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FOREWORD

It is a great pleasure to introduce the fifth issue of the CEU Political Science Review. In harmony with its mission, the present issue is especially well suited to promote the Political Science Department and to inform prospective students about its profile. The issue is built on some of the best MA theses submitted in the last Academic Year. It attests to the varieties of topics, the plurality of methods, the depth, originality and relevance of research undertaken by MA students of the Political Science Department. The articles included make major contributions in the fields of Political Theory, International Politics and Comparative Politics and cover such central issues as the concept of freedom and power in the work of Michel Foucault, forms of minority representation in Central and Eastern Europe, the way how scarcity is socially constructed, and an original approach to the “warlord democracy” in Afghanistan. Taken together, I can only congratulate the editors and the contributors of the CEU Political Science Review to have produced an especially exciting issue!

There is more reason to congratulate the editors of the CEU Political Science Review. With this fifth issue, the Review has survived its first year successfully. It is with great satisfaction that I see the entrepreneurial spirit of editors and students who work so closely together to produce a journal of professional quality. I very much hope that current and future cohorts take up the task and I am looking

forward to seeing many more issues of the journal.

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NOTES FOR CONTRIBUTORS

CEU Political Science Journal publishes scholarly research of merit focusing on the topics promoted by the Journal and meeting the standard requirements for academic research in terms of conceptualization, operationalization, methodological application and analysis of results. We strive to promote those works that approach a significant research problem and answer research questions of general interest in political science. Due to the fact that the Journal addresses a wide range of academics we encourage presentation of research to be made at a level where it is understandable to the vast majority most of the target group.

In our attempt to promote original works, we do not accept articles that are under review at other publications or articles that have parts that were published or are forthcoming under the same form in other places. Contributions using statistical analysis have to make the proof of the data available in order to allow replicability. Formal requirements are found in “the paper requirements” section of our webpage:

www.personal.ceu.hu/PolSciJournal/paperrequirements

Manuscripts should be no longer than 6,000 words (for exceptional cases please address the Editorial Board), and footnotes should provide references and should not including supplementary text. The appendix must be a maximum of 5 pages.

Starting with the first issue in 2007, CEU Political Science Journal encourages contributions in the form of book reviews. There are two standard requirements for the reviews: they should not exceed 1,200 words and should address books that are considered of general importance in political science and the related fields. If you are the author of a book you wish to be considered for review, please send us an e-mail and we can arrange the details concerning the mailing of the book. If you are interested in reviewing books for our Journal please send your CV to the e-mail addresses indicated in the “contact” section of the website.

SERGIU GHERGHINA
ARPAD TODOR

TYPES OF ETHNIC MINORITY REPRESENTATION IN CENTRAL AND EASTERN EUROPE

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Abstract

The need of representation of ethnic minority groups is well realized in contemporary multiethnic societies. In response, they try to guarantee this representation more or less successfully. This article examines the different patterns of ethnic minority representation in order to outline the more effective ones. This goal is achieved through an empirical analysis of a dataset covering fifteen minority groups in Central and Eastern Europe. Using the Qualitative Comparative Analysis approach, typology of minority representation is constructed. This typology demonstrates that effective representation could exist with or without institutional guarantees. The major factor found to influence it is the ability of each particular minority group to establish and maintain a cohesive political party. Ethnic minority groups that are divided between different political subjects or are poorly organized could not achieve representation on their own. Therefore, they remain unrepresented, unless the state introduces special institutional measures.

1. Introduction

The issue of representing minorities in the political institutions of diverse societies is often considered to be a key aspect of

their sustainable democratic development. Therefore, scholars and constitution writers try to find the optimal institutional formula for achieving such representation¹. The aim of this study is to contribute to these efforts by creating a typology of the patterns of ethnic minority representation in nine Central and Eastern European countries, covering eleven minority groups for a period of eleven years.

The study clarifies the relations between the institutional guarantees of minority representation and this representation itself. It rejects the hypothesis that there is linear dependence between these two phenomena. This is done by proving the existence of non-institutionalized type of effective minority representation, which is explained by the presence of minority mobilization for political action.

In this article, I try to conceptualize two dimensions of ethnic minority representation. The first covers the institutional measures taken by the state in order to represent minorities. The second dimension expresses the extent to which these minorities are effectively

¹ Arendt Lijphart, *Patterns of Democracy. Government Forms and Performance in Thirty-Six Countries* (Yale University Press, 1999); Arendt Lijphart, "Constitutional Design for Divided Societies," *Journal of Democracy* 15/2 (April, 2004); Donald Horowitz, "Electoral Systems: A Primer for Decision Makers," *Journal of Democracy* 14/4 (October, 2003).

represented. These two dimensions form the conceptual framework in which the typology of ethnic minority representation is developed.

Further, I try to operationalize these two dimensions and to justify the case selection of the study. Furthermore, I construct a dataset that covers the scores of the cases on each indicator for each year. Then, I perform an empirical analysis of the dataset using the Qualitative Comparative Analysis approach. This method allows multiple conjunctural paths to be identified and hence is more suitable for creating a typology than the standard regression models. The analysis extracts from the dataset four types of minority representation divided into eight subtypes. These patterns build up the typology of ethnic minority representation.

2. Conceptualizing the Two Dimensions of Minority Representation

In this section I will identify the components of the two dimensions of ethnic minority representation. Further I will try to specify a conceptual framework of this representation. Finally, I make some suggestions about the types of minority representation that could emerge out of this framework.

2.1 Institutional Guarantees of Minority Representation

By institutional guarantees, I mean all constitutional and legislative arrangements as well as any sub-legislative acts of competent instances that

are aimed at representation of minority groups in political bodies and institutions on the national level, including the means of achieving such representation. These arrangements could be summarized in several components. I will try to define these components as clearly and generally as possible in order to capture all possible institutional measures for minority representation.

The first and maybe most important component of the institutional dimension is the electoral system for the legislative body² and more specifically the type of electoral system chosen. There is a strong notion in the existing literature in favor of the PR systems³ as the most suitable for ethnically divided societies. PR is seen as an essential and important component of the *Consensus Democracy* because it produces the effect of “power sharing” which is seen as vital for the democratic regime in divided societies⁴. Here I will

² Lijphart, “Constitutional Design for Divided Societies”; Benjamin Reilly, *Democracy in Divided Societies. Electoral Engineering of Conflict management* (Cambridge University Press, 2001); Donald Horowitz, *Ethnic Groups in Conflict* (University of California Press, 1985); Horowitz, “Electoral Systems”

³ Arendt Lijphart, “Prospects of Power-sharing in the New South Africa,” in *Election '94 South Africa: The Campaign, Results and Future Prospects*, ed. Andrew Reynolds (Cape Town: David Philip, 1994). 221-231; Pippa Norris, *Stable democracy and good governance in divided societies: Do power-sharing institutions work?*, Paper presented at the ISA 46th annual convention, Honolulu, March 5, 2005; Renske Doorenspleet, “Electoral Systems and Good Governance in Divided Countries,” *Ethnopolitics* 4/4 2005.

⁴ Arendt Lijphart, “Democracies: forms, performance and constitutional engineering,” *European Journal of Political Research* 25/1 1994; Lijphart, *Patterns of*

not concentrate on the effects of the PR system over representation but the effects of all electoral systems over “power sharing”. I am not contesting the idea that PR is more effective at producing representation of minor groups; I simply do not exclude a situation where an ethnic minority group is territorially concentrated and a plurality vote gives this group a better chance to be represented than a PR system with a national threshold⁵. In summary, the first component of the institutional dimension is the electoral system designed to represent minority groups in the legislature rendering the specific structure of the minority group/groups. However, this component is not influenced by the presence or the absence of minority representatives in the parliament i.e. it is focused on the intention of the state to represent minorities, not on their actual representation.

The second component of the institutional dimension is whether by constitutional or legislative act the minority group under study is recognized as such i.e. if the majority represented by the state recognizes the existence of a minority group or groups on the territory of the country. This is a predicament for further legislative measures dealing with the issue. At first glimpse, this component looks

Democracy; Lijphart, “Constitutional Design for Divided Societies”; Rein Taagepera and Matthew Shugart, *Seats and Votes. The Effects and Determinants of Electoral Systems* (Yale University Press, 1985).

⁵ Daniel Bochslers, *Electoral engineering and inclusion of ethnic groups. Ethnic minorities in parliaments of Central and Eastern European countries*. <http://www.unige.ch/ses/spo/staff/corpsinter/bochslers/minorities>, accessed on March 19, 2006

fundamental and one could claim that it should be the main one – preceding electoral system – and there will be quite a reason for such an assumption. However, in this study I find more important the state of actual representation regardless of the existence or nonexistence of its normative shell. Hence, I do not exclude situations in which despite the fact that a minority group is not recognized by the state as such, it is represented on the national level.

The third component is whether there are seats in parliament reserved for representatives of minority groups or not. Such arrangements though rather controversial could be indicative of the will of the majority to include minorities in political processes. Reserving seats in parliament could be claimed to be discriminative – not all minorities usually receive such seats, and ineffective – usually such seats are too few and thus do not possess any practical significance. However, by guaranteeing seats for minority representatives in the legislature, the state symbolically indicates its willingness to share power.

Another component of this dimension is whether by constitution or by law the creation of parties of ethnic minorities or other forms of ethnic associations are banned or not. This component is actually a prerequisite for the previous one. It is hard to expect that if minorities are not allowed to have their own parties, they will enjoy reserved seats in parliament.

The fifth component is how easily constitutional texts or laws dealing with

minority representation can be amended. I assume here that if a minority group enjoys certain specific rights, these rights should not be easily abolished – the more rigid they are – the better. This guarantees protection of the protective legislation.

The last component of the institutional dimension concerns procedural practices in the legislature. It concerns the possibility for minority groups in parliament to include bills in the agenda. If the agenda is accessible for parties of minorities, they have the necessary facility to put up for discussion of minority issues. If the procedure is rigid and high requirements are present in order to include bills in the agenda, such a facility is missing.

These six components form the institutional dimension of the two-dimensional typology of ethnic minority representation that this study is aiming to construct. Here there are two extremes. One is whether an adequate electoral system is applied in order to represent minority parties and candidates in legislature. The minority groups have status as such and have the right to form their parties. These parties, once elected, could easily put in the agenda minority issues and all these arrangements are as hard to amend as the form of government for instance. The other extreme is when the state does not recognize ethnic minorities; parties and associations formed upon ethnic issues are banned i.e. minority representation is not only inexistent but legally restricted.

Nevertheless here I should make some essential remarks. First, it does not mean

that if the electoral system is favorable for minorities it necessarily was created to be so. This is to say that such an electoral system could be a product of coincidence or considerations other than the will for representing minorities. Second, the *recognition by the state* and the *reserved seats* in parliament could be classified as *active* institutional guarantees of minority representation, while the allowance of the existence of minority parties and the rigidity of minority-friendly legislation are rather *passive* guarantees. Finally, the rigidity of the plenary agenda does not guarantee representation, but its realization is in terms of participation and, like the electoral system, may not be especially designed for minority representation.

Hence, the institutional guarantees of minority representation could be divided into two categories. The first is *intentional*, which includes *active* and *passive* guarantees in combination with a favorable electoral system and/or accessible plenary agenda. The second is *accidental* which consists of a favorable electoral system and/or accessible plenary agenda without the existence of *active* or *passive* guarantees. These categories will be used later, when I construct the typology of minority representation. They are very useful for this study since they indicate the presence or the absence of a conscious policy of the state to represent minority groups.

2.2 Effective Minority Representation

This dimension tries to capture the actual representation of minority groups. This is

to say to what extent ethnic minorities are represented and to what extent they participate in decision making. The dimension consists of several components that are conceptually connected. The first component is the existence of effective parties of ethnic minorities that succeed in winning seats in the legislature. This is the main component that characterizes effective minority representation. Such parties form the elite of the minority, formulate policies corresponding to relevant minority issues, interact within the political systems with other actors, and hence provide solutions to the relevant issues.

In addition to or instead of parties of ethnic minorities there could be ethnically mixed parties that represent interests of a certain minority or minorities. The existence of such parties is the second component of this dimension. The extent to which such parties are dedicated to minority problems remains not so clear and not as stable as the mono-ethnic parties. However they could appear to be extremely useful when, for example, a minority party could not enter parliament due to a high national threshold or other restrictive measures. That is why this component is of high importance although it is hard to capture its characteristics.

The third component of this dimension is whether the parties of the majority include representatives of minority groups in elective positions on party lists or raise their candidatures in single member districts. This is again a way to overcome restrictive policies and measures towards minority representation. It is also an indicator of the willingness of the majority

to include minority representatives in the decision making process.

These three components form the sub-dimension of parliamentary representation. They indicate the means of representing minorities in the legislature and hence guarantee the minority groups participation in the law-making process.

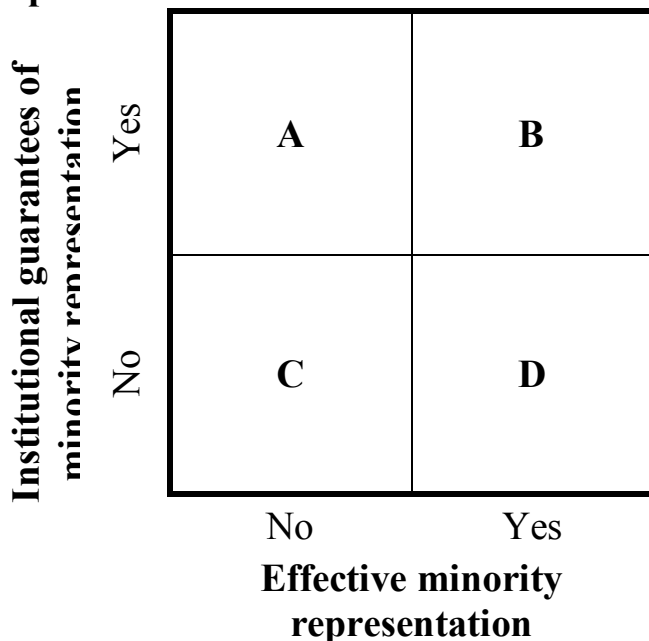
The fourth component is minority office holding or access to higher positions. Minority incumbents of offices could apply policies oriented towards ethnic issues and also have legislative initiative for providing relevant legislation. Moreover, in parliamentary states where the executive power has a collegial structure, ministers have certain unrestricted competences and hence minority incumbents can exercise certain executive power.

The last component of this dimension is whether representatives of the minorities have access to civil, military, or police service. This guarantees minority participation in the lower stages of the state's organization and public life and covers a larger number of representatives. The fourth and the fifth components form the sub-dimension of executive representation, which is in my opinion the most important of all, since it gives minority representatives real power and thus contrasts with all the other discussed measures of representation that can be symbolic and ineffective. However the presence of these two components is not likely without the presence of parliamentary representation; hence these two components could be interpreted as an

Table 1: Two Dimensions of Minority Representation and Their Components

| | Institutional guarantees of minority representation | | Effective minority representation |
|---|------------------------------------------------------------|----|-----------------------------------------------|
| 1 | Suitable electoral system | 7 | Effective ethnic minority parties |
| 2 | Recognition by the state | 8 | Mixed parties |
| 3 | Reserved seats in the legislature | 9 | Representatives in parties of the majority |
| 4 | Legitimate ethnic minority parties | 10 | Minority office-holding |
| 5 | Rigidity of minority-friendly legislation | 11 | Access to civil, military, and police service |
| 6 | Flexibility of the plenary agenda | | |

Figure 1: Two-dimensional Framework of Minority Representation



Deriving from the existing literature⁶, we can consider that the existence of institutional guarantees will result in effective representation, and their absence in non-representation. This suggests that there should be a linear positive correlation between the two phenomena. Hence, the primary hypothesis of this study will be: H_0 : *there is a linear dependence of the presence of effective representation on the presence of institutional guarantees.* Both dimensions therefore could be represented as dependent and independent variables. The institutional dimension is the independent, the effective representation, the dependent. If the two dimensions are represented schematically⁷ and this suggestion holds true, all the cases should appear in boxes C and B.

⁶ Lijphart, “Democracies,”; Lijphart, *Patterns of Democracy*; Lijphart, “Constitutional Design for Divided Societies,”; Horowitz, “Electoral Systems,”; Bochler, *Electoral engineering*.

⁷ See Figure 1.

Such location of the cases would mean that there is only one type of minority representation – the institutionally guaranteed. However, if there are cases situated in boxes A and D, this will mean that there is no linear dependence between the two dimensions (H_0 does not hold true). Hence, there will be four combinations, which I will call types of minority representation.

The first type appears when there are institutional guarantees and an actual high degree of minority representation (box B). This is to say that the intentions and the efforts of the constitution writers and the legislators are fruitful. They have constructed a normative framework in order to represent a minority group or groups and the latter are really represented. This is the type of *institutionalized minority representation*.

The second type appears when there are institutional guarantees of minority representation, but in fact minority groups are not represented (box A). This could be interpreted in two ways: first, the state adopts a specific constitution and/or legislation for minorities, but does not implement it for reasons such as unwillingness or incapability. Second, the normative measures adopted, even if implemented, are improper for achieving the aim of minority representation and result in non-representation. Hence this type is defined as *minority representation on-paper*.

The third basic type (box D) consists of effective political representation of minority groups that is not institutionally

guaranteed. This means that the minority or minorities find a way of representing their group interests through non-normative means or through other means not especially designed for their representation. This type is *non-institutionalized minority representation*.

The fourth basic type exists when we observe the existence of considerable minority group or groups, but there are neither normative guarantees for their political representation nor representation as such. These situations are likely to appear in countries where there is not only a lack of minority-specific rights, but defense of ethnic interests of minorities is legally restricted if not prohibited. Therefore this is the type of *suppressed minority representation*.

So far I have defined the two dimensions of minority representation and their components as well as the four basic types of representation that can occur. In the next section I try to operationalize these dimensions and to select the cases of my study in order to create a dataset. Through an empirical analysis of the dataset, I furthermore will try to justify the four types of minority representation discussed above.

3. Measuring the Eleven Indicators

Since the two dimensions of minority representation consist of more than two components which are conceptually significant, I want to see how they combine with each other. For that reason I will not aggregate them and I will use the Qualitative Comparative Approach (QCA), which allows for observation of all

combinations between the components. Therefore, the variables in this study will be coded according to the requirements of this method.

3.1 Assigning Scores

The eleven indicators in this research have two statuses – presence or absence. Therefore only two numerical scores for each indicator are available: 1 for presence and 0 for absence. However, it is still not easy to determine the status of some indicators. For example, the first indicator is the electoral system. It has two statuses: 1 (minority friendly) and 0 (minority indifferent or restrictive). But what is a *friendly* and what is an *indifferent* electoral system? Lijphart⁸ defines as minority friendly the PR system. However, under certain circumstances as the territorial structure of the minority group, plurality system could be more favorable for ethnic minority representation⁹. I will use Bochslers' classification, where he controls for size and territorial dispersion or concentration of each minority group when estimating the effects of the electoral rules applied, in order to determine the value of this indicator. This value will not be influenced by the presence or the absence of minority parties in the legislature. This is to say that it is possible for a minority group to score 1 on the electoral system indicator without having an effective minority party in the legislature and vice versa.

The second and third indicators are easy to measure. They concern the recognition of the particular minority group and whether there are reserved seats in the parliament for minorities. These two indicators are scored upon the presence or absence of the feature. The fourth indicator will be reversed for convenience of measurement. The question will not be if minority parties are banned or not, but if they are legitimate or not.

The fifth indicator will score 1 if the requirements for amending minority representation legislation are at least as stringent as these for minor change in constitution, and will score 0 if less or such legislation is not present. The last indicator concerns the rigidity of the plenary agenda in the legislation. It will score 1 if single members of parliament (MP) could put up bills on the agenda and score 0 if else. The right of each MP to do this is the strongest guarantee that minorities can participate in the formulation of the agenda.

The second dimension is measured by five indicators. The first three represent the first stage of representation – entering the legislature. The last two measure the effective amount of power deriving from this representation. The first three indicators score as follows: effective minority parties will score 1 when a political party of the particular minority succeeds to win seats in the legislature; the second indicator scores 1 if the mixed minority party wins seats in the legislature and the third indicator scores 1 if the representative of the particular minority included in the party list of the majority

⁸ Lijphart, "Constitutional Design for Divided Societies".

⁹ Bochslers, *Electoral engineering*.

party becomes MP. The fourth indicator will score 1 if there is at least one member of the government from the minority group. The last indicator will score 1 if there are minority representatives in civil, military, and police service or at least members of minority groups are not discriminated against in the recruitment of the civil servants, the military, and the police.

3.2 Case Selection

Considering the cases for this study I identify three criteria. First is the requirement of ethnical diversity. Second is the criterion of contextual uniformity i.e. I am looking for the most similar cases. Finally, when referring to minority representation issues, I find the external pressure of great importance so I am focusing on cases for which this pressure is constant. Such cases are the Central and Eastern European countries that:

- recently joined European Union (EU) except Poland;
- Bulgaria and Romania, which are expected to join in 2007;
- Croatia, which is negotiating its accession.

These countries are “ethnically mixed to a very high degree”¹⁰ and they are contextually similar – they finished their transition towards democracy being part of one and the same wave of democratization. They are situated in a common region and finally, the main external pressure for representing minorities in these countries comes from

the EU, which makes this intervening factor more or less constant.

However, it is hard to take a country as a case. This is due to the fact that there are different minorities within the countries from this region that are treated differently and are at different stages of their political development. The different minorities also have different territorial structure within the country, which is of high importance when estimating which is the best electoral system for them. That is why in this study the main objects will not be countries but the minority groups in these countries. In the chosen nine states there are jointly fifteen considerable minority groups which are shown in Table 2 below.

Another concern that I find important regarding the selection of cases is the time period in which the representation of these groups will be observed. As a starting year of observation I choose 1993. This starting point is reasonable due to the fact that in the period 1989-1993 the nine countries under observation created their democratic institutions, changed the normative base of their states and as a whole performed the transition to democracy. The existence of a democratic state is a vital prerequisite for the existence of minority representation.

Table 2: Minority Groups by Country

| <i>Country</i> | <i>Minority group</i> |
|----------------|-----------------------|
| Bulgaria | Roma Turks |
| Croatia | Roma Serbs |

¹⁰ Bochsler, *Electoral engineering*, 2.

| | |
|----------------|--------------------|
| Czech Republic | Roma Slovaks |
| Estonia | Russians |
| Hungary | Roma |
| Latvia | Russians |
| Lithuania | Poles Russians |
| Romania | Hungarians Roma |
| Slovakia | Hungarians Roma |

I estimate that by 1993 the nine countries in my sample met at least the minimal democratic requirements – free elections and political plurality.

The final year of observation is 2003. This closes a period of eleven years in which there were at least two parliamentary elections and three different parliaments for each country observed. This allows me to add a third dimension to my analysis – the time. This third dimension gives me the opportunity to study whether there is temporal change in the types based on the institutional and effective components i.e. if the types that could be observed in 1993 improve, regress or remain the same in 2003.

3.3 Constructing Dataset

Since there is no existing dataset that is applicable to this study, I gathered comprehensive data from diverse sources concerning the fifteen minority groups for

the time period. Analyzing the data, I constructed a dataset containing 165 items. One item consists of the binary scores of each minority group on the eleven indicators for each year. In determining the scores for the indicator *suitable electoral system*, I applied Bochsler's formula¹¹ to two existing databases. One is a dataset on political institutions developed for the World Bank¹². The other is the quantitative database of Minorities at Risk (MAR) Project of the Center for International Development and Conflict Management – University of Maryland¹³. For scoring the indicators of *recognition by the state*, *reserved seats*, *legitimate ethnic minority parties*, *rigidity of minority-friendly legislation* and *flexibility of the plenary agenda*, firstly I used the qualitative data in the Minorities at Risk Project for each minority group. Secondly, I examined the constitutional texts of the nine countries and the subsequent relevant legislation.

For the scoring of the indicators *effective ethnic minority parties*, *mixed parties*, and *representatives in parties of the majority*, I used the qualitative MAR data and a dataset of the Project on Political Transformation and the Electoral Process in Post-Communist Europe of Essex

¹¹ Bochsler, *Electoral engineering*, 12.

¹² Beck Thorsten, George Clarke, Alberto Groff, Philip Keefer, and Patrick Walsh, "New tools in comparative political economy: The Database of Political Institutions." *World Bank Economic Review* 15:1, (September 2001): 165-76.

¹³ Minorities at Risk Project (2005) College Park, MD: Center for International Development and Conflict Management. Retrieved from <http://www.cidcm.umd.edu/inscr/mar/> on: [May/20/2006].

University¹⁴. Finally, for scoring the *minority office-holding* and the *access to civil, military, and police service* I used both qualitative and quantitative MAR data. The constructed dataset is the basis for creating the typology of ethnic minority representation that I will try to utilize in the following section.

4. Creating the Typology of Minority Representation

Here, I will discuss the method that I will use to analyze the dataset. Furthermore, using this method I will conduct the empirical analysis itself and check if the four types of ethnic minority representation described in Section 2 exist in practice.

4.1 The Method

According to my model, there are four types of representation of ethnic minorities on the national level. These types are four different combinations of the statuses of the institutional and the effective dimension – presence or absence. However, both dimensions consist of several components, which are independently important for my model. That is why I am interested in all the existing combinations of components. Hence, I will not aggregate the two dimensions.

In order to explore all possible combinations between the components, I will use the Qualitative Comparative Analysis (QCA) based on Boolean algebra. The method was first developed by Charles Ragin¹⁵. It uses logical, multiple causal paths in explaining the phenomenon of observation. The method allows the actual status of the analyzed cases to be explained by combinations of conditions¹⁶. Therefore, this method is much more appropriate for construction of *types*, than the quantitative techniques.

The variables in my study are binary. They are scored 1 (present) or 0 (absent). In order not to be mistaken with what is meant as *variable* in the quantitative analyses and to keep myself in the terms of QCA, these variables will be referred to as *conditions*. Each type of my typology will be an *outcome* that occurs due to specific *combination of conditions*, not of variables. These conditions are coded with letters. Upper case replaces the value 1 (presence), while the lower case replaces the value 0 (absence). For example, the first condition in the dataset – *suitable electoral system* is coded as “S”. For each case it could have values 1 or 0 which are respectively expressed as “S” or “s”. The first stands for a suitable electoral system for the representation of the minority group; the latter stands for an unsuitable electoral system. The second condition – *recognition by the state* will appear as “R” if the minority group is recognized by the

¹⁴ Project on Political Transformation and the Electoral Process in Post-Communist Europe (2002): University of Essex. Retrieved from <http://www.essex.ac.uk/elections/> on: [May/20/2006].

¹⁵ Charles Ragin, *The Comparative Method: Moving Beyond Qualitative and Quantitative* (Berkeley: University of California Press, 1987)

¹⁶ Bochsler, *Electoral engineering*, 8.

state or “r” if not. The codes for all conditions are represented in Table 3.

Table 3: Codes of the Eleven Conditions

| # | Condition | Code |
|----|----------------------------------------------|------|
| 1 | Suitable electoral system | S |
| 2 | Recognition by the state | R |
| 3 | Reserved seats in the legislature | L |
| 4 | Legitimate ethnic minority parties | E |
| 5 | Rigidity of minority-friendly legislation | F |
| 6 | Flexibility of the plenary agenda | A |
| 7 | Effective ethnic minority parties | P |
| 8 | Mixed parties | M |
| 9 | Representatives in parties of the majority | J |
| 10 | Minority office-holding | O |
| 11 | Access to civil, military and police service | C |

Each combination of the components of the institutional and the effective dimension is a logical expression of the relationship between the conditions. This relationship is denoted by the logical operators “AND” (symbolized by *) and “OR” (symbolized by +). For example, a minority group X may enjoy a suitable electoral system and is recognized by the state, but does not hold reserved seats in the legislature and therefore enters the parliament either by its own party, or by mixed party with minority group Y. This combination of conditions will have the following logical expression:

$$S * R * I * (P + M).$$

This method is very appropriate for my study because it allows observation of the interdependent relations between the two dimensions as well as between all the components. However, it has one limitation. It is developed for small-N analysis – no more than 50 cases¹⁷ while my cases are 165 (15 minority groups observed in 11 year period). Nevertheless, for the purpose of my study it is undoubtedly the most suitable.

4.2 Analyzing the Data

I carried out the analysis of my dataset with the QCA software Tosmana¹⁸. The analysis was performed in two steps. First, I calculated all combinations of conditions that are met in the dataset. Although theoretically there is a very high number of possible combinations (there are $2^{11} = 2,048$ possible combinations of the eleven conditions), practically they could not be more than 165 – the number of the cases in the dataset. Indeed, all the 165 cases are distributed among only 24 combinations. Some combinations are met in up to 24 cases, others in less than 4. All other theoretically possible combinations are not met in the dataset.

The 24 combinations are represented in the QCA Truth Table¹⁹ produced with Tosmana. In the first column are the numbers of the relevant combinations. The next six columns include the components of the institutional dimension

¹⁷ Bochslers, *Electoral engineering*, 8.

¹⁸ Cronqvist, Lasse. 2006. Tosmana - Tool for Small-N Analysis [Version 1.255]. Marburg. Internet: <http://www.tosmana.net>.

¹⁹ See Table 4.

of minority representation. Columns 3 and 4 represent the *active* measures of the state to represent. Columns 5 and 6 show the *passive* measures. Columns 8-12 are the components of the effective dimension of minority representation. The first three of them form the sub-dimension of parliamentary representation, while the 11th and 12th form the sub-dimension of executive representation. The last column of the table shows which cases belong to the relevant combination and how many they are.

The case descriptors consist of three elements – the abbreviations of the country and the minority group, plus the last two digits of the year for which the observation refers. For example in the Czech Republic, the minority group “Roma” in 1997 appears as CZRO97 in the dataset; the Turks in 2001 in Bulgaria as BGTU01 and so on.

The next step of my analysis was to logically reduce these 24 combinations down to 12. This is done by comparing the different combinations. If two or more of them differ in the scores of only one condition, it can be ejected from the equation and these combinations become identical. Furthermore, I tried to find if these 12 combinations of conditions correspond to the four basic types of minority representation.

Two of them could be classified as *institutionalized minority representation*. They have present *active* institutional guarantees and effective parliamentary as well as executive minority representation. These two combinations are shown in the first two rows of the table of equations (Table 5).

The next four rows of the table represent the equations that belong to *non-institutionalized minority representation*. In these cases we observe the presence of both effective parliamentary and executive representation parallel to the lack of *active* institutional measures ensuring them. Although a favorable electoral system in combination with one or more *passive* measures persists in these four equations, these types could not be classified as institutionalized, since the state is not taking any initiative in order to represent minorities. These minority groups have attained representation without the help of the state mainly due to their high number and disciplined vote for their ethnic parties.

Row number 7 in the table represents only one – rather contradictory case. Although Roma in Hungary enjoy recognition by the state and are represented at certain levels of local power, which makes them the most represented Roma minority in the CEE region, they still have no access to power at the national level. That is why although this group scores yes on the indicators *recognition by the state* and *access to civil, military, and police service*²⁰, it is not classified as institutionalized type of representation, but as *represented on-paper*.

The last five rows of the table represent combinations of variables, which are classified as *suppressed representation*. These combinations show an absence of *active* institutional guarantees for representation and of effective representation. The only exception is the

²⁰ See Table 4.

Table 4: Truth Table – 24 Patterns of Minority Representation

| # | <i>Institutional guarantees of minority representation</i> | | | | | | <i>Effective minority representation</i> | | | | | <i>Cases</i> | |
|----|------------------------------------------------------------|-----|-----|-----|-----|-----|------------------------------------------|-----|-----|-----|-----|--------------|------------------------------------------------------------------------------|
| | S | R | L | E | F | A | P | M | J | C | O | | |
| I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV |
| 1 | yes | no | no | yes | no | yes | yes | yes | no | yes | yes | 3 | LITRU01,LITRU02,LITRU03 |
| 2 | yes | no | no | yes | yes | yes | yes | no | no | yes | yes | 5 | SKHU99,SKHU00,SKHU01,SKHU02,SKHU03 |
| 3 | yes | yes | yes | yes | yes | yes | yes | no | no | yes | yes | 3 | ROHU01,ROHU02,ROHU03 |
| 4 | no | yes | no | yes | no | yes | no | no | yes | yes | yes | 11 | CZSK93,CZSK94,CZSK95,CZSK96,CZSK97,CZSK98,CZSK99,CZSK00,CZSK01,CZSK02,CZSK03 |
| 5 | yes | no | no | yes | no | yes | no | yes | no | yes | yes | 8 | LITRU93,LITRU94,LITRU95,LITRU96,LITRU97,LITRU98,LITRU99,LITRU00 |
| 6 | yes | no | no | yes | no | yes | yes | no | no | yes | yes | 8 | LITPO93,LITPO94,LITPO95,LITPO96,LITPO97,LITPO98,LITPO99,LITPO00 |
| 7 | yes | no | no | no | no | yes | yes | no | no | yes | yes | 3 | BGTU01,BGTU02,BGTU03 |
| 8 | yes | yes | yes | yes | yes | yes | yes | no | no | no | yes | 3 | CROSE95,ROHU99,ROHU00 |
| 9 | yes | yes | yes | yes | yes | yes | yes | no | no | yes | no | 3 | RORO01,RORO02,RORO03 |
| 10 | yes | no | no | yes | yes | yes | yes | no | no | yes | no | 4 | SKHU95,SKHU96,SKHU97,SKHU98 |
| 11 | yes | no | no | yes | yes | yes | no | yes | no | yes | no | 2 | SKHU93,SKHU94 |

| | | | | | | | | | | | | | |
|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12 | yes | no | no | yes | no | yes | yes | no | no | yes | no | 8 | ESTRU96,ESTRU97,ESTRU98,ESTRU99,ESTRU00,LITPO01,LITPO02,LITPO03 |
| 13 | yes | no | no | no | no | yes | yes | no | no | yes | no | 8 | BGTU93,BGTU94,BGTU95,BGTU96,BGTU97,BGTU98,BGTU99,BGTU00 |
| 14 | no | no | no | no | no | yes | no | yes | no | yes | no | 3 | BGRO01,BGRO02,BGRO03 |
| 15 | no | yes | no | yes | yes | yes | no | no | no | yes | no | 11 | HURO93,HURO94,HURO95,HURO96,HURO97,HURO98,HURO99,HURO00,HURO01,HURO02,HURO03 |
| 16 | yes | yes | yes | yes | yes | yes | yes | no | no | no | no | 24 | CROSE93,CROSE94,CROSE96,CROSE97,CROSE98,CROSE99,CROSE00,CROSE01,CROSE02,CROSE03,ROHU93,ROHU94,ROHU95,ROHU96,ROHU97,ROHU98,RORO93,RORO94,RORO95,RORO96,RORO97,RORO98,RORO99,RO00 |
| 17 | yes | no | no | yes | no | yes | yes | no | no | no | no | 3 | ESTRU01,ESTRU02,ESTRU03 |
| 18 | yes | no | no | yes | no | no | yes | no | no | no | no | 5 | LATRU93,LATRU94,LATRU95,LATRU02,LATRU03 |
| 19 | no | no | no | yes | no | yes | no | no | yes | no | no | 4 | CZRO98,CZRO99,CZRO00,CZRO01 |
| 20 | yes | no | no | yes | no | yes | no | no | no | no | no | 3 | ESTRU93,ESTRU94,ESTRU95 |
| 21 | no | no | no | yes | yes | yes | no | no | no | no | no | 22 | CRORO93,CRORO94,CRORO95,CRORO96,CRORO97,CRORO98,CRORO99,CRORO00,CRORO01,CRORO02,CRORO03,SKRO93,SKRO94,SKRO95,SKRO96,SKRO97,SKRO98,SKRO99,SKRO00,SKRO01,SKRO02,SKRO03 |

| | | | | | | | | | | | | | |
|----|-----|----|----|-----|----|-----|----|----|----|----|----|---|---------------------------------------------------------|
| 22 | yes | no | no | yes | no | no | no | no | no | no | no | 6 | LATRU96,LATRU97,LATRU98,LATRU99,LATRU00,LATRU01 |
| 23 | no | no | no | yes | no | yes | no | no | no | no | no | 7 | CZRO93,CZRO94,CZRO95,CZRO96,CZRO97,CZRO02,CZRO03 |
| 24 | no | no | no | no | no | yes | no | no | no | no | no | 8 | BGRO93,BGRO94,BGRO95,BGRO96,BGRO97,BGRO98,BGRO99,BGRO00 |

Table 5: Table of Equations. Classification of the Cases

| Type | # | Equation | Cases |
|-----------------------------------------------|---|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Institutionalized minority representation | 1 | $S * R * L * E * F * A * P * m * j +$ | (CROSE93,CROSE94,CROSE96,CROSE97,CROSE98,CROSE99,CROSE00,CROSE01,CROSE02,CROSE03,ROHU93,ROHU94,ROHU95,ROHU96,ROHU97,ROHU98,RORO93,RORO94,RORO95,RORO96,RORO97,RORO98,RORO99,RORO00+CROSE95,ROHU99,ROHU00+ROHU01,ROHU02,ROHU03+RORO01,RORO02,RORO03) |
| | 2 | $s * R * I * E * f * A * p * m * M * O * C$ | (CZSK93,CZSK94,CZSK95,CZSK96,CZSK97,CZSK98,CZSK99,CZSK00,CZSK01,CZSK02,CZSK03) |
| Non-institutionalized minority representation | 3 | $S * r * I * E * F * A * p * M * j * o * C +$ | (SKHU93,SKHU94) |
| | 4 | $S * r * I * f * A * P * m * j * C +$ | (BGTU93,BGTU94,BGTU95,BGTU96,BGTU97,BGTU98,BGTU99,BGTU00+BGTU01,BGTU02,BGTU03+ESTRU96,ESTRU97,ESTRU98,ESTRU99,ESTRU00,LITPO01,LITPO02,LITPO03+LITPO93,LITPO94,LITPO95,LITPO96,LITPO97,LITPO98,LITPO99,LITPO00) |
| | 5 | $S * r * I * E * A * P * m * j * C +$ | (ESTRU96,ESTRU97,ESTRU98,ESTRU99,ESTRU00,LITPO01,LITPO02,LITPO03+LITPO93,LITPO94,LITPO95,LITPO96,LITPO97,LITPO98,LITPO99,LITPO00+SKHU95,SKHU96,SKHU97,SKHU98+SKHU99,SKHU00,SKHU01,SKHU02,SKHU03) |
| | 6 | $S * r * I * E * f * A * M * j * O * C$ | (LITRU93,LITRU94,LITRU95,LITRU96,LITRU97,LITRU98,LITRU99,LITRU00+LITRU01,LITRU02,LITRU03) |

| | | | |
|-------------------------------------------|----|--------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Representation on-paper | 7 | s * R * l * E * F * A * p * m * j * o * C | (HURO93,HURO94,HURO95,HURO96,HURO97,HURO98,HURO99,HURO00,HURO01 ,HURO02,HURO03) |
| Suppressed minority representation | 8 | S * r * l * E * f * m * j * o * c + | (ESTRU93,ESTRU94,ESTRU95+ESTRU01,ESTRU02,ESTRU03+LATRU93,LATRU94, LATRU95,LATRU02,LATRU03+LATRU96,LATRU97,LATRU98,LATRU99,LATRU00, LATRU01) |
| | 9 | s * r * l * f * A * p * m * j * o * c + | (BGRO93,BGRO94,BGRO95,BGRO96,BGRO97,BGRO98,BGRO99,BGRO00+CZRO93, CZRO94,CZRO95,CZRO96,CZRO97,CZRO02,CZRO03) |
| | 10 | s * r * l * E * A * p * m * j * o * c + | (CRORO93,CRORO94,CRORO95,CRORO96,CRORO97,CRORO98,CRORO99,CRORO 00,CRORO01,CRORO02,CRORO03,SKRO93,SKRO94,SKRO95,SKRO96,SKRO97,SKR O98,SKRO99,SKRO00,SKRO01,SKRO02,SKRO03+CZRO93,CZRO94,CZRO95,CZRO9 6,CZRO97,CZRO02,CZRO03) |
| | 11 | s * r * l * E * f * A * p * m * o * s + | (CZRO93,CZRO94,CZRO95,CZRO96,CZRO97,CZRO02,CZRO03+CZRO98,CZRO99,C ZRO00,CZRO01) |
| | 12 | s * r * l * e * f * A * p * M * j * o * S | (BGRO01,BGRO02,BGRO03) |

Table 6: Truth Table - Conditions Determining the Existence of Reserved Seats in the Legislature

| # | Conditions | | | | | Outcome | Cases |
|----------|------------|----|----|----|-----|-----------|-------------------------------------------------------------------------------|
| | S | R | E | F | A | L | |
| 1 | no | no | no | no | yes | no | BGRO93,BGRO94,BGRO95,BGRO96,BGRO97,BGRO98,BGRO99,BGRO00, BGRO01,BGRO02,BGRO03 |
| 2 | yes | no | no | no | yes | no | BGTU93,BGTU94,BGTU95,BGTU96,BGTU97,BGTU98,BGTU99,BGTU00,B GTU01,BGTU02,BGTU03 |

| | | | | | | | |
|-----------|-----|-----|-----|-----|-----|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3 | no | no | yes | yes | yes | no | CRORO93,CRORO94,CRORO95,CRORO96,CRORO97,CRORO98,CRORO99,CRORO00,CRORO01,CRORO02,CRORO03,SKRO93,SKRO94,SKRO95,SKRO96,SKRO97,SKRO98,SKRO99,SKRO00,SKRO01,SKRO02,SKRO03 |
| 4 | yes | yes | yes | yes | yes | yes | CROSE93,CROSE94,CROSE95,CROSE96,CROSE97,CROSE98,CROSE99,CROSE00,CROSE01,CROSE02,CROSE03,ROHU93,ROHU94,ROHU95,ROHU96,ROHU97,ROHU98,ROHU99,ROHU00,ROHU01,ROHU02,ROHU03,RORO93,RORO94,RORO95,RORO96,RORO97,RORO98,RORO99,RORO00,RORO01,RORO02,RORO03 |
| 5 | no | no | yes | no | yes | no | CZRO93,CZRO94,CZRO95,CZRO96,CZRO97,CZRO98,CZRO99,CZRO00,CZRO01,CZRO02,CZRO03 |
| 6 | no | yes | yes | no | yes | no | CZSK93,CZSK94,CZSK95,CZSK96,CZSK97,CZSK98,CZSK99,CZSK00,CZSK01,CZSK02,CZSK03 |
| 7 | yes | no | yes | no | yes | no | ESTRU93,ESTRU94,ESTRU95,ESTRU96,ESTRU97,ESTRU98,ESTRU99,ESTRU00,ESTRU01,ESTRU02,ESTRU03,LITPO93,LITPO94,LITPO95,LITPO96,LITPO97,LITPO98,LITPO99,LITPO00,LITPO01,LITPO02,LITPO03,LITRU93,LITRU94,LITRU95,LITRU96,LITRU97,LITRU98,LITRU99,LITRU00,LITRU01,LITRU02,LITRU03 |
| 8 | no | yes | yes | yes | yes | no | HURO93,HURO94,HURO95,HURO96,HURO97,HURO98,HURO99,HURO00,HURO01,HURO02,HURO03 |
| 9 | yes | no | yes | no | no | no | LATRU93,LATRU94,LATRU95,LATRU96,LATRU97,LATRU98,LATRU99,LATRU00,LATRU01,LATRU02,LATRU03 |
| 10 | yes | no | yes | yes | yes | no | SKHU93,SKHU94,SKHU95,SKHU96,SKHU97,SKHU98,SKHU99,SKHU00,SKHU01,SKHU02,SKHU03 |

case of Bulgarian Roma in the period 2001-2003. In the parliamentary elections in 2001, the predominantly ethnic Roma party “Evro Roma” ran in coalition with the Turkish ethnic party “Movement for Rights and Freedom” (Dvizhenie za Prava i Svobodi) and managed to win one seat in the parliament. Lately, Roma candidates have managed to win seats in municipal elections as well. That is why this minority group scores “yes” on *mixed parties* and *access to civil, military, and police service*. Despite that fact, Roma in Bulgaria remain the most disadvantaged social group, and this slight improvement of their representation practically did not lead to positive results. That is why this group is classified as not represented.

However I encountered a problem. By mechanically reducing the number of combinations, Tosmana has combined logical types that are conceptually incompatible. For instance, in the table of equations, the Russian minority group in Latvia falls into the category of *suppressed representation* for the whole time period. However in the truth table we can see, that in 1993, 1994, 1995, 2002 and 2002 this minority group had parliamentary representation by its own political party (combination 18).

Due to this fact, the need for refinement of the equations emerges. This will be done by grouping the indicators into blocks, and redefining the equations in a way that does not allow such conceptually incompatible types to be combined. Such refinement has another very beneficial effect for my analysis, which will be discussed later.

4.3 Refinement of the Equations and Defining Subtypes of Minority Representation

Apart from combining conceptually incompatible patterns of representation, the mechanical reduction of combinations conceals some substantial differences within the four types of minority representation. In Section 2, I distinguished two categories of institutional guarantees – *intentional* and *accidental*. Within the *intentional* category are located the *active* and the *passive* institutional guarantees of minority representation. I have also distinguished two sub-dimensions of effective representation – parliamentary and executive. Using this categorization, I will make my typology of minority representation more sensitive.

4.3.1. Subtypes of Institutionalized Minority Representation

Starting with the type of *institutionalized minority representation* we can see that the first equation represents the cases of Croatian Serbs, Romanian Roma and Romanian Hungarians. Therefore they should form one type. As indicated by the equation, this type consists of a presence of all institutional conditions plus the presence of an ethnic minority party and an absence of mixed parties and of representatives in parties of the majority. The status of the conditions indicating representation in the executive is not shown in the equation.

However, in the QCA Truth Table we can see that the Romanian Hungarians in 2001,

2002 and in 2003 score “yes” on both executive conditions²¹. Similarly, Serbs in Croatia (1995) and Hungarians in Romania (1999 and 2000) score “yes” on the condition indicating presence of minority office-holding (combination #8), while Roma in Romania (2001-2003) score “yes” on *access to civil, military, and police service* (combination #9). The procedure of logical simplification ejected these conditions from the equation and grouped the relevant cases together with those in combination #16. These two variables however are conceptually significant since they indicate whether the minority groups have real power or not. That is why I will reformulate the first equation to include the executive conditions as well. By performing this operation I will divide my first basic type into two subtypes. This will expand the explanatory function of my model. On the basis of the first equation in Table 5, and the four combinations of cases from the truth table - #3, #8, #9 and #16, I extracted the following two equations:

- $S^*R^*L^*E^*F^*A^*P \rightarrow$
Institutionalized parliamentary representation
 - $S^*R^*L^*E^*F^*A^*P^*(C+O) \rightarrow$
Institutionalized executive representation
- As indicated by the equations, the first type of my typology is divided into two subtypes: the subtype of *institutionalized parliamentary representation* and the subtype of *institutionalized executive representation*. This step brings more clarity to my model by establishing a second plane of explanation based on the different configurations of the elements of

the second dimension of minority representation. These two equations, therefore, represent two conjunctive paths for achieving two types of *institutionalized minority representation*. The analytical advantages of the refinement of the first equation are two-fold. First, we can see that institutionalized executive representation is an upgrade of parliamentary representation. Hence, the existence of the latter is a necessary prerequisite for the existence of the former. Further, I include the time dimension in my analysis, and discover that first the type of *institutionalized parliamentary representation* occurs (Table 4, combination #16). Later it could evolve into *institutionalized executive representation* or remain unchanged.

The second analytical advantage of the refinement refers to the institutional dimension of minority representation. As we can see from the equation table, this is the only conjunctive path that requires the presence of all the components of this dimension, and actually combines all the cases that score positively on the *reserved seats in the legislature* condition (L). This provoked me to check for conditional ties within the first dimension. I ran a test for dependence of the *reserved seats* component on the other five components of the institutional dimension. As we can see from the truth table (Table 6), reserved seats (outcome) are possible only if all other institutional guarantees are present (conditions).

²¹ See Table 4, combination #3.

The reserved seats for minorities in the legislature then could be interpreted as the fruitful end of an intentional policy of the state to represent minorities. It is intentional because it is preceded by implementing of all other measures, like hard-to-amend minority-friendly legislation, recognition of the minority group, an electoral system that stimulates the creation of ethnic minority parties, and the presence of a flexible parliamentary agenda. It is fruitful, because in all cases where conditions are met, it leads at least to the existence of parliamentarily represented ethnic minority parties.

An alternative way of achieving *institutionalized minority representation* is described by expression #2 of my table of equations. This combination is unique and describes only one specific minority group from the dataset – the Slovaks in the Czech Republic. I classified it as institutionalized, because it scores positively on one of my *active* institutional measures – *recognition* by the state. Since it contains presence of both parliamentary and executive components, I classified it as *institutionalized executive representation* of the minority group. This equation is an alternative path of achieving institutionalized representation. I will reduce its components in order to turn it from descriptive into conditional. So far, I have identified two conjunctional paths for achieving my first type of *institutionalized minority representation* and have divided it into two subtypes which are complements. These two paths are substitutes of each other and are explicitly expressed in the following formula:

Formula 1.
Institutionalized minority representation
 $S * R * L * E * F * A * P \rightarrow$ Institutionalized parliamentary minority representation
 $(S * R * L * E * F * A * P * (C + O)) + (R * M * C * O) \rightarrow$ Institutionalized executive minority representation

In summary, the type of *Institutionalized minority representation* contains two subtypes. The first is *institutionalized parliamentary minority representation*. It is a consequence of the systematic efforts of the state to establish institutional prerequisites for facilitating the representation of the relevant minority group, resulting in reserved seats in the legislature. All these measures support the establishment of an effective parliamentarily represented party of this group, which easily could put up minority-related issues in the parliamentary agenda due to its flexibility. Consequently this situation could upgrade into the second type of *institutionalized executive minority representation* where in addition, the minority group has access to civil, military, and police services and/or the party of the minority group has representatives in the government. If the state recognizes the minority group, but does not make systematic efforts to guarantee their representation, its representatives may enter the parliament through lists of the parties of the majority, as well as to become incumbents of government offices. The second path requires as a prerequisite a certain level of integration of the minority group with the majority. That is why not all minority

groups could use this path as is the case of the Roma, for example.

4.3.2. Subtypes of Non-institutionalized Minority Representation

Next in the table of the equations are represented the four expressions that build up my second type of *non-institutionalized minority representation*. For all four of them, the absence of the *active* institutional measures is common. However, all cases represented by them have representatives in the legislature either by their own ethnic or mixed parties, or both. Some of them in addition gain access to civil, military and police service, and others go even further by gaining control over ministerial offices.

The four equations in Table 5, however, do not demonstrate these specifics. Even more, there are cases which should be classified as represented, but are combined with others that have no representatives either on the parliamentary or executive level. For example the cases from combinations #17 and #18 of the truth table (Table 4), which have positive scores on the *effective ethnic minority parties* indicator, are logically included in equation #8 in the table of equations, which falls into the type of *suppressed representation*.

As the problem of logically combining conceptually incompatible patterns occurs here as well, I performed a refinement of the equations included in that basic type of minority representation. The common factor for all the cases that fall into this type is that they are represented, but all of them lack *active* institutional guarantees

for that representation. Hence the latter is most probably due to the existence of a favorable electoral system that facilitates the establishment of effectively represented mono-ethnic or mixed parties, in all of the cases.

These types however differ in the extent to which they are represented and on that basis they can be distinguished. Three categories of combinations therefore occur, which follow in gradual order. These three categories are:

- Parliamentary representation through effective ethnic minority parties;
- Parliamentary representation based on mono-ethnic, mixed, or both minority parties, plus access to civil, military and police service;
- Parliamentary representation based on mono-ethnic, mixed or both minority parties, plus access to civil, military, and police service and control over governmental offices.

On these categories are based the three subtypes of *non-institutionalized minority representation*. The first is *non-institutionalized parliamentary representation*. The second and the third are *non-institutionalized sub-executive* and *non-institutionalized executive minority representation* respectively. The three conjunctive paths for achieving these three subtypes are shown in Formula II below.

Formula 2.
Non-institutionalized minority representation
 $S*r*I*P \rightarrow$ Non-institutionalized parliamentary representation

| |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| $S * r * I * (P + M) * C \rightarrow \text{Non-institutionalized sub-executive representation}$ $S * r * I * (P + M) * C * O \rightarrow \text{Non-institutionalized executive representation}$ |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

From the formula, we can see that the third subtype is an upgrade of the second, which is an upgrade of the first. So we have here the same gradual order of the subtypes as in the type of *institutionalized minority representation*. However, in this type an alternative conjunctive path does not exist. This makes it more cohesive and explicit.

4.3.3. Minority Representation On-paper

Theoretically in this type should occur cases that score "yes" on the institutional conditions and "no" on the components of effective representation. In the data set there is only one minority group that fulfills these requirements – the Roma in Hungary (see Table 4, combination #15). Although it scores "yes" on the condition *access to civil, military, and police service* and "no" on the *suitable electoral system* and *reserved seats*, it fits to the type. This is due to three reasons.

First, I conceptually identified the suitability of the electoral system as an *accidental* institutional measure. For this type it is necessary for positive scores on the *intentional* institutional guarantees to occur, since they indicate the will of the state to represent minorities. Second, if *reserved seats* in the legislature exist, this means that the minority group will be *parliamentarily* represented as well and therefore will be classified in the *institutionalized minority representation* category. Third, the condition of *access to*

civil, military and police service does not measure political representation on the national level. Such access could be granted by the state without reciprocal measures for representation in political institutions as is the case with Roma in Hungary.

After these adjustments, I can proceed with the formalization of the path that leads to the type of *minority representation on-paper*, which has no subtypes since there is only one configuration of variables (Table 4, combination #15).

| |
|--------------------------------------------------------------------------------------------------------------------------|
| <p>Formula 3. $R * E * F * p * m * j * o \rightarrow \text{Minority representation on-paper}$</p> |
|--------------------------------------------------------------------------------------------------------------------------|

This formula expresses the conditions in which *minority representation on-paper* could occur. The equation is refined according to the complementary conditions discussed above. Theoretically there could be no subtypes based on the *effective* dimension of minority representation. However, such subtypes based on the presence or the absence of the *accidental* category of the institutional dimension theoretically exist, but are not represented here, since I am interested only in the combinations of conditions that have an item.

4.3.4. Two Subtypes of Suppressed Minority Representation

The type of *suppressed minority representation* covers the equations #8, #9, #10, #11 and #12 of Table 5. With the exception of #12, all of them score "no" on the *active* institutional conditions and

“no” on all of the components of the effective dimension. This is the block of conditions that form the basis of the paths that lead to this type. Since all the *effective* components score “no”, the *accidental* institutional conditions have no explanatory meaning and are excluded in the process of refinement of the equations. Therefore, variations could occur only in the *passive* institutional set of components. These are namely the *legitimate ethnic minority parties* and the *rigidity of minority-friendly legislation*. If ethnic parties are not legitimate i.e. are banned, we observe *actively suppressed minority representation*. Ethnic minority representation is not only unsupported by the state, but organized political action of minority groups is forbidden. The lack of rigid minority-friendly legislation results in the same subtype, since it means that there is no such legislation or, if any, it is rather symbolic and unimplemented.

If, however, the existence of ethnic minority parties is legitimate and there is rigid minority-friendly legislation, but no effective minority representation, we observe *passively suppressed minority representation*. The following formula formalizes the conjunctive paths through which these subtypes could occur:

Formula 4.
Suppressed minority representation
 $r^*l^*(e + f)^* p^*m^*j^*o^*c \rightarrow$ Actively suppressed minority representation
 $r^*l^*E^*F^* p^*m^*j^*o^*c \rightarrow$ Passively suppressed minority representation

Equation #12 in the table of equations is however incompatible with this formula

since it has present “M” and “C” conditions. This combination represents the Bulgarian Roma minority group for the years 2001, 2002, and 2003. It scores positively on the *mixed parties* condition because in the Bulgarian 2001 parliamentary elections, the Turkish minority party ran in coalition with the Roma “Evro Roma” party. Accordingly, in the results there is one representative of this party in the parliament. This is why “M” scores positively. However, I will count it as absent, because practically this MP did not act as a representative of his minority group in the parliament.

This group also scores positively on the “C” condition, because of isolated cases of Roma accessing the civil service and of hiring Roma for police duties in their ghettos. These single cases are not part of a stable process, but rather accidental. Due to these two reasons, I will allocate these three cases in the combination of conditions for the same group in the period 1993-2000 (#24 in the truth table) and count both these conditions as missing. The same is the case with combination #19 of the truth table – the Czech Roma, which for the period 1998-2001 scores positively on the “J” variable. This is due to the presence of a Roma MP in a party of the majority, who however could not be indicative for parliamentary representation of the Roma. Thus, the condition is counted as negative, and the cases are grouped with these in combination #23 of the truth table.

By this step I classify the Roma in Bulgaria and in the Czech Republic in the subtype of *actively suppressed minority*

representation for the whole time period. However, I will take into account this slight improvement of the situation for these two minority groups in my analysis of the cases and their movement from one type to another in the next chapter.

So far, by using the Qualitative Comparative Analysis approach, I analyzed a data set containing information for 15 minority groups from 9 Central and Eastern European countries on two dimensions for 11 years. These two dimensions consist of 11 components that were conceptually divided into blocks.

The product of the analysis is a truth table containing 24 combinations of conditions among which are distributed the 165 cases (one case is one minority group in one year) and a table of equations, where these 24 combinations are logically reduced to 12. After further refinement, these 12 equations were again reduced to 9. Each of them represents a conjunctive path to a certain subtype of minority representation. There are jointly 8 subtypes²² which are distributed among the four basic types of minority representation that were conceptualized in Section 2.

Table 7. Types of Ethnic Minority Representation

| <i>Type</i> | <i>Subtype</i> | <i>Combination #</i> |
|-------------------------------------------|----------------|----------------------|
| Institutionalized minority representation | Parliamentary | #16 |
| | Executive | #3, #4, #8, #9 |

| | | |
|--------------------------------------------------------------------------------------------------|----------------------|---------------------|
| Non-institutionalized | Parliamentary | #17, #18 |
| | Sub-executive | #10, #11, #12, #13 |
| | Executive | #1, #2, #5, #6, #7, |
| Minority representation on-paper | N/A | #15 |
| Suppressed minority representation | Actively suppressed | #14*, #19*, #20 |
| | Passively suppressed | #21, #22, #23, #24 |
| * These cases are conditionally included in the subtype. See subsection 4.3.4. for more details. | | |

5. Conclusion

In this article I have tried to solve several tasks. First, I performed an empirical analysis of a dataset covering fifteen minority groups from Central and Eastern Europe. The results of this analysis show that there is no linear dependence between the institutional arrangements aiming at minority representation and this representation itself. Effective representation of minority groups could appear with or without the intervention of the state. Furthermore, I have identified four basic types of minority representation that consist of eight subtypes.

²² See Table 7.

The subtypes of each type represent different levels of representation of the minority groups. These levels gradually follow each other. Parliamentary representation appears to be a necessary prerequisite for further expansion of this representation into the executive branch of power. Due to this fact, the importance of organized political action in the form of ethnic minority parties is indisputable. The minority groups that manage to establish cohesive and organized political parties achieve high levels of representation with or without the existence of institutional guarantees by the state. Examples of this notion are the Bulgarian Turks and the Hungarian minority groups in Romania and Slovakia. However, if the group is incapable of mobilizing itself or is divided amongst different political subjects, it can obtain representation only by special measures undertaken by the state. This is the case for the Roma minority groups examined in this study. The main struggle of these minority groups is for higher living standards and against discrimination. This struggle is conducted mainly by NGOs. The Roma do not manage to establish cohesive political parties. This is one of the main reasons why these groups are the most disadvantaged of all. The case of the Slovaks in the Czech Republic demonstrates an alternative to the ethnic mobilization path for achieving effective representation. This group is almost completely integrated with the majority. Hence, it has representatives at all levels of political power. However, this path is very specific and is not likely to appear frequently.

The model presented in this study can help us understand why one group is better represented in comparison to another and how institutional arrangements influence the actual state of representation. It also could help in predicting the development of minority groups in terms of political participation. However, this model is based on small a number of cases that are contextually connected. Therefore, it is not certain that this will work in examining the political representation of minority groups outside Central and Eastern Europe. Testing the validity of this model in other regions like Asia or Africa is a fruitful basis for further research.

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POST-MODERNIZING AFGHANISTAN

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Abstract

This paper presents a qualitative study of the so-called “warlord democracy” in Afghanistan, a formally democratic regime where violence predominantly serves as a trump in economic, political and social contracts. A definition and typology of Afghan warlords as military entrepreneurs is developed. The case-specific socio-historical and economic enabling conditions of militant entrepreneurship are outlined, to trace down the third, general condition of “post-modern” warfare. Four models of interaction between society, state, economy and militancy are pictured to propose a framework for understanding different theoretical paradigms in which state-building programmes, military and non-military interventionism, and the global economic network function in observable discrepancy.

Introduction

This paper describes the creation of a warlord democracy in Afghanistan, a formally democratic system dominated by local warlords and their proxies. In my thesis *Afghanistan: Creation of a Warlord Democracy*, I argue that five enabling conditions supported the creation of such system: (1) the specific socio-historical conditions and events in the country, (2) the economic situation of harsh poverty and high demand for

security and income, (3) the US-led military intervention in Afghanistan, (4) the institutional paradigm of transition to democracy, and (5) the global pattern of emergence and sustenance of “new” wars (Kaldor 1999)¹ with a distinctive gain-maximizing feature. This paper dwells of the first, the second and the fifth conditions.

All conditions are connected by a common micro-pattern of blending of violence and profit. I use this pattern to define warlords as “militant entrepreneurs.” The concept of militant entrepreneurship developed by Thomas Gallant² describes a category of societal entrepreneurs whose differentiating feature is provision of the commodity of violence and its counterpart, security. I analyze three contexts of occurrence of militant entrepreneurship in Afghanistan, where the ability to deliver or withhold violence appears cross-contextually as a commodity in societal contracts.

The final part of this paper describes the emerging pattern of militarizing entrepreneurship in the context of globalization and post-modernization.

¹ Mary Kaldor, “New and Old Wars: Organized violence in a global era” (Cambridge: Polity 1999).

² Thomas W. Gallant, “Brigandage, Piracy, Capitalism, and State-Formation: Transnational crime from a historical world-systems perspective,” in “States and Illegal Practices,” eds. Josiah Heyman and Alan Smart (Oxford International Publishers Ltd. 1999).

The process of globalization includes major de-differentiation between economy, politics and militancy: the society, the state and the militants become commodified, while economy militarizes. The system of violence becomes disembedded from the society and embedded in the global economic system. Violence and profit blend, state and society are subjected to them, with pre-modern and modern values and motives for communal action subordinated to the goal of gain maximization.

The military and economic predominance of Afghan warlords nourished by global market forces enforces their position to a degree that renders them virtually invincible for the instruments of the modern state and for modernist international models of post-conflict intervention. Warlords utilize state-building and democratization processes to legitimize their positions within the local and international political system, which leads to creation of a warlord democracy.

I argue that post-conflict strategies are in deficit of appropriate theoretical concepts and, consequently, in deficit of functional policies and practices for approaching warlordism. As John Mackinlay observes: “The international community has not yet developed a language and an approach to tackle the warlords... [They] fall beyond the language of Clausewitzian writers and communicators whose only concept of violence is as an instrument of

policy.”³ The oxymoron “warlord democracy” is a symptom of this linguistic and theoretical deficit. This paper attempts to contribute to the development of a theoretical language which approximates the phenomenon of warlordism.

1. Afghan Warlords

Much of the world media attention was directed to the Afghan Presidential and Parliamentary Elections in 2004 and 2005. These events were to be indicators of success of the post-9/11 democratization of Afghanistan and, consequently, justification for the military intervention by the U.S in the country. The Elections took place in a relatively non-violent atmosphere, and were proclaimed a victory for the Afghan people and for democracy worldwide, for taking place at all in this continuously volatile region.

However, an Afghanistan's Independent Human Rights Commission post-elections survey (AIHRC 2005)⁴ voices popular anger amongst Afghan citizens against warlords and militia commanders in the new political decision-making body of the country. The AIHRC survey pictures the elected Afghan Parliament dominated by warlords, commanders, their proxies, and various authority figures linked to them.

³ John Mackinlay, in Sasha Lezhnev's “Crafting Peace: Strategies to deal with warlords in collapsing states,” (Lexington Books, 2005):1-2.

⁴ Afghanistan Independent Human Rights Commission – AIHRC, “A Call for Justice” (2005).

Who and what are the Afghan warlords? How did popular elections produce a warlord Parliament? This chapter will offer a definition of warlords and a typology based on warlords' distinguishing features. The history of formation and consolidation of warlordism in Afghanistan will be given, starting from the Cold War to the contemporary period.

We shall find the following: warlords at present act as military security guarantors, cooperating with the two main international actors in the country, the U.S. and the UN. Warlords, although acting as security guarantors, use violence to increase insecurity and thus increase the demand for their services. Violence, or the threat of it, was used to shape the results of the Afghan Elections of 2004 and 2005. The result was the creation of a legitimate and dysfunctional warlord democracy, a phenomenon with its roots in much earlier times.

1.1. Defining Warlords

The term "warlord," although frequent in use, lacks a precise definition in political entrepreneurs"⁵ conceives a category of societal entrepreneurs, whose main commodity is violence: "By 'military entrepreneur' I refer to a category of men who take up arms and who wield

⁵ Other definitions which describe warlords in a blend of economic and military terms are offered by Volkov's "violent entrepreneurs" (Vadim Volkov, "Violent Entrepreneurs: The use of force in the making of Russian capitalism," Ithaca: Cornell University Press, 2002) and by Lezhnev's typology of "ethnic entrepreneurs," "absolute warlords" and "freedom fighters."

science, mainly due to warlords' largely informal modes of operation. The word is used to refer to a wide range of meanings: from traditional local headmen, legitimate in their respective communities, to regional militant leaders of private armed forces, drug barons, war criminals and mass-abusers of human rights. The Western popular perception connotes this word with generally negative associations. However, this is an all-too-quick evaluation of authority figures that may be perceived as ethnic representatives and defenders within their own communities. I will henceforth use the term "warlord" as a value-neutral term, to refer to authoritative militants who fulfil a range of societal roles within the local communities, and who develop specific modes of economic, military and political operations and exchange under extreme circumstances.

The existing definitions of warlords typically describe a symptomatic blending of economic and military terms, which refers to warlords as to service-providers incorporated in the local and global economic system. Thomas Gallant's notion of warlords as "military violence or the threat of violence as their stock in trade. I use 'military' here not in its contemporary common connotation of a national army, but in an older, more ambiguous form referring only to the use of arms and weapons. They are entrepreneurs in the sense that they are purveyors of a commodity – violence," (Gallant 1999:26-27).

I expand Gallant's notion of violent commodity, emphasizing that it is used

as a trump in each societal contract, with the fundamental function to divide the discourse of interaction into two zones: one of security, and the other one of threat. Ultimately, these zones can correspond to a zone of survival, and a zone of death, each one for rental.

An Afghan officer of the international NGO Human Rights Watch describes the local use of the term warlord: “Warlord is not a technical word. In Afghanistan, it is a literal translation of the local phrase ‘jang salar,’ and it has simply come to refer to any leader of men under arms. The country has thousands of such men, some deriving their power from a single roadblock, others controlling a town or small area, and still others reigning over large districts. At the apex of this chaotic system are some six or seven major warlords, each with a significant geographic, ethnic, and political base of support,” (Human Rights Watch, 2004). We shall see in the next section that warlords and armed leaders do not make a homogeneous group. Militant entrepreneurship elicits features, motives, behaviour and interrelations different from those specific to local commanders.

1.2. Categories of Warlords

I shall propose here categorization of Afghan warlords based on several features that connect and distinguish warlords from other types of military commanders and traditional headmen.

- 1) they command private, or privatized⁶, military forces;
- 2) their rule is connected to a specific territory, usually to their ethnic community;
- 3) they possess some legitimacy among the local population;
- 4) they have a more or less symbiotic economic and military relationship with at least a part of the local community;
- 5) they participate in the global economic system, engaging in one or more forms of illicit or informal economy; and
- 6) they challenge, privatize or supplement the state functions, resources and instruments on their territories.

Warlords, among themselves, may differ in several dimensions:

- 1) type and size of military forces in formal or informal allegiance to them;
- 2) type of legitimacy among the local community: based on security-provision, economic welfare, tribe, ethnicity, tradition, religion, etc.;
- 3) sources of economic sustainability: ranging from black and grey economy, to legal entrepreneurship (from extortion, abduction, plunder, to extraction, security provision, licit activities, etc.);
- 4) type and degree of economic relationships with the local supporting community: ranging from social services and redistribution of resources, to extortion, coercion, abuses, mass displacements and mass murders;

6 “Privatized” military force refers to state police or army forces loyal, ethnically or economically, to warlords. Warlords themselves can hold governmental offices.

5) extension of their cooperative networks and links to other global networks: ranging from local to international level, and

6) relationship with the government: ranging from cooption, cooperation, competition and tolerance of independent equals, to criminalization, persecution and extinction. The hostile relationship can go both ways: state forces can criminalize and be criminalized by the warlords in areas where different laws and authorities of the state and the local culture overlap and compete with each other.

None of the listed features are mutually exclusive. Each combination of relationships, in any degree, is possible and observable in Afghan reality. Moreover, these relational constellations are continually shifting, in type and in intensity, so that permanent categorization of individual warlords within static types will not show fruitful.

1.3. Warlordism

“Warlordism” describes a state of predominance of one or more militant entrepreneurs over internationally recognized territories (one or several states), embedded in the system of economic transactions, parallel to, challenging, cooperating with, or participating in the formal state government and the legal economy of the country.

Warlords, as military entrepreneurs - purveyors of the violent stock in trade, commonly are a danger to and guarantors

of security. As security-guarantors, they often supplement state functions. The government itself may be warlord-ruled. In other scenarios, the government may be weaker than the warlords, and may operate as long as it serves warlords’ purposes. Due to their territory-based legitimacy, warlords may tend to tolerate each other’s existence, so long as their informal territories are unchallenged, and so long as struggle for central state control is outside their interest or power. The latter is the case of Afghanistan and is the ground for the development of present warlordism.

The history of Afghanistan describes a permanently weak state which has never ruled its territories and the population outside the regional capitals. All attempts to modernize the country have failed due to violent upheavals of the rooted traditionalism of the independent rural areas. Afghan warlords have been present on the country’s political scene for decades, as major military actors during the Cold War period and the subsequent civil war.

2. Traditional Origins of Warlords

The origins of Afghan combatants lie in a complex network of societal organization and peaceful regulation of violence. The end of traditional militants, in service of their communities and tamed by them, began with the Cold War and has still not ended. Contemporary militant entrepreneurs retain some links with their communities and maintain a large degree of informal contractual exchanges with them. Some warlords move toward

minimizing this exchange and establishing their dominance, while others move toward re-establishing reciprocative relations with societal groups. The military and economic predominance of warlords and the poverty of the population render unequal exchange relations between them.

Present day warlords stem from the traditional relation-oriented culture of Afghanistan. A warlord is typically a person who has distinguished himself as a military leader, has a record of a number of victories, and has shared satisfactory spoils of war with the network of followers, which support the families of the combatants and in some cases, whole villages. The community of followers is typically from the same ethnic group, and it is commonly more or less intolerant of other ethnic groups.

An Afghan warlord is typically a person coming from a powerful, well-known family. The family supports him by unremitting loyalty, a network of cooperatives and combatants, the family name giving him legitimacy, authority and community respect, as well as the loyalty of other, minor families from the same tribe or ethnic community. As Whitney Azoy (2003) illustrates, the dynamics of interaction between a warlord and his followers is as follows: a “good” warlord provides spoils, gains victories and obtains a “good name”. The “good name” attracts more supporters, acquires more combatants and a larger potential for military and economic activities.

Azoy finely explains the informal institutional pattern of Afghan authority: “The Afghan form of authority resides neither in permanent corporations nor in formal statuses, but in individual men who relate to each other in transient patterns of cooperation and competition... Unregulated, however, by any system of universally recognized authority, this cooperation readily gives way to competition,” (Azoy 2003:24). Power in Afghan culture, Azoy accentuates, essentially designates power over people. Traditionally, not the economic resources, but the number (quantity) and the “names” (quality) of supporters measure the power and the authority of the person in the Afghan cultural model.

2.1. De-regulation of Violence

The institutions of shura (council), jirga (peace mission) and arbakai (traditional local police), as well as the code of honour within the warrior culture, are of primary importance in the organization of the Afghan community. However, in the last two decades, the international factor caused corruption of the shura system and emergence of military figures as autonomous and predominant decision-makers on their respective territories.

This process can be traced down to the period of the Russian and American proxy-wars in Afghanistan, and is parallel (if not identical) to the rise of warlordism. Ever since the Cold War, foreign powers have been supporting different tribes and militant factions, by

providing them with arms, funds and military training. The uncontrolled influx of advanced military technology tipped the historical balance of power in favour of those who have more effective arms against those who have traditionally born the legitimacy and authority in community governance. The asymmetry in cash and arms enabled militant figures to buy off or coerce shuras in their favour. By complying with militant figures, some shuras have lost their reputation in their respective communities. At present, local commanders often resolve disputes previously delegated to shuras.

Once local protectors of their communities, today warlords vary in their relation to their original qawm-s (traditional systems of relations based on ethnicity, tribe and family). Warlords still have positive incentives to maintain the loyalty of the traditional local authorities. This is usually done by positive coercion: local councils face the choice of accepting incentives from a warlord (property, territory, gifts, arms, etc) or renouncing his protection.

Warlords provide income to their supporters in form of payment and gifts, and thus sustain, directly or indirectly, a part of the population. Furthermore, they may provide a sense of ethnic pride and unity to their respective communities. Although most contemporary warlords distribute high incentives to a small group of supporters, some may widen their scope of redistribution to the general population of their territories.

The more intense the exchange between a warlord and his ethnic community, the

stronger the popular legitimacy of the warlord. However, to have legitimacy within one community does not mean legitimacy within another community. Due to the history of inter-ethnic violence in the civil war, the more legitimacy a warlord has within his own community, the less legitimacy he is likely to have in other communities.

Most warlords do not engage in projects of public interest; they limit their activities to distributing cash, gifts, property and arms to the community of supporters. Moreover, almost all warlords, ever since the Russian involvement in Afghanistan, have been accused for war crimes against each other's ethnic communities. Popularly, many Afghans consider that the warlords have lost their "honour" because what they did to civilians during the civil war.

3. Addictive Economy

Afghan warlords draw most of their income from controlling the opium trade in the world's largest opium-producing region. The opium business provides a relatively stable source of profit, which is used to sustain warlords' patronage networks and to maintain their military power. This income gives them economic predominance incomparably higher than any licit entrepreneurship can offer. Violence is used as a means to sustain illicit economic networks, to compete for control of trade routes, and to guarantee fulfilment of transaction contracts within the opium network.

However, the opium network provides major employment opportunities to a

society continually on the verge of famine. The economy of this country is largely dependent on its opium sector. Entire impoverished areas enter warlords' opium networks and become dependent on militant figures who secure their sources of income.

3.1. Resource Dependence

The economic explanation of the symbiosis between violence and profit is as follows: during the Cold War, the external financial and military aid (advanced military technology) significantly raised the costs of war: Afghan factions had to compete with each other's military competence and seek external sources of income to buy weapons. The sponsored factions became dependent on stable sources of high-level income.

After the end of the Cold War, the two super-powers withdrew their financial and military aid. The formerly sponsored factions needed to maintain the level of internal military competition and hence had to find an alternative source of income. The lucrative opium trade provided sufficient funds. An exclusive relation between violence and profit was formed. The economic self-sufficiency based on control of the opium market rendered warlords relatively independent from their traditional communities and from alternative sources of income.

Barnett Rubin points to the Taliban period (1995-2001) as the time of "consolidation of a number of phenomena that had been developing previously, namely the emergence of

transnational trade networks of the Afghan regional diaspora, linked to smuggling and drug trading groups in the surrounding countries as well as to political parties, religious groups, and elements of the administration..." The economic independence based on control of the opium market distinguished a historically new⁷ type of commanders emerging in the post-Cold War period. "Within Afghanistan itself, the main economic actors were the commanders. Contrary to some stereotypes, these commanders were by and large not the 'traditional' (i.e. tribal or landowning) elites... but a group of new elites that benefited from U.S., Pakistani, and Saudi policies of supporting only Islamist parties rather than the nationalist former elite." (Rubin n.d.).

According to Rubin, these commanders sought to gain economic independence from their political-religious parties, and subsequently loosened their traditional reciprocal bonds with the local communities. Nonetheless, as late as 2004 this author (Rubin 2004b:1) discerns indubitable symptoms of integration (permanent economic relations and vertical hierarchical organization) in the global market.

3.2. Nexus

The UN Office of Drugs and Crime (ODC), in the "Afghanistan Opium Survey 2005," estimates that Afghan

⁷ The novelty of this type of militant figures lies in their previous historical dependence on the indigenous communities and their full observance of customary laws, absent in the "new" type.

production supplies more than three-quarters of the heroin sold in Europe, and all heroin in Russia. The ODC Report confirms that “there is a clear nexus between drug trafficking and warlordism,” where provinces controlled by warlords are especially suitable for trafficking, who tax it in exchange for protection and free flow of licit and illicit goods and people. The link between warlordism and drug cultivation is apparent, the Report affirms. The Head of UNODC concludes that “traffickers, warlords and insurgents in Afghanistan control quasi-military operations and run military-type operations” (ODC 2005).

Warlords derive income from growing poppy on their land, from private “security” taxation of farmers and traffickers, and from their own trafficking networks which export opium and import arms. This income serves military entrepreneurs to maintain their networks, pay their armed forces (if not already paid by the government), purchase technologically advanced weapons, buy peace with other such entrepreneurs, buy tolerance from public officers, and form zones of impunity around their persons, networks and activities.

Opium sale and poppy growing are a response to relentless circumstances of pending poverty and hunger. There is a clear relation between (non-military) civilian population and the opium trade, with militant entrepreneurs playing a mediatory role in this relationship. The aforementioned ODH report observes that Afghan farmers grow opium poppy for several reasons: it was not strictly

illegal until the official bans in 2000 and in 2002. It is produced with cheap labour (women, children, old people, landless returnees and refugees). The desert soil and climate are benevolent for poppy growing. Poppy yields up to three harvests per year, and the income from opium poppy is abundant. As a commodity, opium is a low-maintenance product: light, easy to pack and store, it lasts long without decaying or losing in quality, it does not need marketing and, of course, the demand is high. In absence of banks, stable currencies and creditors, opium has become “a form of saving, a source of liquidity and a collateral for credit,” (ODC 2005).

The ODC survey shows the specific way of cooperation between farmers and warlords, a symbiotic interdependence on unequal terms, offered or imposed on the population⁸, where extreme poverty and extreme profit may virtually be indistinguishable. Moreover, the Report observes that, “in some regions, traffickers gain respect from the local community when they recycle part of their income for the benefit of poor villages.” However, the main beneficiaries from opium production in Afghanistan are the traffickers, who collect about 79% of the total income

⁸ “Cultivators don't create traffickers, traffickers create cultivators. Many peasants who grow opium are bound to the cycle of opium production by debt bondage. [...] Eradicating part of the crop ... would drive up the price, creating incentives to grow opium in more inaccessible areas. The deeply indebted farmers... will face a grim choice: give their daughters to the traffickers, flee the country or grow more opium. That was what they did when the Taliban banned the crop without alternative livelihoods.” (Rubin 2004a)

from the opium economy, distribute a part of it through the informal security and mediatory network, while 21% goes to the farmers, according to the same ODC Report. A part from the overall drug income is invested into the licit economy.

By controlling poppy-growing, opium production and trade, militant entrepreneurs command much higher resources than the state can provide, and simultaneously they offer an alternative exit from poverty to a significant part of the population. Warlords may thus be perceived locally as legitimate community leaders due to their provision of economic networks for opium sale.

The present day warlords in the Afghan government are economically independent commanders. They gained economic predominance in the post-Taliban phase, consolidating opium networks by means of military and, later, political predominance. With the opium economic trump added to the warlords' military trump, we shall complete the definition of militant entrepreneurship.

4. The Afghan Syndrome

Thus far, I examined the socio-historical and the military-economic context of emergence of warlords. To approach the phenomenon of warlordism from a wider perspective, I shall summarize the symptoms of warlord democracy discerned so far in a temporal sequence.

The Afghan communities have been historically ruled not by royalties and

states, but by traditional and customary laws. Afghan warlords emerged from a locally regulated social function of controlled violence. During the Cold War, local warlords were sponsored by the two super-powers. The Cold War on Afghan territory was fought as an inter-ethnic war, with massive casualties on all sides. Ethnic cleavages deepened and poverty increased. With foreign financial aid and advanced military technology, they formed extensive and expensive militant networks. They became dependent on external high-income sources.

After the Cold War, in its continuation in a civil war, foreign aid ceased and warlords started becoming increasingly dependent on the opium market as their main source of income. They started gaining economic predominance and independence, based on their ability to control the opium production and market by military means. The traditional forms of self-rule were damaged and rendered open to military and economic rule. Military conquest of territory was frequently substituted with large-scale payments to traditional and military rulers. Alliances were often bought, and allies shifted sides to the highest bidder. Warlords become militant entrepreneurs, with their ability to deliver or withhold violence put forward for rental to the highest bidder.

The present post-Taliban phase reflects the power relations of the pre-Taliban phase. Warlords are key power-brokers in the democratizing state. They have consolidated their positions in the state instruments of coercion (army and

police), and they have consolidated their opium networks, drawing in them an increasing part of the impoverished population. At present, warlords cooperate with the U.S. as local military allies in exchange for financial incentives, and with the UN as security guarantors in exchange for political power. Warlords and their proxies dominated the electoral ballots in the Presidential and Parliamentary Elections 2004 and 2005. They obtained formalized political predominance, in addition to their previously established military and economic predominance. They use their political power to legitimize themselves and obtain impunity for their war crimes, their networks and illicit operations.

Much of the present-day security and informal employment opportunities are derived from warlords' activities. Much of the insecurity and the paralysis of legal economy is due to their activities as well. Democracy and state-building reflect the same dual relation: these processes are supported by warlords up to a point to which state instruments can be utilized in their personal agendas. A warlord democracy has been consolidated: a regime where formal democratic institutions are manipulated to mask a non-democratic rule by poly-centric power-holders, who dominate the military, economic and political life of the country.

These symptoms and conditions are not specific only to Afghanistan. They belong to a larger pattern of change in power-relations enfolding in a number of countries worldwide. This pattern is

connected to the emergence of the so-called "new wars" (Kaldor 1999) and the notions of "globalization," "dedifferentiation" and "commodification," which will be developed next. Four network models of mutual embeddedness of economy, militancy, society and state will be drafted, in order to explain "post-modernization" of warlordism. The introduced terminology and concepts will delineate another pattern which enabled the creation of a warlord democracy, the recent global transformations. I shall describe the transit of warlordism from pre/modern to post-modern stage, marked by the establishment of a symbiotic relation between warlords and the global systems of politics and economy.

This relation is two-pronged: (a) the first prong is based on the commodified ability to deliver or withhold violence, put forward for rental to the highest bidder on the market (formal and informal, licit and illicit) in societal, political, military and economic contracts; (b) the second prong is based on the militarily-maintained economic predominance over opium trade, which far outweighs optional licit income. With these two prongs, Afghan militant entrepreneurs gain relative independence⁹

⁹ This relative independence is the independence of the service/goods provider who can choose to which bidder to offer his goods/services. The wide array of alternative interdependence links provides this relative independency. For example, Afghan warlords can choose whether to accept "security fees" from the U.S., the UN, Pakistan, India, Iran, the Afghan state, private security firms, foreign corporations, local drug traffickers, local

from sole demand-sources, such as states and society, and transfer their dependence onto the global market. From their economically and militarily independent position, they can enter inclusive contracts and parallel alliances with multiple local and international, state and non-state, licit and illicit actors. They can break these contracts and alliances if they do not support their military, economic and political predominance.

4.1. Models of Societal Interrelations

Prior to entering into an analysis of the influence the globalizing market has exerted on Afghanistan, I shall elaborate the pre-modern, modern and post-modern models of societal organization. These models are derived on Karl Polanyi's conceptualization of the modernizing world,¹⁰ and Mittelman and Johnston's appropriation of Polanyi's theory in the globalizing world.¹¹ The models belong to Weberian "ideal types": "conceptual patterns which bring together certain relationships and events of historical life into a complex which is conceived of as an internally consistent system."¹² They will serve to differentiate between specific modes of behaviour

communities, or from any combination of these bidders, even when bidders are hostile to each other.

¹⁰ Karl Polanyi: "The Great Transformation" (Boston: Beacon Press, 1957).

¹¹ James H. Mittelman and Robert Johnston: "The Globalization of Organized Crime: The courtesan state, and the corruption of civil society" (*Global Governance*, 5:1, 1999: 103-127).

¹² Max Weber, in Ken Morrison: "Marx, Weber, Durkheim: Formations of modern social thought" (London: Sage Publications, 2003):270.

characteristic to separate historical and organizational phases.

It will be obvious however that no real-world phenomenon at any point of history fully embodies any of the model-stages; instead, any phenomenon can combine features from each stage,¹³ where the difference between stages can be seen as a more and/or less movement toward different stage-specific modes of operation. Hence, modern phenomena will tend toward full actualization of the modern model, never fully reaching it, while simultaneously exhibiting some features of pre-modern and post-modern models; correspondently, post-modern phenomena will have their trajectory of development toward the post-modern model(s), while exhibiting features of pre-modern and modern models to a lesser degree.

The four models will show variations of relations between society, economy, militancy, and the state. They should be understood in terms of networks: they depict types of mutual embeddedness of social, economic, militant and state networks, where the size of the circle expresses its power to influence the enfolded circles, or the power to form asymmetric relations of interdependence with them.

¹³ For example, pre-modern societies may relate to features of post-modern global economy via the Silk Road; post-modern actors may link to the pre-modern model via their link to state-free communities, ethnic identity, tradition, customary laws, etc.

Figure 1. Pre-modern model

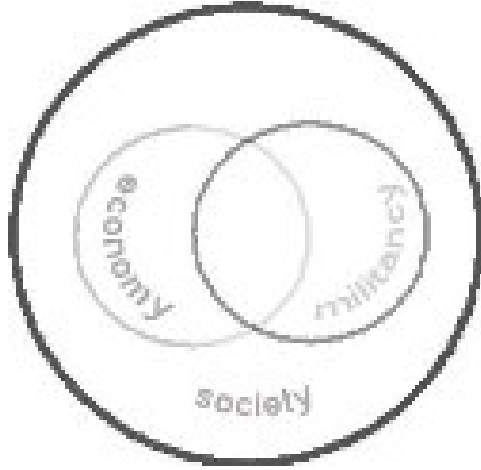


Figure 2. Modern model

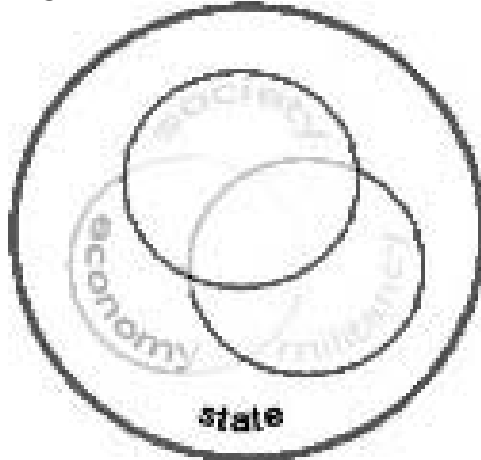
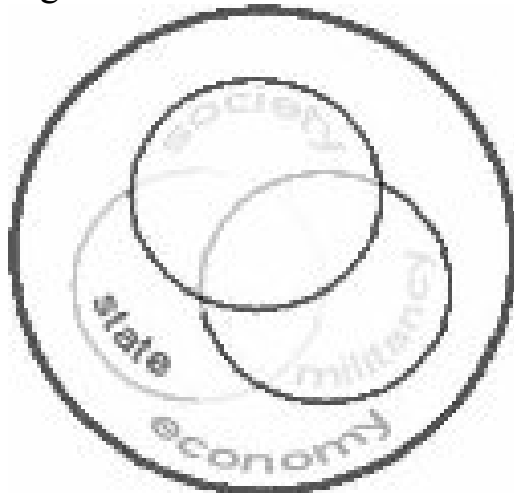


Figure 3. Post-modern model



Optionally, it would be challenging to examine whether the following model (Fig. 4) expresses a further extreme of the overall societal relations in post-modern stage. This model depicts the

most approximate framework for understanding warlord states:



Figure 4. Optional post-modern model – Warlordism

4.1.1. Pre-modernity

In the pre-modern model (Fig. 1), the economic system, according to Polanyi,¹⁴ is submerged in general social relations. I conjoin the military system, which was not examined by Polanyi, but is relevant to this thesis. Violent and economic networks are embedded in and subordinated to the social network.¹⁵ Violence and economy are put into service of the community, which

¹⁴ “The [pre-modern, *note added*] economic system is... a mere function of social organization,” (Polanyi 1957:67).

¹⁵ “[In pre-modern stage] man’s economy, as a rule, is submerged in his social relationships. He does not act so as to safeguard his individual interest in the possession of material goods; he acts so as to safeguard his social standing, his social claim, his social assets. He values material goods only in so far as they serve this end... the economic system will be run on non-economic motives,” (Polanyi 1957:46).

manages, directs and tames them. In the pre-modern world, societal functions are diffuse, lacking sharp differentiation. This model corresponds to the pre-state societal organization. The goals of pre-modern wars are limited to territory and control over natural resources.

4.1.2. Modernity

In the modern model (Fig. 2), a new actor is created, the state, which functions as an all-embedding network in relation to economy, militancy and society. The state and the society are differentiated; functions are clearly separated between the four actors. In the modern stage, economic and militant systems are put into the service of the state. The wars of the modern phase are characterized by the following goals: control of a specific territory, formation of an independent state, central authority, and acquisition of internationally recognized sovereignty.

This model approximates the Weberian state model, where the state holds monopoly over legitimate use of violence, it regulates the national economic system and it responds to social needs. According to Weber (Morrison 2003:300), the novelties of the modern state system include: contractual impersonal relations bound by legal norms, separation between the administrative and the private sphere, and specialization of functions. Emile Durkheim (Morrison 2003:141-142) adds the following features: contractual links instead of social links, separate and specialized administrative functions, a centralized authority in the form of legal

and political organs, and separate and autonomous economic function. The state-building and democratization paradigm, as practiced in post-conflict settings, aims at actualization of the modern model.

4.1.3. Post-modernity

According to Polanyi it is in this modernizing stage where economy begins to gain in power, by “commodifying” (1957:69-72) three non-commodities: people are commodified into labour force, nature is commodified into property, and wealth into money. However, the worldwide modernization, according to Polanyi (1957:71), begins to reverse the modern-model relations of systemic embeddedness: the social system becomes embedded in the economic system, and it is the world economic system that manages, directs and tames the society henceforth.¹⁶ In the post-modern stage (Fig. 3), the rise of the economic system to the most powerful position in the model is consolidated. State, society and militancy are embedded in the economic system. Contractual impersonal relations are bound not by legal but by economic norms, formerly differentiated functions blend, there is a return to a polycentric sources of authority, followed by de-institutionalization and de-formalization.

¹⁶ “Instead of economy being embedded in social relations, social relations are embedded in the economic system.”(Polany 1957:57). “All along the line, human society had become an accessory of the economic system,” (*ibid.*, 75).

Weak and violence-ridden state systems are pictured in the optional post-modern model (Fig. 4): state and society are embedded into the militant network, which in turn is embedded into the economic system. The system of violence becomes disembedded from the social system, it exits its service, and within the economic system it becomes a commodity in service of the world market forces. The global economic system henceforth manages, directs and tames violence.

The optional post-modern relational constellation is highly illustrative of Afghanistan, a case where the system of militant entrepreneurs tends away from embeddedness in the social system and toward embeddedness in the global economic system. This model (Fig. 4) more accurately expresses “warlordisation,” where militancy and economy establish a direct link, without the state or the society to influence their exchange. Further on in this text, the term “post-modern” will be used on the background of figures 3 and 4, and the term “globalisation” as process of movement from pre-modern to post-modern model. The post-modern stage can be examined as consolidation of symptoms developed in the modern stage. The processes of globalization, elaborated in the following sections, can thus refer both to an amplified, but previously present historical phenomenon, and to a new stage, where the effects of this amplification enable new types of relations and elicit new forms of behaviour.

4.2. Post-modern Wars

In the post-modern phase, the modern territory-oriented goals of war become redundant, as competition is limited to control over the economic system, instead of control over a territory and society. Establishing economic predominance is less costly and sufficient. Post-modern wars are about stable sources of profit, as we saw in chapter 1: Afghan warlords begin contesting over sources of profit and trade routes and disconnect from the local communities.

Although Kaldor (1999:3) names identity and population as goals of the new wars, I would, however, argue that these goals are flashbacks of pre- or early modern wars and war-making motives; the new wars are recognizable by their primarily economic character, where other types of goals are subordinated, or even commodified, under the cardinal goal of gain maximization at the global market.¹⁷ It is important to note that the post-modern phase does not eradicate or exclude modern and pre-modern features and motives, but it selectively incorporates and adjusts some of them to become acceptable for the global market and/or for the international community.

4.3. Globalization and Dedifferentiation

The symbiotic relationship of the market and violence, the main point of interest for this thesis, must be understood in terms of globalising “dedifferentiation”

¹⁷ Thus, nationalistic leaders can be for rental, religious or ethnic loyalties can be given up, and set against their communities for a proper price.

(Mittelman/Johnston 1999:114), where previously (in the modern model) sharply differentiated functions, roles, institutions, areas, ends, laws and means, lose their distinction, overlap, multiply and exchange roles. I argue that this effects a triangular de-differentiation between politics, economy and militancy, where one can observe “post-modern” forms of global re-militarization and commodification of politics, commodified militancy and militant economies. Moreover, the difference between formal and informal politics, between licit and illicit economy, and between legitimate and illegitimate violence, is blurred. Therefore, I use these key terms (militancy, politics, and economy) to refer to both their licit and illicit, formal and informal sides.

The notion of globalization will draw on Mary Kaldor’s (1999:3) definition, as “intensification of global connectedness [...] a contradictory process involving both integration and fragmentation, homogenization and diversification, globalization and localization.” This process, according to Kaldor, takes place in each society, regardless of the stage of development and position in the global economic system. However, in developing countries, a globalizing economy tends to arrive before political processes of state-building and development. Typically, developing states are characterized by a lack of physical, economic and legal security, so that profit-driven interests create a demand for protection guarantors. This demand couples foreign firms with security providers, which can be

international private security companies, authoritarian rulers and state security forces, or local warlords in weak or collapsed states. In another scenario, it is the local militants who reach for the globalizing market and integrate with it by becoming providers of security and/or of (illicit) commodities. In both cases, economy and militancy establish a close unmediated relation, which in turn affects the mode of operation of each of the actors: corporations accommodate means and modes of operation of organized irregular violence, and militants accommodate corporate means and modes of operation.

4.3.1. Commodification of Violence

Post-modern wars borrow from pre-modern and modern types of wars, and yet their economic and corporate features make them distinguishable from both predecessors. The stepping stone between the modern and post-modern phase of warfare, I shall claim, is the commodification of violence for the global market: when the ability to deliver or withhold violence gains a price as a service, and is offered as a commodity to the highest bidder on the market. In this phase, the service-provider is liberated from a single demand-source (one or other party) and from societal loyalties. Violence as service is offered to multiple actors simultaneously, and it can get contracted by various actors, sometimes simultaneously by opposing parties.

The global market can accept violence as service; as in the process of commodification, the motive of the

violent service-provider is divorced from the ability to deliver the service.¹⁸ Hence, the questions of ethical dimensions, consequences for the social network and political legitimacy – all issues based on motives and consequences – become redundant or inapplicable questions: violent agents and contracts can be legitimized as rational actors with rational behaviour within economic theories. Within economic practice, militant entrepreneurs are treated as licit entrepreneurs; illicit militants and licit security organizations can be equally rented by legitimate or illegitimate actors. Hence, local warlords as militant entrepreneurs, regardless of their motives, enter the global economic market as service providers for parties who can rent them, regardless of the latter's motives.

The ability to deliver violence or to deliver from it can be used to gain an upper hand in economic, societal and political contracts, locally and globally. The unique feature of this commodity is to provide division between safety and threat; hence, security and violence can be regarded as two sides of the same coin,

¹⁸ The question of legitimacy, a pillar of the Weberian state as bearer of monopoly over *legitimate* use of force on a delineated territory, is a question which defines itself on the *motive* of the militant actors (including the state) and the *consequences for the environment* of action. By commodifying violence the question of motive and environment is neutralized: it does not enter the rational economic calculations of choice of partners and outsourcing agents. A corporation does not have to inquire about the motives of a service provider or the wider consequences of their actions, but about their ability to deliver the good.

where the tosser is for rental.¹⁹ However, although the modernist motivation for violence (such as liberation, ethnic identity, or resistance to oppression) is de-coupled from the commodified service of violence, pre-modern, modern and post-modern features may coexist together, and the motives for gain or for modernist or pre-modern values can compete with each other in the violent entrepreneur as well.

4.3.2. Warfare, Welfare and Levelling of the State

The post-modern characteristics of the contemporary wars led by commodified violence-providers, according to Kaldor (1999:5), are discernable as processes of dedifferentiation between war actors, organized crime, civilian, economic and state actors, dedifferentiation between combatants and non-combatants (civilians), between internal and external wars, between aggression and repression, between local and global²⁰, private and public, state and non-state, formal and

¹⁹ It is important to note that the tosser is not for *sale*: self-sacrificing loyalty of a “sold” actor belongs to the modern and pre-modern periods, while the loyalty of commodified violence is subject to economic rules and market competition. “You cannot buy an Afghan, you can only rent him,” so goes a saying in Afghanistan. An interesting consequence of the differentiation between rental and sale refers to the responsibility of the demand-party: while “bought” commodities entail full responsibility over the item, “rented” commodities dissolve this responsibility and render the demand-party relatively freer from responsibility over the effects of the rented item deployment.

²⁰ See Kaldor 1999:2.

informal spheres, between economically and politically motivated actors and wars.

The new post-modern wars, including recent Afghan wars, mimic and adjust the following corporate features: a high level of decentralization, with small-sized units connected in loose networks in a mixed relation of confrontation, competition and cooperation, sometimes simultaneously, and even when on opposed sides (Kaldor 1999:8); shifting ad hoc alliances, with alignment based on a common gain-maximizing goal and broken for the lack of it; a light-step approach (without heavy investments or territorialization) with high mobility and indiscernability from the surrounding.

Organizationally, corporations and new-warlord structures are polycentric, rarely vertically structured hierarchies; they may engage in multiple services, some licit and some illicit; operations are performed through networks of highly autonomous units, where actors can be state offices, firms, local gangs, mercenaries, entrepreneurs, criminals and so on. The organizational map of post-modern operators corresponds to the contemporary mode of military and economic organization of Afghan actors.

4.3.3. The Post-modern State

Both transnational corporations and transnational (and, equally, local-and-globally-embedded) criminal or violent groups can function above, below and beside the state,²¹ capitalizing on economic deregulation, social

fragmentation, state building, state withdrawal or state collapse. In the previously depicted figures 3 and 4, the economy commodifies the systems of militancy, society and state, but militancy, in its turn, militarizes the society and the state. The state becomes a minor co-actor in this network, and yet it does not disappear. However, it has stepped down from its modern (Fig. 2) predominant position in regard to economy, militancy and society, to become a potential winner or loser in the global power competition, alongside the wide array of “non-state” actors. The state, its instruments and resources can also be commodified, and hence they enter the market offered to the highest bidder. In order to survive the intense competition in violence, shifting economic orders and polycentric norm-setting, the state in this way is driven to replicate and adjust modes of operation of its new competitors: the differentiation between state and non-state actors is blurred. The state can be drawn into using violent means borrowed from the post-modern type of wars, and it can accommodate the corporate mode of organization of its units and instruments.

The three classical tenets of the European state model are challenged by the relationship between local militancy and global economy: the state does not hold monopoly over violence, its territorial delimitation does not play a significant role, and it is not the sole provider of legal and economic order and norms of regulation of behaviour.

Why do warlords, through electoral competition, show indubitable signs of

²¹ Mittelman/Johnsten 1999:105

willingness to enter state-building processes at all? Why don't they wage a war against a state which aims to prevent illicit rule and trade? Why does not any one of them challenge the other warlords to expand his influence and establish an autarchy? The answer refers back to the character of the post-modern wars: control of state territory can but does not have to be on the personal agenda of a new warlord. Economic control suffices, so long as the service of violence is in high demand, as external parties are interested to pay for it, by military, economic or political goods as exchange items. In addition, criminalization of opium and permanent demand for security, their two key commodities, increase the prices of the services warlords offer.

Between the poles of war and peace, there is a state of permanent, resurgent low-intensity violence of manageable scope and target. It seems that neither war nor peace is a desirable state for continuing warlordism. Atmar and Goodhand²² explain the undesirability of peace: "the war is sustained by the availability of lootable or taxable resources and the low cost of recruiting fighters. Peace would disrupt the systems of production and exchange that provide warlords and their followers with

²² Mohammed Haneef Atmar and Jonathan Goodhand: "Afghanistan: The Challenge of 'Winning the Peace'." Monique Mekenkamp, Paul van Tongeren and Hans van de Veen, eds.: "Searching for Peace in Central and South Asia: An overview of conflict prevention and peacebuilding activities." Boulder, Colo.: Lynne Rienner Publishers, 2002:114.

livelihoods." Their military and societal power puts warlords in position to influence, appropriate and profit on international aid during war or in early post-war years, by taxing it or by providing a secure environment for operations of international organizations. As their power is based on military commodity, peace, strong central government and the rule of law do not serve their interest, unless they are the ones who guarantee peace, participate in the government and enforce rule of their own law.

Paradoxically, civil war, no government and no rule of any law are not in their interest either: civil war means continuous and expensive fighting; it costs lives and resources; it disturbs agricultural (licit and illicit) production and breaks off transport routes for licit and illicit commodities.

In terms of power-struggle, "no government" literally puts all warlords in position to fight against each other for domination of the central government: in this scenario, they may be pitched against each other over a single goal, the whole state, and driven to abandon their traditional ethnic realms where they draw their support from the local community, and to which they traditionally have been limiting their ambitions. No rule of any law (state or customary law) means a disorganized community of potential followers unaccountable to any standard.

For a weak government, low levels of manageable violence and a local/manageable rule of law are

favourable conditions for “warlordisation.” Moreover, in the post-modern phase, the state and related international efforts can be commodified and privatized. Stephen Watts claims that warlord democracies can coexist with a central state-like power²³ and maintain a manageably instable economic system of an illegal, informal or illegally appropriated economy. Incentives are distributed through the patronage networks, and protection is offered through informal, illegal or illegally appropriated state resources.

4.4. Afghanistan Revised

Afghanistan presents a special case of a globalizing illicit economy, militant politics and commodified violence, paralleled at present with Western-led (modernist) state-building. Let us use the globalizing terminology to re-state the Afghan symptoms:

Historically, Afghanistan has never approximated the modern model of state formation, centralized authority, differentiation of political, economic and military functions, or separation of the public and private sphere. Instead, it has been ruled by polycentric traditional forms of authority. The previous state regimes have been regularly checked by

²³ “Rather than seeking to monopolize control of the government, warlords frequently choose to co-exist with other political groupings so long as the illicit economies from which they benefit are not challenged political exclusion,” in Stephen Watts, “Democracy by Force: Norms, resource constraints, and coalition-building.” Paper presented on the annual meeting of the International Studies Association. Honolulu, HI (1-5 March 2005).

its pre-modern communities, fiercely autonomous and resistant to centralization. The systems of violence and profit have been embedded into the social system, regulated by customary laws. Without passing through a modernization phase, Afghan warlords have reached the post-modern stage by means of commodifying their ability to deliver or withhold violence and by becoming major players in the global opium trade.

The dedifferentiation between violence, profit and politics has submerged not only warlords, but the traditional social system of rule as well. Violence, and hence profit, has whirled away from the control of the customary laws of the indigenous communities, which become embedded in the militant networks; through them, they become embedded in the economic network as well. The militant network serves as a mediator between communities and their economic sustenance. Ethnic violence is used as an instrument in military and political competition. Ethnicity is thus commodified and instrumentalized. Actors pledge loyalty to the highest bidder. Loyalty is commodified.

Afghan warlords post-modernize when they become financially independent from single parties, by means of transferring their dependence onto the opium market. Their economic predominance, secured by military potential, enables them to intermittently switch between military and economic strife, as the context requires. Warlords consolidate as militant entrepreneurs

when their ability to deliver or withhold violence is put forward for rental to the highest bidder, regardless to traditional social loyalties (ethnicity, religion, etc.) and regardless to the bidder's motivation and agenda.

Conclusion

At present, as violent service providers, warlords cooperate with the U.S. as local military allies in exchange for financial incentives, and with the UN as security guarantors in exchange for political power. Warlords have commodified the newly built state and its democratic institutions: offices, state instruments, state resources, candidacies, political support and individual votes. Differentiated are politics, economy and militancy; state and non-state actors, licit and illicit activities, local and global actors and operations.

Much of the present-day security and informal employment opportunities in Afghanistan are derived from warlords' activities. Much of the insecurity and paralysis of legal economy is due to their activities as well. Democracy and state-building reflect the same dual relation: these processes are supported by warlords up to a point to which state instruments can be utilized in their personal agendas. A warlord democracy has been consolidated: a regime where formal democratic institutions are manipulated to mask a non-democratic rule by poly-centric power-holders, who dominate the military, economic and political life of the country.

Afghanistan is a case where, with a high degree of certainty, it can be predicted that low-intensity conflicts will continue, for two reasons: (a) the embeddedness of the militant entrepreneurs in the global opium trade, and (b) the commodification of violence as an informal service (as clients in the U.S. military patronage network, as political partners in the UN-led state-building process, and as local guarantors of security of property, personhood and contract).

Afghanistan is also a case which shows how modernist ideas of state-building cannot successfully compete with the flexible strategies of post-modern profit-fare and warfare, within a constellation of post-modern actors which combine and utilize pre-modern and modern features to maximize their personal gain. The local warlords sustained by the global market of opium appear to be more fitted for survival than the state dependent on international aid and foreign military support.

However, as long as local warlords can commodify the state institutions, its instruments and resources, no state destruction should be expected. Instead, a continually weak state and violent conditions are likely to be maintained, an environment where the ability to deliver or withhold violence remains a commodity in high demand, a trump for each party and game, nourishing and being nourished by the symbiosis between the warlords and the global market.

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SOCIALLY CONSTRUCTED SCARCITY ON LAKE VICTORIA, TANZANIA

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Abstract

This paper will discuss the issue of socially constructed scarcity in the context of the exploitation of the resources (particularly fish) of Lake Victoria in Tanzania. It will rely on the theoretical framework provided by the discussion of socially constructed water scarcity, which is to be found in the body of literature on scarcity belonging to constructivism and post-modernism as approaches to the study of international relations. The main argument of this body of literature is that water scarcity is not physical or natural, but rather socially constructed. This paper will make the argument that the fish population in the lake only became a scarce resource after specific human interventions. The main three steps in this process are: the introduction of the Nile perch by the British colonists; the massive promotion of export activities by the Tanzanian post-colonial governments, as a response to both internal determinants and the economic conditionalities imposed on the country by the WB/IMF; the activities of the aid agencies working in the area. Showing that the scarcity of the fish resources in the lake has been socially constructed is important for the process of solving the problem of scarcity, which requires a re-conceptualization of this

resource as a common good, belonging to the local community, linking it to the acknowledgement of the basic right of all human beings to adequate water and food.

1. Introduction

Many times, when we talk about poverty and starvation, we talk about them as being caused by the physical scarcity of natural resources, which are not sufficient to meet the needs of the people - especially given the constant increase in population at the global level. In the case of the riparian communities on Lake Victoria in Tanzania, extreme poverty and starvation are usually attributed to the lack of sufficient resources in the country, as Tanzania is one of the poorest states in the world. However, these people live next to a lake that has been a satisfactory source of nutrition for centuries, and it is only in the last half of century that the resources it yields have started to be considered scarce.

In this thesis, I will oppose to this way of viewing scarcity one that is closer to Amartya Sen's proposal of shifting the discussion of scarcity from emphasizing a general absence of resources for the growing world population (a Malthusian type of argument), to focusing on the distribution of these resources. To use Sen's words, "starvation is the characteristic of some people not *having* enough food to eat, it is not the

characteristic of there not *being* enough food to eat.”¹

This thesis will show that the scarcity of resources on Lake Victoria is not physical, but rather that it has been socially constructed through specific human interventions. The three main steps in this process are: the introduction of the Nile perch by the British colonists; the massive promotion of export activities by the Tanzanian post-colonial governments, as a response to both internal determinants and the economic conditionalities imposed on the country through the Structural Adjustment Plans of the World Bank and International Monetary Fund; and finally, the activities of the aid agencies in the area, aimed at upgrading artisanal fishing to more technological procedures. Scarcity on the shores of the lake is manifested at two levels: as regards the fish resources currently available for extraction, and as regards the incomes of the riparian population and food security in the region.

The process of social construction of scarcity was possible because of the ideological domination of economist thinking and liberal economics, which informed the colonial decision to introduce the Nile perch in order to increase the yields of the lake, the export-oriented national economic strategies of Tanzania, and the development strategies promoted by the international financial institutions and aid agencies. Economist thinking relies on the assumption that human behavior is and should be driven

by the profit motive. This manner of thinking gradually gave birth to a particular understanding of political economy (currently deemed neo-liberal economics), according to which national economies should be focused on gaining from international trade through opening up to the competition of world markets and promoting export activities. Such economic thinking was further supported by a certain vision of development in the Third World, which argued for the modernization of these countries at all costs. This means that Third World countries deemed underdeveloped should be brought to the level of economic and technological development of the Western world through the implementation of specific external prescriptions.

The domination of this type of economist thinking is associated with the commodification of nature: what were considered to be the common assets of the community have become material resources for capitalist activities. The consequence of this re-conceptualization of nature is that the rush for profit leads to the over-exploitation of natural resources, which, in the absence of external intervention, could have remained self-sustainable.

The analysis in this thesis will bring together two different understandings of “socially constructed scarcity.” On the one hand, I will refer to the social construction of scarcity as the sum of specific interventions by actors that led to the creation of scarcity in the region. This reading falls in line with dependency school/neo-Marxist theories arguing that

¹ Amartya Sen, *Poverty and Famines: an Essay on Entitlement and Deprivation* (Oxford: Clarendon Press, 1991): 1.

actors from the core take advantage of the periphery, and increase their own well-being at the cost of creating or aggravating scarcity in the Third World. On the other hand, the social construction of scarcity means the creation and dissemination of a specific understanding of scarcity, as natural and unavoidable in a world of limited resources and unlimited human wants. This interpretation matches constructivist and post-modernist theories explaining how the paradigms of thought that we use can determine and even impose specific behaviors.

Showing that, in the case of Lake Victoria, scarcity has been socially constructed is essential for the process of solving the problem of scarcity. Such a solution requires the re-conceptualization of the resources of the lake as a common good that should belong to the local community, linked to the acknowledgement of the basic right of all human beings to adequate food and water.

2. Traditional Fishing on Lake Victoria

The Nile perch was introduced in the lake in the 1950s, but it was not until the late 1970s that the changes in the ecosystem of the lake (and consequent alterations in the fishing and commercializing patterns) brought about by this introduction became glaringly obvious. Until the introduction of the new species, fishing was done through artisanal techniques, for purposes of subsistence and commercializing on the local market.² This type of small-scale

fishing was a full time activity for most of the fishermen, with few others using it only as a secondary, seasonal source of income, in addition to agriculture.³ Furthermore, fishing in the lake was done in a fairly equitable manner, as most fishermen owned at most one canoe and just the number of nets they could deploy themselves: “The ownership pattern was thus very decentralized and the income from the lake was distributed fairly evenly among the fishermen.”⁴

3. The Introduction of the Nile Perch

All of this changed gradually after the introduction of the Nile perch. According to most accounts, the Nile perch was brought to Lake Victoria by the British colonial government, in order to increase the productivity of the lake and expand commercial fishing.⁵ The desired effect was achieved:

Nile perch and tilapia populations grew slowly at first, then increased exponentially during the 1970s through the 1980s. Major fisheries developed in concert with the increase of Nile perch

Lake Victoria Fisheries Phase II, *Fisheries Management Series* 1 (July 2004).

³ E.G. Jansen, “Rich Fisheries—Poor Fisherfolk. Some Preliminary Observations about the Effects of Trade and Aid in the Lake Victoria Fisheries,” *Socio-economics of the Nile Perch Fishery on Lake Victoria*, Report No.1 (Nairobi: IUCN-EARO, 1997).

⁴ E.G. Jansen, “The Fishing Population in the Kenyan Part of Lake Victoria. Report to the East African Freshwater Fisheries Research,” *Department of Social Anthropology, University of Bergen* (1973).

⁵ William Beinart, “African History and Environmental History,” *African Affairs* (2000): 269-302.

² “Cross-border Fishing and Fish Trade on Lake Victoria,” IUCN/LVFO *Socio-economics of the* 58

as an improved distribution system linked new processing firms to foreign markets. Total yields climbed to 4 times the maximum of previous fisheries for native species.⁶

3.1 An Alternative Account

Before moving on with the discussion, it is important to mention that there exists an alternative account of the introduction of the Nile perch in the lake. This account has not been documented in the literature, and it does not invalidate the theory of socially constructed scarcity proposed in this paper. In the course of my research about the introduction of the species in the lake, I have been in touch with D. Wilson, a researcher who has conducted extensive work on fisheries in the Tanzanian parts of Lake Victoria. As I have had some difficulties with finding the specific narrative for the bringing of the Nile perch to the lake, I turned to him with this question, to which he replied that he was not surprised that I could not document that precisely, as most authors call the introduction of the species “mysterious,” or assign the responsibility to the British authorities, because of the mere fact that they were technically in charge of the management of the lake at the moment.

According to Wilson, during the 1950s, there was a debate in the colonial fisheries services in East Africa about whether to introduce the Nile perch or not. Supposedly, the reason why the insertion of the Nile perch was proposed in the first place was for sports fishing, not for

commercial reasons. When the authorities rejected the proposal, a disgruntled individual took it upon himself to introduce the Nile perch. This account is not encountered in the literature and Wilson himself did not include it in his own writings. As he explained to me,

I got the fact that the British authorities, after some debate, had actually decided against the introduction by reading the debates in the annual reports of the East African Fisheries Research Organization from the 1950s. That it was one disgruntled loser of that debate who actually made the introduction was from a conference I attended in the early 90s where a recent letter to the editor was passed around from a man who said that the introduction was not such a big mystery to him, he had been there as a helper to a British fisheries officer while he was carrying out the introduction. Of course there could have been more than one introduction. Or this person may not be a reliable source.⁷

Most of the literature on fisheries in Tanzania describes the introduction of the Nile perch as motivated by commercial reasons, however. I do not have enough resources at my disposal to verify which of the accounts is true. Therefore, I have decided to include both. The most important thing to be considered, however, is that no matter which explanation is valid, it does not contradict the theory of the social construction of scarcity. Whether it was done for commercial reasons or in the interest of leisure activities, the insertion of the Nile perch

⁶ Idem 5.

⁷ Personal communication with Prof. D. Wilson.

was an artificial act that had the consequences described above. It affected the ecosystem of the lake and the nature of fishing and commercial activities around the lake in such a way as to produce scarcity. It was not a natural phenomenon, but it was the result of external, human intervention. These two elements combine to make the argument that the introduction of the Nile perch represents the first step in the social creation of scarcity in Lake Victoria.

4. The Introduction of the Nile Perch—First Wave of Socially Constructing Scarcity

The introduction of the Nile perch in the lake represents the first step in the process of social creation of scarcity. In the case of fisheries in Lake Victoria, scarcity can be discussed at two main levels. One refers to the natural resources of the lake, namely the fish population that represents the basis of nutrition for the riparian communities (fish is a high-protein aliment, and eating it a couple of times a week can ensure the minimum amount of nutrients necessary to avoid starvation). The other level is linked to fish as a source of income for the riparian communities, whose members make their subsistence through fishing and commercializing the fish.

As much as there is agreement on the immediate benefits brought by the Nile perch, there is divergence among the voices that analyze the long-run consequences of this step. One of the main elements to be mentioned in this

discussion is the gradual exclusion of most of the artisanal fishers from the trade.

Even more, the fate of the local fishermen is put under question because of the over-exploitation of the lake, caused by the combined effects of the biological evolution of the ecosystem after the introduction of the Nile perch, and the increased exploitation of the lake over the years as a response to market stimuli.

Perhaps the most problematic consequence of the transformation of commercial activity on the lake refers to food security and, more specifically, the access of the local population to the nutritional resources of the lake. Over the past years, several institutions, at both national and international levels, have expressed concern over food security in the area. Among them, the Food and Agriculture Organization of the United Nations FAO has explained that an excessively large export of fish from the lake can have a detrimental effect on the nutritional well being of the riparian communities.⁸

5. Export Promotion-Second Wave of Socially Constructed Scarcity

While the introduction of the Nile perch represents the beginning of the process of social construction of scarcity, scarcity around Lake Victoria would not have become so severe without further actions

⁸ E.G. Jansen, "Rich Fisheries—Poor Fisherfolk. Some Preliminary Observations about the Effects of Trade and Aid in the Lake Victoria Fisheries," Socio-economics of the Nile Perch Fishery on Lake Victoria, Report No.1 (Nairobi: IUCN-EARO, 1997).

of the Tanzanian government, the processing and exporting companies, and the international organizations. The export promotion strategies of the Tanzanian post-colonial government, especially starting with the 1980s, have been instrumental in manufacturing scarcity in the area.

In terms of availability of fish in the lake, export promotion has contributed to over-fishing, therefore leading to the depletion of the lake's natural resources. In terms of the material well-being of the local communities, the prevalence of processing companies in the trade has led gradually to the exclusion of artisanal fishers and women processors from the trade. These people were thus left without a substantial source of income. Finally, as regards the food safety of the region, the impacts of export support mechanisms are usually evaluated negatively:

fishing effort was noted to have shifted from the capture of domestic market oriented species to export oriented species (...), disturbing the domestic market supply and raising fears about an increasing protein deficit, which already exists in the countryside.⁹

The effects of export promotion are much more nuanced and debatable than modernization theories of economic development make it sound.

6. Aid Agencies

⁹ "Integrated Assessment of Trade Liberalization and Trade-Related Policies. A Country Study on Fisheries Sector in Senegal." United Nations (New York and Geneva, 2002): 35.

The previous chapters have established a connection between scarcity in the riparian regions of Lake Victoria and specific profit-oriented actions of the colonial power, plus the measures taken by the post-colonial government in order to promote national economic growth. In addition, the activities of the aid agencies present in the region have not managed to alleviate the negative consequences of these policies on the local population, on occasion even proving to be detrimental in spite of good intentions.

Aid agencies working in the villages on the shores of Lake Victoria mainly promote advanced techniques of fishing, in line with the widely-held belief that the technologically advanced ways are more productive.

Only some of the better-off fishermen are able to take advantage of both the training and the few advanced pieces of gear available in the villages. The poorer fishers end up depending on either the better-off ones or on the processing companies:

a patron-client relationship was created as the traders who invested in boats and gear were in the position to act as patrons and give loans to poor fishermen and customers (...) large-scale fishing is organized and done by external, often urban owners of boats, engines, sails, nets, etc., who capture most of the catch.¹⁰

¹⁰ Marja Liisa Swantz, "Grassroots Strategies and Directed Development in Tanzania: The Case of the Fishing Sector," Wider Working Papers, World Institute for Development Economics, Research of the United Nations University (August 1989).

Furthermore, there are a number of fishers that were completely eliminated from the trade and the type of investments made by the aid agencies (in training of high skills and in advanced gear) does not help to reintegrate them. The same can be said about the effect of aid activities on the lives of the women that used to be involved in the processing and marketing of the smaller fish and that are now left out of the business.

7. Conclusion

Economist thinking, growth strategies based on industrialization and open trade, and development have been in place ever since they were established in spite of their failure to bring about generalized well-being. However, this type of thinking about economic and social organization is not inevitable. Not only is it not inevitable, it may on occasion be detrimental to human well being. Still, the voices arguing against neo-liberalism have a more marginal position in the public sphere than its proponents. This is true about thinking on international economics done both inside Tanzania and by Western intellectuals and decision-makers. The profit-oriented activities of businesses could only be limited by a strong concentration of voices arguing for the limitation of their actions. But there is no such concert of views.

The analysts that criticize the current functioning of the economic system as detrimental to the environment or to social equity have a hard time in trying to come

up with alternatives. For one thing, they admit that the capitalist system is dominant and that a replacement is not in sight. John Gray argues that humanity can come up with ways to make up for some of the damages caused by the current manner of the functioning of the economy (through technology), but he does not propose a more comprehensive solution. Neither are the post-development thinkers who argue for the dismantling of the idea of development as a whole capable or willing to propose an alternative. Some of these questions are too difficult to answer, but perhaps it is possible to mark down a few starting points for an eventual solution.

One of these starting points could be found in the previous discussion of socially constructed scarcity. It has been shown in this thesis how the scarcity of water resources has been gradually socially constructed, from the moment when the ecosystem of the lake began to be seen as a potential source of material gain. In this light, a possible starting point for alleviating scarcity is the re-conceptualization of these elements. Neo-liberalism is dominant nowadays although it is not the only manner of reading economic relations, neither perhaps the most beneficial. The use of nature for profit-oriented capitalist activities is neither the "natural" nor the "inevitable" way of perceiving reality. Rather, this is just one of the treatments we give to the reality around, a treatment that has proven to be highly destructive in specific situations, such as the exploitation of Lake Victoria. If this thinking is not unique and inevitable, and if it is also destructive,

then it must be changed. Rather than continuing to see water and its ecosystem as material resources to be traded like merchandise on the market, they should be re-conceptualized as common goods, pertaining to the basic right of every human being to proper water and food. In fact, this re-conceptualization merely means a return to the original understanding of water and its resources as belonging to the local communities, as the center around which they build their lives.

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THE PROBLEM OF FREEDOM IN THE WORKS OF MICHEL FOUCAULT

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Abstract

The article deals with Michel Foucault's vision of freedom that is shaped by his alternative understanding of power and resistance. Foucault repudiates the modern idea of liberation through truth about the real nature: there is no liberating truth about the "real" situation, essence and good. Truth is not free from power relations, it is embedded in them, in a certain regime of truth. There is a certain truth about freedom, and the latter is not opposed to government; on the contrary, it is its most important resource. Thus, there is no escape from power into freedom. Power is omnipresent, it is not localized, but dispersed, productive, flexible and reversible. This reversibility allows for resistance, which is inherent to power relations: where there is power there is a resistance. The notion of freedom is mostly present in Foucault's later works. Freedom is a practice, a kind of positive resistance. Foucault sees the ethic of the concern for the self as a practice of freedom. Although the individual cannot get outside of power relations, which produce her own self, she can participate in the self-making. So, freedom can be understood as participation in the process of defining oneself and the meaning of freedom.

Introduction

There is no escape from freedom. It is restless in chasing our bodies and minds. One hears about freedom almost every day and is encouraged to love it and struggle for it. The wars of the 21st century are fought in the name of freedom of individuals, nations, and the world. Modern political vocabulary reflects the value of this notion; it "has become the central value of our [Western] culture"¹. As a result, not many are questioning its value, and problems are usually seen as the result of its shortage.

An individual of the twenty-first century cannot be conceptualized outside of the notion of freedom because it orders all spheres of human life. In the words of Nikolas Rose "[t]he ethics of freedom have come to underpin our conceptions of how we should be ruled, how our practices of everyday life should be organized, how we should understand ourselves and our predicaments"². To build life on the basis of freedom and to demand to be governed in its name has become normal. But not many people

¹Charles Taylor, "Kant's Theory of Freedom," in *Philosophy and the Human Sciences. Philosophical Papers 2* (Cambridge: Cambridge University Press, 1985), 318.

²Nikolas Rose, *Powers of Freedom: Reframing Political Thought* (Cambridge: Cambridge University Press, 1999), 61.

reflect on the question when and how it actually became normal. Why are we talking about one kind of freedom and not the other? Why do we define freedom in the way we do? The notion of freedom became dominant with the birth of liberalism, where “for the first time the arts of government were systematically linked to the practice of freedom”³. Thus, all we know about freedom is the knowledge about some kind of liberal freedom. We are its voluntary hostages.

Critical reflection is the best way of thinking about any phenomena, even the most praised ones. Freedom is not an exception. First of all, it is necessary to realize that there has been a variety of notions of freedom. We can trace several phases in the process of its “transformation”. The ancient notion of freedom as political phenomenon, with its priority of a political matrix and acceptance that not all men are free, contradicts the modern liberal one, born through the works of the Enlightenment thinkers. But the enchantment with reason, autonomy, and individuality seems to have lost its power in the light of the post-modern death of the subject, meta-narratives and metaphysics. If liberalism is concerned with human freedom as such, with freedom as a “part of the natural condition of man, the ‘state of nature’”⁴, which exists outside of any social order, the “post-modern vision” seems to be ironical or even cynical about freedom. Such a variety of notions makes us think about freedom in an alternative way: what

we actually see is not just a natural, neutral state but one that has gone through changes and modifications in meanings, and is still doing so. We can look at freedom as a social construct, truth that is designed to make people governable.

There are different ways to approach the study of freedom in the modern world. There are many different tasks that one can follow. But if one wants to think about freedom critically I think the works of Michael Foucault, a key philosopher of the twentieth century, are the best place to look for inspiration. He presents an alternative view on freedom, which opens the way for a critical assessment of its existing version. Foucault presents an alternative view of power, resistance and freedom. For him, power relations are dispersed and, moreover, productive. They create a regime of truth – “a field of discourse that enables the emergence of a specific kind of subjectivity or allows the elaboration of a particular rationality”⁵. An important part of any such regime is freedom. A certain understanding, definition, and exercise of freedom are presented as self-evident and only possible.

In this article I will try to follow Foucault in thinking about power, resistance and freedom. I am not going to look for one more final and deterministic definition of the latter or for the new strategy of the universal liberation. My aim is to present Foucault’s alternative view on the existing

³Rose, *Powers of Freedom*, 68.

⁴Taylor, “Kant’s Theory of Freedom,” 319.

⁵Duncan Ivison, “The Freedom to be Formed and Normed: Foucault on Power/Government,” in *The Self at Liberty: Political Argument and the Arts of Government* (Ithaca: Cornell UP, 1997), 31.

state of things. For this purpose, first, I will look at the charges against Foucault and how he deals with them and the modern “project of liberation”. I will proceed with Foucault’s notion of power, which is crucial for understanding the place of resistance and freedom in his thought. I will finish with a discussion on Foucault’s notion of freedom.

Critics and Romantics

I never behave like a prophet – my books don’t tell people what to do. And they often reproach me for not doing so (and maybe they are right), and at the same time they reproach me for behaving like a prophet.

Michel Foucault, *An Interview by Stephen Riggins*

References to resistance and freedom are scattered throughout Foucault’s works and we can see certain shifts between them. There is a widespread opinion about “turn”, even rapture or discontinuity between Foucault’s earlier (1976) and later (1982-1984) works and, thus, it is not possible to talk about one notion of freedom. As a result some authors concentrate only on one of the periods of Foucault’s writings with its version of power and resistance. For instance, John Hartmann points at Judith Butler’s *Bodies That Matter* as an example of the first type, and Richard Rorty’s *Contingency, Irony, Solidarity* as an example of the second⁶. I highly doubt the existence of

such discontinuity in Foucault’s works, but accept the possibility of some kind of transformation and shift of the emphases. As Foucault put it in the interview:

I am not interested in the academic status of what I am doing because my problem is my own transformation. That’s the reason also why, when people say, “Well, you thought this a few years ago and now you say something else,” my answer is ... [Laughs] “Well, do you think I have worked like that all those years to say the same thing and not to be changed?” This transformation of one’s self by one’s own knowledge is, I think, something rather close to the aesthetic experience. Why should a painter work if he is not transformed by his own painting?⁷

I think one should not build Foucault’s theory of freedom because it would contradict his own attitude towards his writings. What one can do is to trace the flight of his thought at least for the sake of flying with it.

Johanna Oksala briefly discusses the differences in commentators’ understanding of Foucault’s philosophy and comes to the conclusion that it is possible that the source of these disagreements is a different interpretation of freedom. As a result she looks at

2nd. Available at http://mypage.siu.edu/hartmajr/pdf/jh_fouccirc_03.pdf.

⁷Michel Foucault, “An Interview by Stephen Riggins,” in *Ethics: Subjectivity and Truth. Essential Works of Michel Foucault, 1954-1984*, ed. Paul Rabinow, trans. Robert J. Hurley. Vol. 1 (London: Penguin Books, 1997), 131.

⁶John Hartmann, *Power and Resistance in the later Foucault*. Paper presented at the 3rd Annual Meeting of the Foucault Circle at John Carroll University, Cleveland, OH. February 28th – March

different possible understandings of freedom in order to show how it might be useful for further thinking⁸. I see this exploration as a good basis for the productive research. Also, I will look at charges against Foucault in order not to get into the “old” traps in the interpretation of his writings.

While some authors say that Foucault is “the philosopher of freedom in post-revolutionary time”⁹ others blame him for the pessimistic vision of freedom. The latter criticisms often find the problem in Foucault’s post-structuralist understanding of the subject, which denies traditional notions of autonomy and authenticity. There is no place for an independent agency because we are all made into subjects within power relations (this problem will be addressed in detail in the next section). If there is no authentic subjectivity to liberate, and there is no outside of power then freedom becomes meaningless¹⁰.

Similar charges come from Charles Taylor, who is a good representative of the modern critique of Foucault. Taylor starts his article with “Foucault disconcerts”¹¹. He tries to show that “certain of Foucault’s most interesting historical analyses, while they are original, seem to lie along familiar lines of critical

thought”¹². The aim of critical theory is to preserve some “good” through the insight into the relations of domination; thus, the main idea is that of rescuing and preserving. Foucault repudiates this idea and takes the Nietzschean neutrality stance, that of an outside observer, which gives possibility of analysis not based on critique. But if we look at Foucault’s analysis of power/domination we can assume that it is unmasking: it brings to light all the deceptions through which people are subjectified. Foucault seems to negate such a conclusion; there is no liberating truth about the “real” situation, essence and good. Truth itself is not free from power relations, it is embedded in it, in a certain regime of truth – “a field of discourse that enables the emergence of a specific kind of subjectivity or allows the elaboration of a particular rationality”¹³. Thus, there is no way of liberation, “no escape from power into freedom”¹⁴, one can only step from one system of power to another. At least it seems so from the first glance. It is not so obvious for Taylor that it is possible to talk about power/domination without notion of “truth” and “freedom”, about critical analysis without critique. He questions the possibility of talking about power or domination without notions of truth and freedom because the former belongs to the semantic field from which the latter cannot be excluded. Taylor argues that power in Foucault’s sense (closely linked to domination) “does not make sense

⁸Johanna Oksala, *Foucault on Freedom* (Cambridge: Cambridge University Press, 2005), 2.

⁹John Rajchman, cited in Oksala, *Foucault on Freedom*, 2.

¹⁰Oksala, *Foucault on Freedom*, 1.

¹¹Taylor, “Foucault on Freedom and Truth,” *Political Theory* 12, no. 2 (1984), 152.

¹²Ibid, 152.

¹³Ivison, “The Freedom to be Formed and Normed,” 31.

¹⁴Taylor, “Foucault on Freedom and Truth,” 153.

without at least the idea of liberation”¹⁵. Power by definition requires a target, even if it does not require a defined perpetrator. “Something must be imposed on someone if there is to be domination”¹⁶. Imposition in its turn requires fraud and illusion. Thus, liberation from power cannot be without dismantling the lie, coming to the truth about the lie. This is liberation through truth. But even if resistance is immanent to power relations, Foucault discredits “as somehow based on a misunderstanding the very idea of liberation from power”¹⁷. And Taylor finds him incoherent here.

I think the confusion arises as a result of the misunderstanding of Foucault’s aim – to challenge the traditional way of thinking. Taylor understands freedom and liberation still in modern terms, while Foucault rethinks it, and presents an alternative view. He says goodbye to the modern/romantic notion of freedom as liberation from power through truth about our authentic selves. Foucault tries to dismantle this position; he shows that this idea of liberation is a product of a certain regime of power. For example, the romantic notion of sexual nature, which needs to be liberated, is a product of knowledge, which aims to subjectify and control us. By overthrowing sexual prohibition we are not getting freedom because images of what it means to be a fulfilled sexual being still dominate us.

Foucault seems to differentiate concepts

of liberation and freedom; though they may go together. He says that one should be careful with, or even be suspicious of, the notion of liberation because it can lead us to the same Romantic understanding of freedom, which is a dead-end. Without precautions in using the notion of liberation “one runs the risk of falling back on the idea that there exists a human nature or base that, as a consequence of certain historical, economic, and social processes, has been concealed, alienated, or imprisoned in and by mechanisms of repression”¹⁸. If we accept this hypothesis then all is needed for freedom is to break these “repressive deadlocks” and reconcile the man with himself. This would be liberation through truth. But Foucault, as shown above, challenges this position: freedom is not the product of reconciliation of the self with authentic self. To understand this impossibility one needs to look at how Foucault understands power and resistance, and its interplay with freedom. This is the purpose of the subsequent section.

The New Power and Freedom

Power is a tricky concept for any theorist. Michel Foucault deals with it but he claims not to have a theory of power¹⁹. He

¹⁸Michel Foucault, “The Ethics of the Concern for Self as a Practice of Freedom: An Interview with Michel Foucault,” in *Ethics: Subjectivity and Truth. Essential Works of Michel Foucault, 1954-1984*, ed. Paul Rabinow, trans. Robert J. Hurley. Vol. 1 (London: Penguin Books, 1997), 282.

¹⁹It is worth to note that Foucault uses term *power* simply as shorthand for the *relations of power* (Foucault, “The Ethics of the Concern for Self,” 291).

¹⁵Ibid, 173.

¹⁶Ibid, 172.

¹⁷Ibid, 173.

says that the aim of his work “has not been to analyze the phenomena of power... [but] to create a history of the different modes by which, in our culture, human beings are made subjects”²⁰. Foucault says that in his work he deals with three such modes: sciences; “dividing practices”, and “the way a human being turns him- or herself into a subject”²¹. The process of subjectification is closely connected with the relations of power; subject is often a product of such relations. That is why it may first seem that Foucault’s major concern is power.

Power

Foucault provides a radically different account of power, and consequently resistance. The traditional understanding is related to a sovereign: a defined, localized authority that owns means of coercion, in other words, of power. For Foucault power is not something owned, conquered or held but rather exercised. It is not a property or privilege of the dominant class or any other group, but “the overall effect of its strategic positions – an effect that is manifested and sometimes extended by the position of those who are dominated”²²; power itself is not evil, not bad. The relations of power are through all society, they are not taking

place just between the citizens and state²³; it comes from below, and there is no ruler – ruled opposition²⁴. These networks of relations are not concentrated in the public sphere but rather generally penetrate, and merge public and private (if we understand the latter as a power-free zone). So, power does not have a central point, it is not an institution or structure, it is omnipresent “not because it embraces everything, but because it comes from everywhere”; power is “a complex strategic situation in particular society”²⁵. This strategic situation does not require central planning. The exercises of power are always local, conscious and intentional but at the same time they form an overall strategic situation, which is guided by the so-called invisible hand. As Foucault puts it, “people know what they do; they frequently know why they do what they do; but what they don’t know is what what they do does”²⁶. That means that while a parent intentionally exercises power over a child, he/she does not see the general picture of the unintended strategic situation of power relations, which emerges in a society when all parents exercise the same power over their children.

Power relations are productive, “the body is invested with relations of power and

²⁰Michel Foucault, “The Subject and Power,” in Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (New York: Harvester Wheatsheaf, 1982), 208.

²¹Ibid, 208.

²²Michel Foucault, *Discipline and Punish: The Birth of the Prison* (London: Penguin Books, [1975] 1991), 26-27.

²³Ibid, 27.

²⁴Michel Foucault, *The History of Sexuality: An Introduction. Vol. 1* (New York: Vintage Books, [1976] 1990), 94.

²⁵Ibid, 93.

²⁶Cited in Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics* (New York: Harvester Wheatsheaf, 1982), 187.

domination”²⁷. The new economy of body emerges, where the latter “becomes a useful force only if it is both a productive body and a subjected body”²⁸. This subjection of body happens without any violence; rather the knowledge of the body and mastery of its forces presents the tools for subjection, Foucault calls it “political technology of the body”²⁹. He talks about the micro-physics of power that again presuppose that the power exercised on the body is conceived not as a property, but as a strategy, that its effects of domination are attributed not to ‘appropriation’, but to dispositions, maneuvers, tactics, techniques, functionings; that one should decipher in it a network of relations, constantly in tension, in activity, rather than a privilege that one might possess; that one should take as its model a perpetual battle rather than a contract regulating a transaction or the conquest of a territory.³⁰

For Foucault power rests on the idea of conduct³¹, and exists only in action, “a mode of action which does not act directly and immediately on others. Instead it acts upon their actions: an action upon an action...”³² It is a “relationship in which one person tries to control the conduct of the other”³³. Here I actually talk about the

technologies of power³⁴, which objectivize the subject. In modern society power operates as Panopticon – universal surveillance; it is transparent and hidden at the same time; it works through measurement, classification and normalization. The subject through training interiorizes the norms and disciplines. In the next chapter on liberal freedom I will look at this mode of power as biopower closer.

There is another important notion in the process of construction of the subject – technologies of the self. Volumes II and III of *The History of Sexuality* are dedicated to the study of the ways the human being turns herself into a subject through different modes of self-understanding and self-formation. Technologies of the self allow individuals to transform themselves, to participate in the process of the creation of their own subjectivity through “a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being”³⁵. These procedures exist in every

²⁷Foucault, *Discipline and Punish*, 26.

²⁸Ibid, 26.

²⁹Ibid, 26.

³⁰Ibid, 26.

³¹Iverson, “The Freedom to be Formed and Normed,” 31.

³²Foucault, “The Subject and Power,” 220.

³³Foucault, “The Ethics of the Concern for Self,” 292.

³⁴Foucault talks about four major types of “technologies” that people use in “truth games”: technologies of production, technologies of sign systems, technologies of power and technologies of the self. These technologies scarcely function separately, “although each one of them is associated with a certain type of domination. Each implies certain modes of training and modification of individuals, not only in the obvious sense of acquiring certain skills but also in the sense of acquiring certain attitudes” (Michel Foucault, “Technologies of the Self,” in *Ethics: Subjectivity and Truth. Essential Works of Michel Foucault, 1954-1984*, ed. Paul Rabinow, trans. Robert J. Hurley. Vol. 1 (London: Penguin Books, 1997), 224-225.

³⁵Foucault, “Technologies of the Self,” 225.

civilization; they aim to transform individuals by placing on them a command to ‘know oneself’ and to behave in accordance with this knowledge³⁶. This should not mislead us to the assumption of the autonomous agent who creates himself through these techniques. On the contrary, “these practices are nevertheless not something invented by the individual himself. They are models that he finds in his culture and are proposed, suggested, imposed upon him by his culture, his society, and his social group”³⁷. Here we again see impossibility or denial of Romantic liberation through the truth about one’s authentic self. The man that is supposed to be freed “is already in himself the effect of subjection much more profound than himself”.³⁸ A ‘soul’ that becomes the target of punishment and correction in modern times is a “factor in the mastery that power exercises over the body. The soul is the effect and instrument of a political anatomy; the soul is the prison of the body”³⁹. There is the reversal of the traditional order, where the body used to be the prison of the soul. Now the soul that is brought into being by experts and human sciences commands over and controls the conduct of the body, it makes it docile and productive. Still, it remains difficult to explain precisely what Foucault means by soul.

³⁶ Foucault, “Subjectivity and Truth,” in *Ethics: Subjectivity and Truth. Essential Works of Michel Foucault, 1954-1984*, ed. Paul Rabinow, trans. Robert J. Hurley. Vol. 1 (London: Penguin Books, 1997), 87.

³⁷Foucault, “The Ethics of the Concern for Self,” 291.

³⁸Foucault, *Discipline and Punish*, 30.

³⁹Ibid, 30.

Technologies of power and technologies of the self are crucial for understanding Foucault’s concept of governmentality, the important notion for the next chapters: “This encounter between the technologies of domination of others [technologies of power] and those of the self I call “governmentality”⁴⁰. Nikolas Rose nicely outlines two possible understandings of the concept, which cannot be actually separated from each other⁴¹. The first – *governmentality* – points that governing is the process of shaping mentalities of the governed. The second – *governmentality* – refers to the mentality of rule, to the “way of problematizing life and seeking to act upon it”⁴², to the governmental “hows”. To sum up with the words of Thomas Lemke “[f]rom the perspective of governmentality, government [as a conduct of conduct] refers to a continuum, which extends from political government [I mentioned them as *technologies of power*] right through to forms of self-regulation, namely ‘technologies of the self’”⁴³.

Resistance

Let us now look at the concept of resistance in the works of Foucault, because it always goes together with

⁴⁰Foucault, “Technologies of the Self,” 225.

⁴¹Nikolas Rose, “Government, Authority and Expertise in Advanced Liberalism,” *Economy and Society* 22, no. 3 (1993), 287-288.

⁴²Ibid, 288.

⁴³Thomas Lemke, “The Birth of Bio-Politics: Michael Foucault’s Lecture at the College de France on Neo-Liberal Governmentality,” *Economy and Society* 30, no. 2 (2001), 201.

power, and lays the ground for the discussion of freedom. First, the omnipresence of power, both as strategic game or state of domination, means the omnipresence of the resistance to it. “Where there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power”⁴⁴; it exists throughout the power network. Power is not univocal; it defines “innumerable points of confrontation, focuses of instability, each of which has its own risks of conflict, of struggles, and of at least temporary inversion of the power relations”⁴⁵.

Moreover, there is a plurality of resistances; they are mobile and transitory, and pass through apparatuses and institutions, social stratifications and individual unities without being localized in them⁴⁶. There cannot be power relations without at least the possibility of resistance. If there is no such possibility then it is violence but not power.

So, resistance is everywhere as well as power, but at the same time Foucault says that there is no space outside of power; thus, some authors conclude that there is no place for freedom. It seems that there is a misunderstanding here, as resistance and freedom are different concepts. If one is still thinking in traditional terms then freedom is supposed to come through liberation and resistance. But it seems that freedom for Foucault is not the result of

resistance; these are related but different concepts. (I will touch upon the question of freedom in detail in the next section)

It is possible to think about Foucault as skeptical or cynical about freedom but if it is so then there is a contradiction: even throughout his works of the 1970s (in which he is often found to be the most pessimistic) one permanently finds Foucault’s “comments on people’s desire to object to the operations of disciplinary power... [H]e often thematized the felt need to stand ‘against’ the operations of discipline”⁴⁷. If Foucault did not find place for freedom then why would he be so concerned about being “against”, why would he present his genealogies as acts of “opposition”, and his work as a way of resistance?

It is important that the understanding of resistance is derived from Foucault’s notion of power. Due to the fact that power relations are “mobile, reversible, and unstable” there is a possibility of resistance as strategic reversal, violent resistance, flight or deception⁴⁸. Power and resistance are constituted reciprocally: the latter is only possible where there is the former and vice versa. Henry Krips says that resistance is no longer to be seen mainly as a planned and aggressive individual reaction to her or his subjugation. One should understand resistance so that it can be

⁴⁴Foucault, *The History of Sexuality*, 95.

⁴⁵Foucault, *Discipline and Punish*, 27.

⁴⁶Foucault, *The History of Sexuality*, 96.

⁴⁷Paul A. Bove, “Power and Freedom: Opposition and the Humanities,” *The Humanities as Social Technology* 53 (October 1990), 82.

⁴⁸Foucault, “The Ethics of the Concern for Self,” 292.

nonactive/unintended and dispersed, “manifested in localized acts [“immediate” struggles] of defiance which together form a global pattern of resistance that transcends the intentional engagement of any of the agents (Krips 1990, 177).

Resistance is a kind of “chemical catalyst” which brings power relations to light, locates them, and finds their points of application and the methods used. It is efficient to analyze power not only from the point of view of its internal rationality, but through the antagonism of strategies⁴⁹. Foucault says that three types of struggles are always present but only one of them usually dominates⁵⁰. Nowadays the struggle against the submission of subjectivity becomes more and more important. This struggle can take different forms but Foucault mainly concentrates on the “care for the self”, the way in which one can become a co-author of one’s own self, at least to some extent. He addresses the ethics of the concern for the self as a practice of freedom.

Freedom

There is a change in Foucault’s work: in the latter period he no longer formulates the problem of being “against” in the terms of resistance but in the terms of

freedom⁵¹. There is the development of his thought but not a rupture: starting with the disciplinary power he proceeds with the work on governmentality and “ethics”. Still, Foucault does not come up with any narrative of repressed freedom that must be liberated⁵².

Foucault discusses “relationships of power as strategic games between liberties”⁵³. Power is reformulated in new terms: “exercise of power as a mode of action upon the actions of others... includes an important element: freedom. Power is exercised only over free subjects, and only insofar as they are free”. “The relationship between power and freedom’s refusal to submit cannot be therefore separated... At the very heart of power relationship, and constantly provoking it, are the recalcitrance of the will and the intransigence of freedom”⁵⁴.

It is not clear how Foucault differentiates between resistance and freedom. The former seems to require “negative” action – against the intentions of the others to influence upon the conduct; it is a strategic reversal of power relations. According to John Hartmann freedom seems to be formulated more in terms of “positive means of resistance which does not devolve to re-action or negation”⁵⁵.

The care for the self is a way of such positive resistance, and the ethics of the

⁴⁹Foucault, “The Subject and Power,” 211.

⁵⁰These are struggles “against forms of domination (ethnic, social, and religious); against forms of exploitation...; or against that which ties the individual to himself and submits him to others in this way (struggles against subjection, against forms of subjectivity and submission)” (ibid, 212).

⁵¹Bove, “Power and Freedom,” 83.

⁵²Ibid, 84.

⁵³Foucault, “The Ethics of the Concern for Self,” 299.

⁵⁴Foucault, “The Subject and Power,” 221-222.

⁵⁵Hartmann, *Power and Resistance in the later Foucault*, 4.

care for the self is a practice of freedom. Care for the self is “a way of limiting and controlling power”⁵⁶. This statement is interesting and shows the transformation in Foucault’s thought: in earlier works he said that there is no outside of power, and now some kind of outside is possible through the care for the self. Foucault says that these “non-negative means of relating to oneself – caring for oneself as a positive fashioning of a subjectivity – have been with us since the time of the Greeks”⁵⁷. These practices are based on putting our subjectivity into the problematic field, under the permanent critique. The ethics of the concern for the self “is the considered form that freedom takes when it is informed by reflection”⁵⁸. Thus, freedom is constituted as positive resistance, which “consists in a subject’s becoming-autonomous within a structured set of institutions and practices through immanent critique”⁵⁹.

It is important to notice here that freedom is possible only as a practice and not just an abstract ideal. In order for freedom to exist it has to be lived. But it is important not to present this exercise as a possibility granted exclusively through liberation. It seems that Charles Taylor falls into this trap. He outlines two questions that are among the most fundamental in the work of Foucault. The first addresses the way of

liberation through the truth: even if we know the origin of our identity “[c]an we really step outside the identity we have developed in Western civilization to such a degree that we can repudiate all that comes to us from the Christian understanding of the will?”⁶⁰ The second question is rather normative: “Granted we really can set this aside, is the resulting ‘aesthetic of existence’ all that admirable?”⁶¹. It seems that Taylor might have misinterpreted Foucault: he puts the overthrowing of identity (identity “vacuum”) and self-making in chronological order. Foucault does not presuppose such a “vacuum” before self-making is possible. The care for the self is the practice of freedom itself and does not need preliminary liberation of a person from himself as an objectified subject.

Nevertheless, Foucault does not do away with the notion of liberation completely. Sometimes a certain degree of liberation is necessary before one can practice freedom, but still there is no need (and actually possibility) for an identity “vacuum”, a *tabula rasa* as a basis for a new self writing. This is where Foucault introduces the concept of domination⁶². Power relations are present in all kinds of human relations (among individuals, within families, in pedagogical relationships, political life, etc), and, as I already indicated, they are mobile, reversible, and unstable. But within such

⁵⁶Foucault, “The Ethics of the Concern for Self,” 288.

⁵⁷Hartmann, *Power and Resistance in the later Foucault*, 10.

⁵⁸Foucault, “The Ethics of the Concern for Self,” 284.

⁵⁹Hartmann, *Power and Resistance in the later Foucault*, 10.

⁶⁰Taylor, *Foucault on Freedom and Truth*, 181.

⁶¹Ibid, 181.

⁶²Foucault says that these states of domination are what people ordinary call power, but he differentiates these notions (Foucault, “The Ethics of the Concern for Self,” 299).

relations one may encounter “situations or states of domination in which the power relations instead of being mobile, allowing the various participants to adopt strategies modifying them, remain blocked, frozen”. These are states where an individual or social groups “succeed in blocking a field of power relations, immobilizing them and preventing any reversibility of movement by economic, political, or military means...”⁶³ In such states practices of freedom do not exist or are very restricted and constrained. Options and stratagems that are available in such situations never succeed in reversing them. So, “liberation is sometimes the political or historical condition for a practice of freedom”⁶⁴. But here again Foucault understands liberation in a different way from Taylor as it is not connected with truth and satisfying happiness of the relationship with one’s true nature. “Liberation paves the way for new power relationships, which must be controlled by practices of freedom” (ibid, 283-284). Foucault closes the circle by coming back to the ethics as a practice (conscious practice) of freedom. Even the states of domination should be analyzed in terms of freedom because those who dominate are free to use certain instruments to govern others.

To sum up, Foucault thinks that society cannot exist without power relations. However, power is not evil in itself, as a result the aim should be not to break free of or dissolve them “in the utopia of completely transparent communication”⁶⁵

⁶³Ibid, 283.

⁶⁴ibid, 283.

⁶⁵Here Foucault expresses his disagreement with

but to acquire the rules of law, the management techniques, and also the morality, the *ethos*, the practice of the self, that will allow us to play these games of power with as little domination as possible”⁶⁶. The latter is the “hinge point of ethical concerns and the political struggle for respect of rights, of critical thought against abusive techniques of government and research in ethics that seeks to ground individual freedom”⁶⁷. So, Foucault sees the need for positive resistance, a practice of freedom with as little domination as possible. Foucault insists on analyzing power relations through the concept of governmentality, which presupposes the existence of both an individual and others, outside. Thus, the basis for analysis of interaction in society is “freedom, the relationship of the self to itself and the relationship to the other”⁶⁸.

Although freedom is always present in power relations and does not need to be conquered or liberated, still there are different strategic situations. They determine the space or the scope for a practice of freedom. In some cases there are only negative ways of resistance, in others there is more room for positive resistance. As a result, there is a normative claim about freedom: to ensure that in a society the individual has room for practicing freedom, so he does not need to jump out of the window in order to resist.

Jurgen Habermas and calls his theory of communicative action “utopian”.

⁶⁶Foucault, “The Ethics of the Concern for Self” 299.

⁶⁷Ibid, 299.

⁶⁸Ibid, 300.

This criterion can be used for thinking about different types of governmentality because the definitions of freedom in certain regimes of truth determine the allowed practices of freedom, which can actually be extremely limited.

Conclusion

For Foucault freedom is always a part of the regime of truth in a society, it is denaturalized and deconstructed, there is no freedom as an objective reality beyond power relations. The notions of power, resistance and freedom are all interconnected in the works of Foucault. He abandons traditional view of power, connected with a central authority and coercion, and sees it as dispersed, flexible and reversible. Power is omnipresent and productive: people are subjectified within power relations, they are made into subjects and start to perceive themselves as subjects with certain characteristics and behavior. Power is everywhere but so is resistance. Foucault sees resistance as inherent to power relations and not opposed to them. There is no outside of power but resistance is possible within power relations. Power is power and not violence only because its objects are able to resist, to reverse the situation, and to be free. Foucault's notion of freedom as well as resistance is closely connected with power: freedom is at the heart of power relations.

There are two ways of thinking about freedom: freedom as an ethic and freedom as a resource of power. The former is about the ethic of the concern for the self, which Foucault defines as a practice of

freedom: to be free means not to step outside of power relations but to participate in the making and production of one's own subjectivity. Freedom as a resource of power is connected with the regime of truth, which produces certain subjectivity (free individuals) and allows and legitimizes a certain rationality of government. Subjects are governed through freedom.

Foucault's alternative vision of freedom, especially its two dimensions, presents a good ground for a critical research on both ethics of freedom and on freedom in different regimes of truth and in different governmentalities. It is interesting to see, for example, how the truth and practices of freedom differ in liberalism and neo-liberalism, and which of them allows for as little domination as possible and thus presents more space for practicing freedom.

Research on freedom within the framework of a Foucauldian approach should be continued because it is important to look at the self-evident definitions and terms of the everyday life from the critical perspective. It is always intriguing to deconstruct important notions such as freedom because one might find out either the variety of its possible meanings or simply its emptiness. And if the latter is the case then the question arises: what are the wars of the twenty-first century actually being fought for?

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WORK IN PROGRESS SECTION

RELATIONS REVISITED: A NUANCED APPROACH TO TYPES OF MULTI-LEVEL GOVERNANCE

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1. Introduction

Inter-governmental relations are often complex and multi-layered, and this has become more evident as countries increasingly move to share power and responsibility, often with shifts both upward, sometimes to supra-national institutions, and downward, to local governmental levels. However, different governments have had to deal with this pressure in different ways, with different bases as their starting points. Federal states, as they were set up in a manner that already divided powers between several levels of government, have a different reference point in dealing with inter-governmental relations in policy areas than a government that does not have a significant historical base for sharing jurisdictions among several levels.

These new forms and trends in governance have changed the nature of intergovernmental cooperation. Instead of the former model whereby hierarchical relations tended to exist between international, state, and sub-state actors, new literature suggests that often a more nuanced, heterarchical relationship defines relations between governments. New and strengthening levels of governance (such as the European Union and sub-state actors) and the nature of certain processes of governance (such as policy

implementation) have created this situation in which actors that previously had little formal power now are able to exert significant influence in informal ways. These factors call for more study in areas dealing with types and intricacies of governance processes, informal relations between formally unconnected governmental levels, and how these changes are manifested in the policy process.

2. Research Questions

The core question of this research will address the issue of types of governance. How does a system contending with a relatively short historical association with shared jurisdictions and multi-level policy cooperation deal with these intergovernmental relations as compared to a case with a long-standing history of shared jurisdiction and multi-level governmental cooperation? While the thesis will aim to answer this broader question, specific emphasis will be placed on the role and impact of this cooperation at the local level. On a more general note, this thesis questions whether the theory of multi-level governance can be more widely applied than has traditionally been the case. The term ‘multi-level governance’, however, risks facing conceptual stretching,¹ and this work will

¹ See Giovanni Sartori, “Concept Misinformation in Comparative Politics.” In *The American Political*

aim to more clearly identify types of multi-level governance and establish the boundaries of this theoretical framework. The more specific research question can also be further developed and enhanced by several secondary questions. Do these different starting points, or perhaps some other factor, create different forms of multi-level governance? If they do, how do these differences affect cooperation between governmental levels? Third, does the nature of cooperation differ when looking at horizontal (intra-governmental) and vertical (intergovernmental) relationships, and are these processes complementary or constraining? Related to this question, what factors act to facilitate or constrain cooperation in policy making between governmental levels? An additional question will deal with the role and impact of specific governmental levels in a multi-level governance situation. What are the roles of formal and informal powers in facilitating or constraining cooperation between levels, and how are governmental levels able to fit into the policy process given their relative level of power? Development of the idea of specific types of multi-level governance will open up new areas of question in this area of research. While the thesis aims to create dialogue in this field, some future directions of research can be considered given the nature of the research. Specifically, the research will allow for the development of the question of whether the nature of intergovernmental cooperation and multi-level governance changes over the policy cycle. For

example, the same actors, cooperation and intergovernmental relations that are important at the decision-making phase may not be the same actors and processes that are important when the policy is implemented. These questions are important for several reasons. First, they will further develop the notion of multi-level governance and help to distinguish the types of multi-level governance and the distinction of the idea from simple multi-level government. Second, and most importantly, multi-level governance is often treated as a static phenomenon, and these questions and the ensuing research will provide a more nuanced view of the processes – and any changes or shifts thereof – at work within the wider rubric of ‘multi-level governance’.

3. Preliminary Hypotheses

Although more work must be done in order to solidify the hypotheses of this work, certain preliminary ideas can be raised. Related to the preliminary research question, this work hypothesizes that the two types of multi-level governance identified by Hooghe and Marks are becoming less clearly defined, and systems are beginning to adapt to necessities and benefits of both types in providing policy and governance. A second preliminary hypothesis is that rather than operating in tandem, if integration between the governmental levels is not prevalent at the decision-making phase (that is, policy is decided upon unilaterally or without full cooperation of all relevant actors), then this integration will be more likely to occur at the later policy stage in order to

achieve successful implementation, with all decision-making and implementing actors playing an important role. If integration of different governmental levels is present at the decision-making stage, cooperation is less necessary at the implementation phase and the power of the actors will not be as evenly dispersed as it would be if integration did not exist at the decision-making phase. There is not much literature in this area of policy studies, but some literature supports the idea of cooperation and non-cooperation at the decision-making and implementation phases. Most importantly, Falkner et al. note that if an actor's interests are not met at the decision-making phase, opposition is stronger at the implementation phase.² While this would not seem likely to provoke cooperation between levels, opposition by the implementers would force discussion and negotiation by the decision-makers who wish to see the policy implemented, thus creating a situation of 'grudging cooperation'.

A third possible hypothesis revolves around the specificities of local governance, namely the split between urban and rural cases. This work tentatively hypothesizes that the size and strength of the local government will affect both the nature of multi-level governance and the importance and types of cooperation exhibited between the levels of governance. Additional hypotheses may cover areas such as the

importance and roles of horizontal and vertical cooperation in governance processes and the diverging points of different types of multi-level governance.

4.1 Scope Conditions

It will also prove helpful to outline the scope of this thesis and explain what it is *not* trying to accomplish. By no means is this work aiming to be a definitive and comprehensive typology of multi-level governance. However, apart from Hooghe and Marks' work on the subject, little literature exists that deeply examines the nature, similarities, and differences between so-called type 1 and type 2 forms of multi-level governance. This thesis aims to provide this more nuanced look at types of multi-level governance, their relation to the policy cycle, and whether any type of convergence of types is occurring. The findings of this study can likely be applied to other policy areas, and in understanding other cases of multi-level governance and power sharing, but other possibly important factors such as electoral systems (as a democratic outlet), European integration, and supra-national institutions will not be probed in any depth.

Due to the nature of this work, the findings will only be applicable in policy situations where many governmental levels are involved in the process. However, these shared-jurisdiction areas are becoming increasingly prevalent, making research on this form of intergovernmental connectivity important. In addition, increased downloading of policy responsibility has resulted in a

² G. Falkner et. al. "Non-Compliance with EU Directives in the Member States: Opposition through the Backdoor?" *West European Politics*, v.3, n.4, (2004): 452-473

greater role and need for intergovernmental cooperation in forming and implementing policy. At this time, there is no reason to believe that research in the policy field of service delivery cannot be extended to other shared-jurisdiction areas.

5. Cases

This thesis will use a small-n approach, studying the cases of Canada and the United Kingdom. More specifically, case selection was accomplished in several steps. First, the overarching states of interest had to be determined. As part of the European Union, where the idea of multi-level governance originated, the United Kingdom provides a good starting case, and several conditions make it an interesting and useful case for this research even within a European Union context. As this research is interested in mapping the differences between countries with long-established systems of multi-level governance and countries with relatively nascent forms of multi-level governance, the United Kingdom provides a strong case of a country with a relatively new – but exceptionally widespread – form of multi-level power sharing. Traditionally a unitary state, within the last ten years the UK has not only seen increasing integration with the European Union, but also devolution of powers downwards to the regions and local governments. This provides a new but remarkably fully-formed multi-level system to study.

The Canadian case was also chosen for several important reasons. First, this

research does not want or aim to have the European dimension be the focal point of the research. This is why a federal European case, such as Germany, was not chosen. Instead, the focus is on the domestic and sub-domestic level, and thus a case should be used that provides a non-European dimension to the analysis, allowing for a theoretical separation of the concept of multi-level governance from its traditional European moorings. This separation is important, as the research aims to address the *types* of multi-level governance, and thus should not limit itself by selecting cases with similar overarching multi-level governance structures. In addition, Canada has a long history of multi-level ‘government’ structures, and one that has many informal and indirect facets too, which means that it also increasingly fits with the idea of multi-level ‘governance’. Therefore, taken together these two cases provide one case (the UK) of new multi-level power sharing and one with a firmly entrenched multi-level structure. Together, these cases work well in providing the ability to contrast the two systems in terms of multi-level governance and cooperation, while maintaining a similar Westminster-style system in both cases, thus limiting the chances of certain external factors affecting the results of the work. In addition, both systems rely heavily on intergovernmental cooperation. Canada is constitutionally and in practice a federation with a complex division of authority between provincial and federal governments. Plus, through informal institutions, the division of jurisdiction between the two formal levels of government has become less clear and

local governments have played an increasingly important role in the policy process, especially at the implementation stage. In the British case, the increased prominence of the European Union, coupled with the devolution of some powers to regional governments such as Scotland, has led to a situation where more governmental actors are involved in the policy process and, again, intergovernmental cooperation plays a vital role in achieving policy goals. Finally, both share other potentially important characteristics such as urban and rural population splits and service delivery issues, allowing for a relatively large number of variables to be controlled for in this real-world test.

Specific cases within the countries had to be selected along two inter-related dimensions. Firstly, it was important to consider the policy area under study. As one of my hypotheses posits that multi-level governance operates according to urban and rural patterns, it is important to choose a policy area where there is significant difference across urban and rural cases. Although additional resources would allow for study in other policy areas, due to time and financial constraints only one policy area will be studied. In addition, this policy area must include a local, sub-national, and national dimension. For these reasons, the area of service delivery (ie. water, sewage, etc.) was chosen. This area shows significant interesting diversities between urban and rural situations and can provide a good test of the role of the policy area and the size of the population in affecting types of multi-level governance. This policy area

will be further refined as research progresses. This policy issue can be examined throughout the stages of the policy process, but a deeper focus may be applied to certain important stages with significant intergovernmental facets, such as decision-making and implementation.

Secondly, and more importantly, cases had to be selected based on their geographical and political characteristics. In the United Kingdom, this involved selecting an area with political power, in order to provide a relatively direct comparison to Canadian provinces. Given the nature of devolution in the UK, Scotland provides the strongest and clearest case. In Canada, all provinces have the same power, but do not exercise it in the same ways. Therefore, case selection is less restricted in the Canadian case, and this work does not aim to be a comprehensive study of multi-level governance in every Canadian case. Instead, it aims to focus on the theory and possible differences between types of multi-level governance, and thus a case with a similar structure to the Scottish case should be chosen, even though they will, obviously, be coming from different starting points. Given the emphasis on urban/rural service delivery, a province with a similar geographical, economical, demographic, and social makeup is important. While the similarity of all these variables cannot be perfectly met, British Columbia provides a fair representation, as both cases are coastal regions with significant resource-based economies, large population centres, and very remote areas. The aim, therefore, is to go for a most similar systems design; all factors

possible are kept constant (ie. service delivery issues, political structure, economy, population and demographics) except for the differences in governance, the variable under study.

The urban case chosen in Canada is that of Vancouver, while the Scottish urban equivalent is Glasgow. These cases were chosen for several reasons. Firstly, neither is a capital city and thus does not have an implicit stake in that characteristic of governance or a “muddiness” between levels. While capital cities could have been chosen, that would add an additional complexity to the research. The populations of Glasgow and Vancouver are similar, with approximately 545,000 inhabitants in Vancouver and 577,000 in Glasgow. The population of the metropolitan areas of each are also similar, with approximately 2 million in Vancouver and roughly 1.2 million in Greater Glasgow.³ The economies of both cities are the largest in their respective regions and, even though the actual major industries are not the same, there is significant overlap in sectors such as

³ Statistics can be found for British Columbia at the Union of British Columbia Municipalities (www.civicnet.bc.ca). Statistics for Scotland came from National Statistics Online (www.statistics.gov.uk). It should be noted that Glasgow metropolitan statistics are much less precise than those for metropolitan Vancouver. This is due to the fact that there exists a strong and clearly defined Greater Vancouver Regional District, whereas ‘metropolitan’ is a more nebulous concept in the Scottish case. Numbers for greater Glasgow range from approximately 867,000 for the Greater Glasgow Health Board, through 1.2 million for the urban area, up to 2.3 million for its travel-to-work (transportation) area.

tourism, financial services, and software development. Politics in both cities are run by strong city councils, but in Vancouver there also exists two-tiered local governance, with the Greater Vancouver Regional District.

The rural cases chosen are Alert Bay and Unst (Shetland Islands) in British Columbia and Scotland, respectively. Again, these cases share as many similarities in non-governance factors as can reasonably be expected. Both are part of similar-sized regional districts (~20,000 inhabitants) and local population sizes (583 in Alert Bay, and 720 in Unst).⁴ Both are also situated in remote areas, on islands not directly connected to large centres, creating an interesting and very different reality in the policy area of service delivery than the urban areas. The economies of both areas are similar, with a reliance on fishing. Finally, they exhibit similar political structures, with regional and local governments and strong community ties. Using the two urban and two rural cases as starting points, governmental and non-governmental actors can be clearly identified by working upwards from the local level to identify key policy players at other governmental levels.

6. Theoretical Framework and Relevant Literature

European literature on governance, in this case defined as the power and interplay of

⁴ Statistics can again be found at the Union of British Columbia Municipalities and National Statistics Online.

different governmental levels, has followed three distinct theoretical paths. Some political scientists argue for a neo-functional approach, theorizing that new supranational institutions (like the European Union) create a fundamental shift towards a new form of governance. This explanation argues that the EU has or will become the dominant form of government in the region.⁵ On the other end of the spectrum, intergovernmentalist literature argues that the states remain the most prominent actors in governance, acting as a gatekeeper of sorts between European and domestic politics. This state-centric view argues that European integration has not created a new paradigm in the region.⁶ Even though it stems from neo-institutional literature,⁷

multi-level governance literature approaches governance in a manner somewhere between the other two approaches.

6.1 Multi-Level Governance

The term ‘multi-level governance’ is defined in the European context as a theory that envisages political authority as being dispersed among several governmental and non-governmental actors with horizontal and vertical integration of these levels, instead of being concentrated at either the supra-national or national level.⁸ This theory applies to policy networks, where power is diffused to a number of different governmental and possibly non-governmental actors that are related in a heterarchical fashion.⁹ These relationships are ones of influence and interdependence rather than ones of control and clearly delineated power structures. This definition, especially in shared-jurisdiction policy areas, more closely fits with the ideas espoused with regard to the European Union, a political organization that emphasizes “fluidity, the permanence of uncertainty and multiple modalities of authority.”¹⁰

Multi-level governance literature in Europe is fairly widespread and becoming an increasingly accepted approach to EU

⁵ See, for example, E.B. Haas. *The Uniting of Europe: Political, Economic and Social Forces*, (Notre Dame: University of Notre Dame Press, 1958), J. Tranholm-Mikkelsen. “Neo-Functionalism: Obstinate or Obsolete? A Reappraisal in the Light of the New Dynamism of the EC” in *Millennium: Journal of International Studies*, 20:1, (1991): 1-22, or B. Rosamond. *Theories of European Integration*, (Basingstoke: Macmillan, 2000).

⁶ Rainer Eising. “Multilevel Governance and Business Interests in the European Union.” In *Governance: An International Journal of Policy, Administration, and Institutions*, Vol. 17, no. 2, (2004): 211-245. Also see S. Hoffman. “Obstinate or Obsolete? The Fate of the Nation-State and the Case of Western Europe” in *Daedalus*, 85:3, (1966): 862-915, G. Garrett and G. Tsebelis. “An Institutional Critique of Intergovernmentalism” in *International Organization*, 50:2, (1996): 269-299, or P. Taylor. “The European Community and the State: Assumptions, Theories and Propositions” in *Review of International Studies*, 17, (1991): 109-125.

⁷ Liesbet Hooghe and Gary Marks (a). *Multi-Level Governance and European Integration*. (Lanham: Rowman & Littlefield Publishers, Inc., 2001): 3.

⁸ Hooghe and Marks. *Multi-Level Governance and European Integration*: xi.

⁹ Karl Heinz Ladeur. “Towards a Legal Theory of Supranationality – The Viability of the Network Concept.” In *European Law Journal*, Vol. 3, no. 1, (1997): 33-54.

¹⁰ Rosamond. *Theories of European Integration*.

and British governance studies, moving beyond its origins stemming from neo-institutionalism. In Europe in general and Great Britain for the purposes of this work, multi-level governance is affected by two notable factors: European integration and regionalization. Integration has shifted authority away from the nation state and towards the supra-national European institutions. Meanwhile, regionalization has shifted some power away from the nation state towards subnational forms of governance.

By our reckoning, no policy area is more centralized at the national level in the year 2000 than in 1950, nor is there a single country in which regional governance has become weaker over the same period.¹¹

With increased European integration and regionalization, decision-making and other policy processes are now shared by actors at different governmental (and sometimes non-governmental) levels. In addition, political arenas have become interconnected rather than nested, meaning there is decreasing separation and increasing cooperation not just in subnational/national and national/international relations, but also between subnational and international actors. In essence, governmental levels can no longer be viewed hierarchically from the bottom to the top. Rather, there exist connections between all levels, with multiple actors having authority in policy and politics. Regions have gained power in the EU through numerous channels. Strong regional voices have developed,

especially in countries where power is diffused more to subnational levels, subnational offices and transnational networks have developed in Brussels and between regions, and regions have some power (albeit admittedly limited) in the European Commission, especially through cohesion policy, which aims to reduce disparities between regions.¹² This is true in Canada, too, where decentralization has taken place at the national and provincial levels. While multi-level governance literature does argue that the nation states have lost considerable power to both subnational and international governments, it must be remembered that the nation state is still an important actor but is no longer the sole authority in many areas where power is now dispersed over several actors.¹³ Actors other than the nation state (political or otherwise) now play a more important role in politics in the EU.

Hooghe and Marks identify two types of multi-level governance, and it is from this typology that this research will be based. Type one systems, which can also be termed systems of multi-level *government*, sees dispersion of authority being limited to a prescribed and formal number of levels and specified jurisdictions, with little or no overlap of these governments or jurisdictions. The second type of multi-level governance, and one that has since been further developed, sees governance as a fluid and changing structure, with overlap between jurisdictions, no clear hierarchical bounds, and more room for

¹¹ Hooghe and Marks, 2001(a): xii.

¹² Hooghe and Marks, 2001(a): 82-88.

¹³ Hooghe and Marks, 2001(a): 3-4.

non-governmental actors.¹⁴ While Hooghe and Marks picture the reality of governance to be more a spectrum than a strict typology, this article has helped to define the bounds of multi-level governance and identify specific and differing ideas in types of governance.

While Canada represents a definitional federal structure, the traditional exclusive legal-political orientation of federalist discussion in Canada fails to adequately address all aspects of political discourse and network activity in inter-governmental relations in the country, and Hooghe and Marks' conditions outlined as regards multi-level governance can be applied to Canada. In constitutionally and legally shared jurisdictions such as the environment, neither provinces nor the federal government have power over the other level, creating a heterarchical situation where power is dispersed among the actors. In addition, Canadian governments have moved increasingly towards decentralization, with local and urban actors playing an important role, especially in policy implementation. Even if the context is slightly different in the Canadian case, the idea of multi-level governance is still relevant in study of that country.

6.2 Policy Theory

This work will also rely on policy theory and literature, as the research will help to explain the interplay between policy and

politics. The research will use the idea of the policy cycle to apply governance issues to policy. A sophisticated analysis of the policy cycle is developed by Howlett and Ramesh,¹⁵ who clearly identify, explore, and expand on the stages of policy development, from agenda setting to policy evaluation. Decision-making and implementation will likely be studied in the most depth, as those policy areas typically exhibit and necessitate high levels of cooperation between governing levels.

7. Methodology

7.1 Network Analysis

Network theoretical literature will also be useful. Methodological background, such as Wasserman and Faust,¹⁶ will be used to develop the framework for studying networks in this study. Network analysis is a sociological method that looks at social ties between individual actors in different cases. This can be easily expanded to examine business and political networks, and this approach also adds new insight into relations and processes at work in politics. Network analysis bases its methodology on different premises than most political research. Most importantly, network analysis focuses on the *relation* between actors, rather than the actors themselves. This is decidedly different from a rational

¹⁴ Liesbet Hooghe and Gary Marks (b), "Types of Multi-Level Governance." In *European Integration Online Papers*, Vol. 5, no. 11, (2001), available at <http://eiop.or.at/eiop/texte/2001-011a.htm>.

¹⁵ Michael Howlett and M. Ramesh. *Studying Public Policy: Policy Cycles and Policy Subsystems*. (Don Mills: Oxford University Press, 2003).

¹⁶ Stanley Wasserman and Katherine Faust. *Social Network Analysis: Methods and Applications*. (Cambridge: Cambridge University Press, 1994).

choice actor-centric approach, which takes actor preferences as the focus and somewhat ignores the linkages between actors. However, some linkages can be made, as Putnam identifies the importance of certain actors, such as negotiators in international policy making.¹⁷ Also, network analysis assumes that actors are interdependent rather than autonomous. This meshes well with multi-level governance literature and is especially applicable in situations such as policy implementation in the EU where actors cannot often easily operate alone and independently. Third, linkages between actors behave as conduits for the flow of information or resources. Fourth, the ties between actors do not have to be symmetrical, with differences possible in content and intensity of information flow. Again, this is an important consideration in policy sciences, as different actors may exhibit different characteristics in relations with each other in implementing policy. Fifth, direct ties are not the only important network relation, and thus the network as a whole must be analyzed. This allows for the consideration of indirect influence and other linkages that may not be immediately evident.¹⁸ This quick overview of network analysis illustrates the benefit of a different approach to the study of the long-existing

problem of implementation of policy. In addition, network analysis, often in a slightly simplified form, has been applied in other related political science literature, such as Rohrschneider and Dalton's¹⁹ study of transnational cooperation among environmental groups and Agranoff and McGuire's²⁰ work on intergovernmental relations and network theory.

A network approach has the unique benefit of easily identifying and assessing actor-related factors that may not be immediately noticeable using a different approach. For example, the role of intermediate actors is easily ascertained using network analysis, and in general actors, no matter their relative importance, can easily be incorporated and any influence they have on the policy process ascertained. Direction of ties between actors (hence showing power relations) are visible and easily analyzed, and other attributes can be accounted for. Finally, use of this method opens the door to using valuable network analytic tools to determine central players, equivalence between actors, the strength of connections within the network, and the relative distances between actors in cooperation.

The aforementioned research questions will be addressed using elite interviews to

¹⁷ Robert Putnam. "Diplomacy and Domestic Politics: The Logic of Two-Level Games" in Evans, P., Jacobson, H., and Putnam, R. eds., *Double-Edged Diplomacy: International Bargaining and Domestic Politics*, (Berkeley: University of California Press, 1993): 457.

¹⁸ See Wasserman and Faust, *Social Network Analysis*, and B. Wellman and S.D. Berkowitz. *Social Structures: A Network Approach*. (Greenwich: JAI Press, 1997).

¹⁹ R. Rohrschneider and R. Dalton. "A Global Network? Transnational Cooperation Among Environmental Groups." In *The Journal of Politics*, v.64, n.2, (2002): 510-533.

²⁰ R. Agranoff and M. McGuire. "Inside the Matrix: Integrating the Paradigms of Intergovernmental and Network Management." In *International Journal of Public Administration*, Vol. 26, no. 12, (2003): 1401-1422.

map the networks that exist in developing and implementing policy both within and between governmental levels. By studying and analyzing the links between actors using network analysis, it will be possible to draw inferences regarding the nature of cooperation between and within the governmental levels. Network analysis looks at ties between actors and assumes that actors are interdependent rather than autonomous. These network linkages between actors in networks behave as conduits for the flow of information or resources, but are not necessarily symmetrical and both direct and indirect ties matter. The network analysis approach works well with the idea of multi-level governance and provides a sophisticated, non-hierarchical, and actor-centric analysis of governance processes. In addition to the analysis of the full networks, in-depth interviews with key players will be conducted, and review of relevant documents undertaken. This will result in triangulation of the data and decrease the reliance of the research on only one form of data or method.

8. Importance/Contribution to the Literature

This research is important for several reasons. As mentioned before, multi-level governance is sometimes seen as too broad an idea in danger of concept stretching, and this work will help to clarify the meaning of this term, tether it down, and locate its usefulness in the field. It will further develop the theory underpinning multi-level governance and help to provide depth to the concept and distinguish the types of multi-level

governance. Second, multi-level governance is often treated as a static phenomenon, and these questions and the ensuing research will provide a more nuanced view of the processes – and any changes or shifts thereof – at work within the wider rubric of ‘multi-level governance’. In addition, this thesis will approach the idea of cooperation in a manner not often used in the political science literature. The thesis develops from the idea that actor linkages, rather than actor preferences, will play an important role in determining the nature and extent of cooperation between governments. While network analysis has become increasingly predominant in the study of politics, it is often used in a limited manner, or in a different way than the sociological approach to network analysis. Exploiting this inter-disciplinary tool will bolster the understanding of cooperation in politics. Comparisons between Canada and Europe will prove to be fruitful, as the political climate in both cases has resulted in situations moving more towards power sharing between several levels of government, but in markedly different ways.

In general, this thesis will add to the theoretical knowledge of the idea of multi-level governance. The research will examine what factors facilitate and constrain the policy process and what role actors (and more specifically the ties between actors) play in establishing governance relations, a notion that is often approached in only a limited way, or sometimes overlooked in favor of an institutional approach. In addition, this thesis aims to address the urban/rural

divide, and thus it will be possible to examine whether the ties between actors have more or less of an impact on policy implementation in urban or rural contexts. As regards the UK, this thesis aims to address the question of whether changes in sub-state and supra-state governance have manifested themselves in the process of policy implementation. Has the increasing power of the EU and the devolution of power to sub-state actors resulted in a new form of governance in regard to policy implementation? Through a network comparison to an established federal system, it can be considered whether the system in the United Kingdom fits into a pattern similar to a federal system, or whether it has remained a different and separate type of governance. If it follows a federalist mould, this will lead to a better understanding of the EU in the policy process as a whole and specifically in policy implementation, and if it does not resemble a federal model, this will still help to understand the role of the EU and open up questions as to whether the EU represents a new form of governance. From a Canadian perspective, the multi-level nature of the European Union and the ways in which the EU are represented in the policy process in the UK will lead to a better understanding of the changing nature of federalism, where the control over the policy process is no longer a power clearly delineated to one governmental level or another. Although multi-level governance was originally seen as a method for examining the European Union, it is being used increasingly often in other situations, such as the study of Canadian politics.

Traditional federalism literature does not often account for the informal processes and increasing interdependence of federal and provincial levels of government, as well as the powers of local government in many of the provinces.

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