje: Magor.
- Jönsson, C., Hall, M., 2005. Communication. In: Jönsson, C., Hall, M. *Essence of Diplomacy. Studies in Diplomacy and International Relations*. Palgrave Macmillan, London. https://doi.org/10.1057/9780230511040_5, pp.67-97.
- Kurbalija, J., 2021. Ancient Greek diplomacy: Politics, new tools and negotiation, 'Diplomacy and Technology: A historical journey'. *DiploFoundation*, [pdf] Available at: <https://www.diplomacy.edu/histories/ancient-greek-diplomacy-politics-new-tools-and-negotiation/#:~:text=The%20term%20'diplomacy'%20derived%20from,as%20a%20permit%20to%20travel> [Accessed 10 January 2023].
- Lazzarini, I., 2015. The Forms of Diplomatic Communication, Isabella. In: Lazzarini, I., *Communication and Conflict: Italian Diplomacy in the Early Renaissance, 1350-1520*. Lazzarini. Oxford Academic Press, pp.188-212.
- Lem, S., 2003. *Solaris*. Faber & Faber.
- Lowe, V., 2015. *International Law, a very short introduction*, Oxford University Press
- Shaw, M. N., 2008. *International Law*. Cambridge University Press.
- Shikova, N., 2023. Diplomacy and globalization theorizing cases and synergies, Review. In: Jazbec, M., 2023. *Diplomacy and Globalization*. Maribor and Geneva: Založba Kulturni center and Diplo, pp.371-375.

Populism as meta ideology

Kire Sharlamanov

Neja Bergant

Diplomacy and Globalization

Milan Jazbec

Natalija Shikova

Neja Bergant

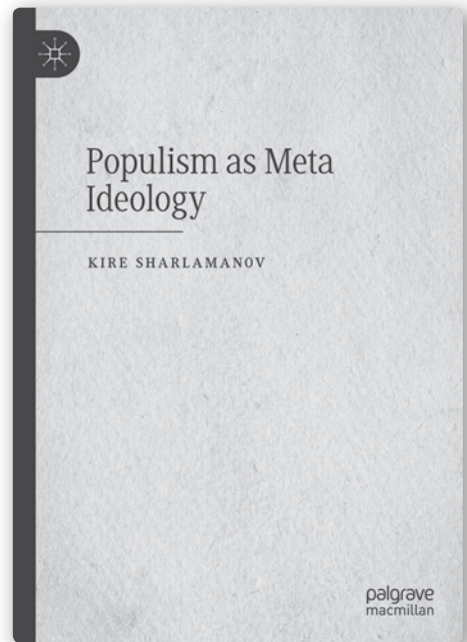
Kire Sharlamanov
POPULISM AS META IDEOLOGY

Palgrave Macmillan; 1st ed. 2022 edition (May 7, 2022), 242 pages
ISBN: 978-3-031-03933-1

DOI: <https://doi.org/10.60073/euper.2023.4.07>

The study “Populism as Meta Ideology” by Professor Kire Sharlamanov could probably not be read at a better time. The global situation is getting challenging and increasingly unstable. We are witnessing new and re-emerging international conflicts, volatile economy, and unpredictable climate phenomena while also simultaneously following the social and cultural clashing over issues like migration, racial disparity and gender roles. Tensions are growing and due to the constant changes, the situation is ripe for the rise of populism.

The rise of the latter is reflecting in recent changed political landscape of many countries. New political parties and people’s movements are on the rise and the political direction, particularly in Europe, is noticeably leaning towards the populist right, though is by no means exclusive. In some countries, the populist left has persistently been maintained (i.e. Venezuela). Nevertheless, looking at the Western world and Europe in particular, we see that recent elections in some countries brought significant chang-



es. In liberal democratic strongholds, we witnessed longstanding traditional political orientation changed by decisively turning radical right. In some European Union Member States, radical right parties even became ruling parties (e.g. right-wing populist Party for Freedom in the Netherlands). From broader European perspective, national results in European countries are important as they can serve

as precursor for the upcoming European elections.

A comprehensive study of the populism by Kire Sharlamanov is therefore more than timely in view of the turbulent environment. Populism is the most persistent phenomenon in politics that steadily keeps being re-established. In his book, the author innovatively approaches to populism as a Meta ideology, hence the title. This differentiates from typical approaches to seeing populism as a clear one-set idea. Instead, populism is actually more fluid in its ideology structure and can mix ideas, values and concepts of other ideologies. Defining the phenomenon is therefore anything but unambiguous. Additionally, populism is largely a product of its direct environment. Populism does not look the same everywhere. Populism in Africa or Latin America is not the same as in Europe as it is driven by different needs and circumstances stemming from the local environment. To further the complexity of the phenomenon, there is no full universal consensus on what constitutes populism. Populism to great extent depends on subjective assessment. What one considers as a populist behaviour, others do not. Moreover, populism can appear not only as an ideological phenomenon but also as a strategy. Many populist politicians rely on populist discourse and behaviour as a tool to reach power, but do not necessarily embody populist ideology. All these factors build up the complexity of populism as phenomenon.

The book “Populism as Meta Ideology” follows a reasonable logic of presentation of the populism with an aim to unveil to the reader all layers of complexity pertinent to this phenomenon. The first part of the book focuses on the fundamentals, such as definition of the term, historic development, and analyses the scientific approaches to studying populism. By reading the first part of the book, the reader will not only understand the fundamentals of this phenomenon, but will mostly get the sense of how complex populism truly is. Already the historical review shows that populism has constantly been transforming in the light of changed social context. In 19th century, the US People’s Party and the Russian social movement “narodniki”, though on different sides of the Atlantic Ocean, fought for better living conditions of the farmers. Populism at that time was predominantly an anti-elitist movement on the margins of the political sphere. Later, in the mid-20th century and specific to Latin American context, the populism was seen as positive and emancipatory force. In the late 1990s, the “new populism” developed in the context of the globalisation and new technology trends. The “new populism” focused mostly on questioning legitimacy of the mainstream political parties. The more recent new populism, the populism of the 21st century, on the other hand, seems to reject globalization trends and oppose overall socially agreed and dominant trends. Moreover, populism shifted significantly from being an ideology of the margins to now

occupying central political debates. Such overview thus shows that populism has been very persistent through historic developments and that the context is crucial to understand the formation of it.

Following the historic overview, the author delves into the explanation of the meaning of the term populism, which as a term is widely used, but it is also simultaneously one of the least understood concepts in politics. The author presents various definitions trying to find the common denominator to all of them concluding that the populism as a concept inherently includes the belief that people should be left to govern directly and not through the representatives as intermediaries. Such claims have taken ground in today's global scene as many populists tend to praise systems such as meritocratic system in Singapore or China's market-Leninist system for their economic competitiveness and fast reactivity as compared to "slow and ineffective" democratic systems that rely on the demos representativeness.

The continuation of the book focuses on the analysis of elements that constitute populism and how populism relates to the trends of modernization and globalisation. The latter is of particular relevance as globalisation features predominantly the populist discourse. The author rightly so claims that globalisation is one of the main factors for the observed growth of populism. What makes globalisation particularly interesting is

that both sides, left-wing and right-wing populists, claim results of the globalisation. Globalisation is thus one of the most butchered concepts in political and social discourse. Left-wing populist can use globalisation by claiming that global economic integration produced domestic decomposition in many countries and lead to growing the divide between the winners and the losers of global market competition. Right-wing populists on the other hand tend to focus more on the cultural dimension of globalisation, with immigration and multiculturalism at its core. Recently, the cultural dimension is prevailing in the discourse. Especially in Europe, where the discourse of failed multiculturalism and growing security risks, brought significant changes to the political landscape.

In addition to globalisation, the author then explores two other factors crucial for the growth of populism: crisis of political parties and transformation of the public sphere. The decline of traditional mainstream political parties, a large share of voter non-participation and changing electoral beliefs have become a constant of political reality. Another reality is a new changed media landscape. Increasing socio-cultural heterogeneity and subsequent increases in the number of media, blurred lines between professional journalism and activism, and the rise and immense influence of new digital media, is transforming the public sphere. For modern populists, the use of social networks is the only means of communication.

Doing so, they are directly conveying their messages and interacting with voters without any possibility for critical public to denounce their claims (e.g. Donald Trump). In such manner, the populist leaders are creating their own narrative and changing the political reality in accordance with it.

At the end of the book, the author discusses the relationship between populism and liberal democracy. The author boldly presents two interpretive views on this connection. The generally accepted interpretation is that populism threatens liberal democracy, while another view presents the argument that populism is not an anti-systemic phenomenon and which is actually interconnected and dependant to liberal democratic systems. Populism flourishes when there is a prevailing feeling that the representativeness or legality of the political leadership handed over by the demos to elected representatives is no longer guaranteed. To put it simply, populism arises when people feel that the political elites are moving away from them. Despite its contradictions, populism can thus act as a corrective force. Populism, even if established, typically leads to disappointment over time, because it is fundamentally based on an emotional rather than a rational impulse. As such, populism may represent an opportunity for political renewal.

Nevertheless, how effective is the corrective force depends largely on the level of development of liberal democracy. In countries with an established long-standing tradition of liberal democracy and strong democratic institutions, the attempts of populists can be rejected more easily.

The book "Populism as Meta Ideology" is a comprehensive reading of populism as phenomenon. The author presents all the key aspects surrounding this phenomenon, from the terminology, to the historical review, to the study approach, and all the way to the factors that contribute to the growth of populism. The reading of the book requires a concentrated reader, but as a whole, the book truly presents an insight into the unfathomable complexity of this phenomenon. Additionally, the author supports the theoretical assumptions presented with practical examples, which usefully reinforce the reader's understanding of the populism. In the light of growing global tensions and the resulting rise of populism, reading Professor Sharlamanov's book is highly recommended, as the book analyses one of the hottest political phenomena at the moment. Ultimately, the book will enable the reader to empower himself with the necessary knowledge to be able to recognize the first revealing signs of populism in the future.

Natalija Shikova

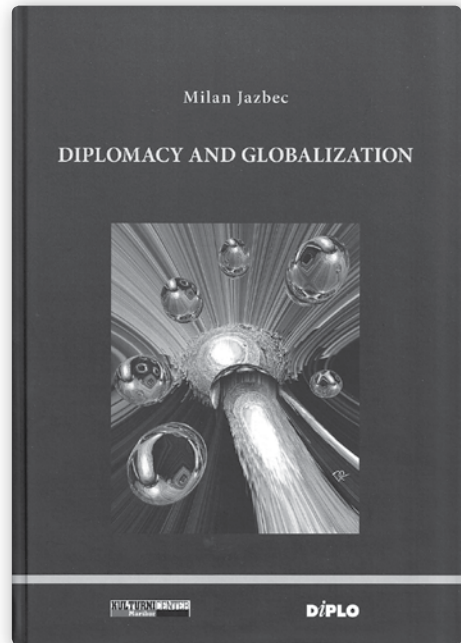
Milan Jazbec
DIPLOMACY AND GLOBALIZATION:
THEORIZING, CASES, AND SYNERGIES

Založba Kulturni center Maribor, and Diplo (e-book), Maribor and Malta, 2023
397 pages, ISBN 978-7186-48-2

DOI: <https://doi.org/10.60073/euper.2023.4.08>

The book *Diplomacy and Globalization: Theorizing, Cases, and Synergies*, by Milan Jazbec, is the sublimation of the author's works published in his fruitful academic and diplomatic career. The book is assembled around the author's works in the last 15 years, giving his contribution in theory and practice. The author has a long diplomatic practice in the period of postmodern diplomacy or diplomacy after the period of the Cold War, and he transforms his knowledge into a work that envisages the theory and practice of diplomacy.

The main aspects of his research are structured in three pillars. The first takes into account mainly theoretical implications and developments in the diplomacy, the second one covers the cases analyzed through the author's professional eye and within the grounded scholarship of diplomacy, and the third, the most creative part, puts the diplomacy in the other viewpoint, mainly it explores the presentation and outreach of diplomacy in literature.



The first part puts an effort in deepening the theorizing of diplomacy and gives a historical overview of the development of diplomacy through four big periods of its evolution: early diplomacy, classical, modern and postmodern. It reveals how the ground-breaking historical and structural changes in the global world affected the periodization of the diplomatic evolution that rests

on this process. The texts are covering the period of major work of the authors that in two millennia contributed towards the development of what we know as of today's understanding of diplomacy. The contribution takes into account the processes and their characteristics through the eyes of history; analyses the key topics, which correlate and complement as well as challenges the questions related to action and reaction between rigid structures and loose networks.

The author examines the relationship between diplomacy and globalization and considers that although in the postmodern world of diplomacy, the efficiency of loose structures, i.e. networks is in an increase, traditional rigid structures still dominate, but face increasingly complex challenges to which they respond with decreasing efficiency. The field of author interests is the intersection of diplomacy as a traditional and conservative phenomenon and globalization as a dynamic and changing one. The author examines how diplomacy is performed, the new topics that are appearing on the diplomatic agenda (apart from war and peace), the changes in the way of operations and the functions of diplomatic missions, as well as the importance of influencing the diplomatic work.

In the second part, the author focuses strictly on the postmodern period of diplomacy, covering the main aspects of the most important

instruments that regulate this field, such as the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations. The author analyses the European integration processes, after the fall of the Iron Curtain, where other actors, except the traditional ones (the states), such as EU, NATO, Council of Europe, etc. are becoming more visible and even in some aspects predominant in the international scene. Due to the changes that the end of the Cold War brought to the international community and social affairs in general, the author points out that in this period European integration process witnessed its strongest push up so far throughout its history. It has expanded, strengthened, and synergized its outreach, results, and influence. But, to the author's comment, it brought along difficulties as well. The Lisbon Treaty gave the EU a legal subjectivity. The European External Action Service developed its way of diplomacy, but two major global crises challenged the efficiency of the structure and pointed toward the need for an improvement. Such structures, the author considers that are depending on the leadership capabilities, and in many aspects, the society's whiteness, (with some exemptions), was not in place.

Apart from introducing new players on a global scene, diplomacy shifted towards focusing on the individual and enhancing ethical aspects in the current diplomatic practice. The need is presented as a need for security in the world we are living,

covering the aspects of the economy, health, food supply, political security, environmental security, individual security, etc. Hence, the author points out that the principles of democracy are shifted towards enhancing human security; promoting human rights; strengthening humanitarian law; preventing conflict; fostering democracy and good governance, what he proves through empirical examples. That resulted in a change of the diplomatic functions that are different after the end of the Cold War and evolved as far as their outer appearance, substance, and mode of implementation are concerned. Nevertheless, the globalization played the role, but diplomats continue to implement the interests of their sending states at the receiving states or international organizations, transforming the practice of diplomacy in an institution of the international community, which helps to create and maintain the same mission in a time of tremendous structural changes. In addition to that, and intending to prove his standings, the author examines the case of Slovenia after its establishment as a state it developed its diplomacy within a few years. The Slovenian case is an example of engaged, dynamic, and open diplomacy in the globalized world facing modern challenges for example the challenges related to the access to equal opportunities, or gender equality within the diplomatic profession.

The third part differs from the two ones in the approach. While the first

two are moving between theory and practice, the third one gives a creative interpretation of the diplomacy and puts the diplomacy in another social context – the popular literature. Here, the author moves aside from the fixed borders of the analysis and presents diplomacy through literature. He finds out the diplomatic points in some of the prominent literary works and using the methods of diplomatic analysis, based on his professional and theoretical experience, he reveals the possibilities of learning about diplomacy through the literature. The author explores the other authors that are using diplomacy as a frame; driver and tool in their literature narratives.

In this part, six literature work are analyzed to prove that not only the diplomacy affects the global and political world but as well the literature is affected by diplomacy. That speaks clearly about the position of diplomacy in general society and everyday life. This aspect is presented through the science fiction novels of Isaac Asimov's work *The Foundation Trilogy*; Arthur C. Clarke's *Childhood's End*; Ursula K. Le Guin's novel *The Left Hand of Darkness*; Alek Popov's *Mission London*, that put diplomacy between reality and expectation; the internationally acclaimed novel *American Visa* by Juan de Recacoechea that speaks in details about the social reality; and Fran Levstik's *Martin Krpan*, a Slovene national hero understood as a metaphor for a diplomat, envisaging protagonists diplomatic char-

acteristics and virtues. The interesting point is that the author uses the diplomatic analysis of the classic texts of fiction. He discovered their aspects and elements, which were either not recognized or remained in the background of scientific, cultural, and political attention with great creativeness. It also points to the practical usefulness of the texts and the messages they are transmitting.

In the end, the author sublimates his journey in wrapping up the intersection in the post cold war era, between diplomacy and globalization, revealing about the changes in the way diplomats operate; the new topics that now are existing on the diplomatic agenda; changes in the way of representation and functions of diplomatic mission; and the enhanced importance of influencing in diplomatic work through literature and *vice versa*. Despite the modifications and the influences, diplomacy remains to be an indispensable tool, method, and process in achieving goals, continuously and with a historically proven record. The author considers that apart from the most dominant topic in diplomacy (war and peace) in the period to come, will be the aspects related to the climate changes; production and distribution of food and water supplies; energy dependency and

decarbonizations; population trends and migration flows, etc. However, although the methods and the ways for operating are in transformation, the author concludes that diplomacy will continue to serve the common good.

As a final remark, this book is a compilation of works expressed and shaped by the diplomatic point of view that spreads towards the events and protagonists, moving confidently through the symbolism and representation, pointing towards the lessons that can be learned. It contributes to the social sciences in general but in particular to the not so much explored field of the sociology of diplomacy as an effort to theorize and understand diplomacy within the sociological context. In that frame, the author is focusing on the social context, development, and operation of diplomacy and contributes greatly to the development of this aspect of diplomacy. In that sense, he generalizes the findings and articulates them into a new understanding. The findings are put systematically and structurally, and that makes the book useful learning curricula for graduate and postgraduate students, or anyone who wants to get inside of diplomacy, international law, and international relations.

GENERAL SUBMISSION GUIDELINES

European Perspectives is an international scientific journal that publishes original, peer-reviewed manuscripts that provide scientific articles focusing on relevant political, sociological, social, security, economic and legal as well as ethnic, cross-cultural, minority and cross-ethnic issues related to European and Euro-Atlantic integrations and South-Eastern Europe. Before the submission please note:

- All texts submitted to the journal must be original works of the author(s). By submitting a manuscript, the author(s) warrant(s) to the journal that it does not infringe the copyright or any other rights of third parties.
- The journal reviews received manuscripts on the assumption of an exclusive submission: by submitting a manuscript for consideration, the author(s) warrant(s) that it is not simultaneously being considered by any other publication and that it shall not be sent to another publication until a response is received from the journal.
- All issues of the journal and all articles are published on the journal webpage www.europeanperspectives.org.
- Article should be submitted in electronic version in text format (doc., docx.) to email address: office@europeanperspectives.org.

PEER REVIEW

European Perspectives reserves the right to reject any manuscript as being unsuitable in topic, style or form without requesting an external review. All manuscripts are checked by referees by means of a double-blind peer review. Two external referees review each manuscript.

ARTICLES

While preparing the manuscript take in the account the following:

General	<ul style="list-style-type: none"> • English, U.S. language version. • Times New Roman, single line spacing, font 12. • Left and right margins. • Page numbering: at the bottom of the page in the middle, starting on the first page.
Length	<ul style="list-style-type: none"> • 6.000 – 9.000 words (including footnotes).
About the author	<ul style="list-style-type: none"> • A brief biographical note about the author including previous and current institutional affiliation, email address. • If co-authored- provide information about all the authors.
Structure of the article	<ul style="list-style-type: none"> • Title, Abstract, Keywords, Introduction, Theoretical Framework - Additional titles/subtitles (do not use numbers), Conclusion, References • Avoid the enumeration in more lines in the text. If you have to use it than use – not bullets.
Title of the article	<ul style="list-style-type: none"> • Times New Roman, font 16, bold. • Maximum length is 15 words. • Title
Titles in the article	<ul style="list-style-type: none"> • Times New Roman, font 12, bold, caps lock, letters only. • Maximum length is up to 7 words. • TITLES
Subtitles	<ul style="list-style-type: none"> • Times New Roman, font 12, bold, italics. • Maximum length is up to 7 words. • <i>SUBTITLES</i>
Abstract	<ul style="list-style-type: none"> • 150-170 words, English. • It should be translated in Slovene.
Key words	<ul style="list-style-type: none"> • Maximum up to 6 words, English • Also Slovene translation.
Footnotes	<ul style="list-style-type: none"> • Times New Roman, font 10. • Left and right margins.
In text citations, notes and references	
<ul style="list-style-type: none"> • Below are some most commonly used in text citations and references. • For more details and examples please see the following guidelines System of referencing and Quick Harvard Guide. 	
An author whole work	This view has been expressed by Cormack (1994).
Particular part of the work	<ul style="list-style-type: none"> • Cormack (1994, p.32) – p. for single page, and for range of pages Cormack (1994, pp.32-34) – pp. • If you use the same work on the same page from the same author few times in a row: (ibid.) • If you use the same work of the same author on a different page few times in a row: (ibid., p.32) or different pages: (ibid., pp.23-32).

Work or piece of research without mentioning the author in the text	Making reference to publish work appears to be characteristic of writing for a professional audience (Cormack, 1994).
Table, diagrams	<ul style="list-style-type: none"> • Titles should identify the tables as briefly as possible. In an article that contains more than one table, each title should be unique and the number should be placed before the title. (Table 1: Title, Table 2: Title, ...) • The title of the table should be on the top of the table, below should be the source (if applicable) and finally add acknowledge where the table was found. For all the Font 12 should be used. • Include the full details of the source in your reference list. • Do not use a lot of text in the table. Font of the text in the table should be 12. <p>Table 1: Television ownership in England and Wales (Percentage of households) Source: National Statistics Office National Statistics Office, 1985 cited in Brown, 2005, p.267.</p>
References	
<ul style="list-style-type: none"> • All items should be listed alphabetically by author or authorship, regardless of the format. • For more books of the same author, list them chronologically, from the oldest to the newest. • If there are more books from the same author from the same year, distinct them with a, b c, after the year of publishing. • Below are some most commonly used references. 	
Book references	<ul style="list-style-type: none"> • Baron, D. P., 2008. <i>Business and the organization</i>. Chester: Pearson. • Baron, D. P., 2008.a <i>Business and the organization</i>. Chester: Pearson.
Chapters of the edited books	<ul style="list-style-type: none"> • Samson, C., 1970. Problems of information studies in history. In: S. Stone, ed. 1980. <i>Humanities information research</i>. Sheffield: CRUS. pp.44-68.
Articles from web based magazines or journals	<ul style="list-style-type: none"> • Kipper, D., 2008. Japan's new dawn. <i>Popular Science and Technology</i>, [online] Available at: <http://www.popsci.com/popsci37b-144110vgn/html> [Accessed 22 June 2009].

For more detailed guidelines please visit
<https://www.europeanperspectives.org/en/guidelines>

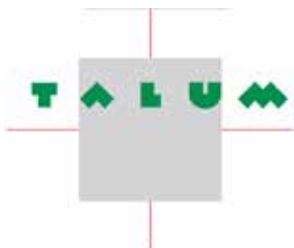
BOOK REVIEWS

European Perspectives welcomes reviews of recently published books (i.e. those published in the year in which the current issue of European Perspectives was published or in the previous year). Authors should submit reviews of works relating to political science and other social sciences with the themes focused on (East) Central European issues. European Perspectives encourages authors to submit either of two types of reviews: a book review or a review essay. For submitting a book review, authors should follow the requirements:

- A book review should not exceed 1.500 words.
- State clearly the name of the author(s), the title of the book (the subtitle, if any, should also be included), the place of publication, the publishing house, the year of publication and the number of pages.
- If the reviewed book is the result of a particular event (a conference, workshop, etc.), then this should be mentioned in the introductory part of the review.
- Review authors should describe the topic of the book under consideration, but not at the expense of providing an evaluation of the book and its potential contribution to the relevant field of research. In other words, the review should provide a balance between description and critical evaluation. The potential audience of the reviewed work should also be identified.
- An exact page reference should be provided for all direct quotations used in reviewing the book.
- Book reviews should be submitted in electronic version in text format (doc., docx.) to email address: office@europeanperspectives.org.

Sponsors / Donators







articles

2022: A Super Election Year in Slovenia

Drago Zajc

**Harnessing the Benefits of Regional Integration:
Achievements, Challenges, and Prospects Within
the East Africa Community**

Joseph Vungo

**Serbia's Campaign to Derecognize Kosovo:
A Foreign Policy Tool for National,
Not International Gain**

Ismet Hajdari

**The Rainbow Beyond the Soul:
*The individuality within the world of diplomacy***

Natalija Shikova

**IFIMES – Special Consultative Status with
ECOSOC/UN since 2018**

ISSN 1855-7694



9 771855 769008

15 eur