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Editorial Note

The Editorial Board of the Romanian Journal of Society and Politics is pleased to announce the launch of the second issue of 2017, namely Volume 12, Number 2. The current issue contains three regular articles and three book reviews, covering topics within the fields of constitutional politics, educational policies, security studies and political theory.

The first article of the issue, titled *Hegemonic Preservation and Thailand’s Constitutional Crisis*, which is co-authored by William J. Jones and Douglas Rhein, addresses questions pertaining to contemporary constitutional politics in Thailand, explored through the theoretical lens of Ran Hirschl’s hegemonic preservation thesis. The article takes particular aim at the institutional framework created as a consequence of the 2007 Constitution, showing the various ways in which changes to the legislative and judiciary branch have led to political gridlocks in Thailand.

In the second article, *Trail-blazing: Arab students at the Hebrew University in Jerusalem during the Military Regime (1948-1966) in Israel*, Kussai Haj-Yehia explores the early stages of Arab citizens participation in higher education studies in Israel. The author conducts an ethnographic analysis of this phenomenon, using the results from semi-structured in-depth interviews with a number of such individuals, who studied at the Hebrew University of Jerusalem in the 1950s. The study primarily assesses the cultural shock experienced by these students when met with the liberal norms guiding campus life as well as the obstacles to integration faced by them both during the early phases of their studies as well as during the return to their villages after the completion of their studies.

The third article, *Counterbalancing EU and Russian Soft Power Practices in Georgia*, authored by Nino Gozalishvili, offers an overview of the dynamics of soft power instruments used by the European Union and the Russian Federation in Georgia. The author argues that the two actors deploy different soft power strategies, with the former focusing on economic areas and education and the latter focusing on the cultural domain. The paper also examines the impact which the use of soft power has on the public attitude of Georgian citizens, concluding that though favourable attitudes towards the EU and Russia are generally balanced, Georgian citizens exhibit a somewhat stronger (but comparatively declining) support for the EU.

Aside from the regular articles, the present issue also contains three book reviews. In the first one, Oana Ghiocea authors a review of G.A. Cohen’s final work, titled *Why Not Socialism?* The author critically examines Cohen’s defence of the socialist ideal as well as his objections to capitalism, taking particular issue with questions of feasibility that mark the transition from Cohen’s central thought experiment developed in the book to the case of the actual, non-ideal, world. In the second one, Vlad Andrei Terteleac reviews Christopher Achen and Larry Bartels’s recent book, titled *Democracy for Realists: Why Elections Do Not Produce Responsive Government*. The author emphasizes that the main virtue of this book lies in the systematic empirical analysis of democratic practices, which challenges some of our widely held views on the role, benefits and
quality of democracy. Finally, in the third one, Matteo Zanellato reviews Emanuele Severino’s *Capitalism Without Future*. The author highlights the central role which the concept of ‘technique’ plays in the analysis of contemporary capitalism, focusing on the tension between technical and economic globalization and on the implications of technique for the tension between capitalism and democracy, while at the same time predicting the future decline of the capitalist model.

The Editorial Team
ABSTRACT

Thailand has been engulfed in a prolonged political crisis since the ouster of former Prime Minister Thaksin Shinawatra in 2006. At the center of this political crisis is a conflict between the country’s elites which, according to popular discourse, involves the core of Thailand’s major political, cultural and social institutions. The rise of former Prime Minister Thaksin Shinawatra can be traced back to the 1997 liberal ‘peoples’ constitution which was the culmination of reform stemming from the bloodletting of the 1992 ‘Bloody May’ military crackdown, itself a correlate of the 1991 military coup. After Thaksin’s ouster the military junta and its installed government promulgated a new constitution in 2007 by means of a highly controversial referendum. The 2007 constitution created and strengthened a constellation of independent institutions, a semi-appointed Senate and has since seen the rise of activism and politicization of the aforementioned. This paper argues that Hirsch’s hegemonic preservation thesis offers a powerful tool for understanding and analyzing the current political crisis and gridlock whilst providing insight into the ‘failure’ of the 2007 Constitution as well as method for understanding the future of Thai politics and Thai Constitutionalism writ large.

KEYWORDS

- Thailand politics
- Thai politics
- Constitutionalism
- Constitutionalization
- Political conflict

1. Introduction

Thailand’s ongoing political deadlock began after the ousting of populist former Prime Minister Thaksin Shinawatra in a military coup on September 19th, 2006. Over the subsequent 10 years since the 2006 coup, Thailand has had six Prime Ministers and five changes of government without elections. Since the 2006 coup, the cyclical nature of street protests, political movements and countermovement’s, undemocratic reform proposals and return to power by popular democratic mandate of Thaksin led political parties demonstrates that Thailand’s body politic is in the midst of fast moving change. This has led to an unprecedented social division between ‘traditional’ democratic guidance and the newfound democratic voice of a historically marginalized majority. At the center of the current political crisis is the specter of the 1997 ‘People’s Constitution’ which was a tool that allowed Thaksin Shinawatra’s hegemony and was the principal basis for the 2007 Constitution. This paper argues
that a constellation of independent institutions operating under the legal provision of the 2007 Constitution, with the Senate as a lynchpin, constitute a closed loop system of institutional power which acts as a mechanism for traditional conservative elites to counter democratically elected governments. To defend this assertion, the authors will use Hirchl’s ‘hegemonic preservation’ model and focus primarily on the institutional setup and interplay of independent institutions created by the 2007 Thai Constitution.

2. Hegemonic Preservation and Thailand

Constitutionalization pertains to the normative and institutional aspects of embedding legal functions and actions of subjects, (bound to) to a nation’s constitution. This inherently presupposes that constitutional law (the highest in the hierarchy of laws) be concerned with “legal and theoretical foundations of a particular kind of political order” (Whittington et al: 2008, p.8). Important to this conceptualization is that political and social institutions, courts and their decisions are part and parcel derived from a legitimate basis of legal text, namely a constitution and its attendant framework that seeks to objectify and organize a nation’s legal rules with its subjects. As such, constitutionalization is subject to a nation’s politics and political order.

Hegemonic preservation diverges from constitutional scholarship by engaging constitutionalization and legal frameworks from a perspective of political input rather than legal output of case decisions. Hirschl argues that constitutions emanate from political choices of elite actors which helps to explain the political origins of institutional constellations and judicial empowerment via constitutionalization of rights (Hirschl: 2000, 2001, 2004a, 2004b, 2004c, 2006, 2008a, 2008b). The trigger point for recourse to “constitutional fortification of rights may provide an efficient institutional path for hegemonic socio-political forces to preserve their hegemony and to secure their policy preferences even when majoritarian decision-making processes are not operating to their advantage” (Hirschl: 2000, p. 95). He terms this a ‘thick’ interpretation of law as it incorporates the strategic interplay among socio-political actors within the larger socio-cultural context which gives rise to specific constellations of constitutionalism and their outgrowth of institutions. Implicit in Hirschl’s understanding is that the ‘thin’ version of constitutionalism is based on a legal text and the end product of enforcement or institutional setting is not enough to explain the increasing reversion to judicial mechanisms for the imposition of order and/or law. The focal point of hegemonic preservation is the use of constitutionalism and the judiciary to eliminate and/or obviate threats to specific groups of elites who perceive threats to their power and/or their power waning within a historical predisposed context (Shambayati, Kirdiş: 2009). Put simply, elites losing power or perceiving a threat to their traditional power, be it social, political, economic, cultural or a combination therein, trigger constitutionalization and a reversion to ‘rule of law’ and the use of legal institutions in order to stem the threat. This is based on constitutions and the strategic use of the judiciary for power maintenance. The use of rule of law in this context does not denote a firm adherence to law but, at least in superficial form, the socio-political usage of the neutral phraseology for legitimacy purposes. The principled understanding is that the use of law will allow for power maintenance inside controllable institutions.
rather than a reversion to extralegal actions outside the remit of official controls. However, abusive use of the law undermines the perceived neutrality and legitimacy of constitutional institutions. An interesting caveat of Hirschl’s examination is the usage of a separation of powers via constitutional independence to provide legitimacy for institutions which act as a checks and balances system in order to insulate threatened elites from majoritarian decision-making and policy authority derived (primarily) through democratic mandates (Bâli: 2013), (El-Ghobashy: 2008), (Isiksel: 2013), (Kahler: 2000), (Moustafa: 2003), (Shambayati: 2008), (Shambayati, Kirdiş: 2009). Hirschl argues that judicial empowerment through constitutionalization can be seen as a form of hegemonic preservation:

“is best understood as a product of a strategic interplay between threatened political elites, who seek to preserve or enhance their political hegemony by insulating policy making in general and their policy preferences in particular from the vicissitudes of democratic politics while they profess support for democracy...when their policy preferences have been, or are likely to be, increasingly challenged in majoritarian decision-making arenas, elites that possess disproportionate access to, and influence over, the legal arena may initiate and constitutional entrenchment of rights and judicial review in order to transfer power to supreme courts” (Hirschl 2004a: p.12).

Hirschl considers three main groups which engage in constitutionalization via strategic interplay and/or vested interests of particular actors: “threatened political elites, economic elites and judicial elites seeking to enhance their political influence” (Hirschl 2004b: p. 90). The purposes of constitutionalization are to shield and support policy preferences of threatened elites against emerging ‘peripheral’ power players and underrepresented actors. Of critical importance is the normative content and purpose of constitutionalization under hegemonic preservation which Hirschl sees as being led by:

“elites, urban intelligentsia, the legal profession, and the managerial class [which] represent historically hegemonic enclaves of political and economic power holders. Interest-based empowerment is likely to occur when the judiciary’s public reputation for professionalism, political impartiality, and rectitude is relatively high; when judicial appointments are controlled to a large extent by hegemonic political elites; and when the courts’ constitutional jurisprudence predictably mirrors the cultural propensities and policy preferences of these hegemonic elites” (Hirschl 2004b: p.91.

Firstly, hegemonic preservation within the context of Thailand’s political conflict will assume a few nuances. A high degree of political contestation is present. As such, it is not assumed that a hegemonic group is guarding its power. Rather, this group is using constitutionalization as a defensive mechanism to regain or retain its power which has continuously eroded since the election of Thaksin Shinawatra in 2001. Hegemonic preservation is not so much about retaining power against threatening groups as it is about increasing and reinstating traditional power that has eroded. Secondly, Thailand’s political economy is not so clearly delineated as to consider economic, political and social elites as distinct groups separate from one another. In particular, when one considers the ‘network monarchy’ (see Handley: 2006 and McCargo: 2005) these distinctions are not only blurred but can be collapsed into one another. Conversely, when one
considers the opposing power center of Thaksin Shinawatra, a clear distinction cannot be made as economic power is fused with political and social realms of power. To be more precise, the authors consider “threatened elites” within the context of McCargo’s (2005) context of ‘network monarchy’ which includes but is not solely limited to the royal institution, military, Bangkok business elites, the Democrat party and upper class conservatives.

Hirschl (2004a) identifies four necessary conditions for the reversion to judicial empowerment: 1. Election outcomes do not represent the elite’s interests; 2. Election outcomes bring about possibilities of regime change/challenges to the state ideology; 3. Some sort of political deadlock allows the courts to step in; and 4. Powerful political actors empower the courts. Mérieau (2016) has correctly identified that these conditions were met in the following: 1. Thaksin and proxy parties have won every election since 2001 with every reasonable prediction that they would continue to win; 2. Election outcomes threatened to undermine traditional elites control of the bureaucracy and dominant state ideology; 3. Politically generated deadlocks allowed the courts to assert themselves in 2006, 2008, 2014, 2015 and lastly 2017; 4. Powerful political actors have continually empowered the courts. With this in mind, the authors take the position that institutional contestation for appointment of persons to independent constitutional bodies and control of constitutional interpretation and crafting is of paramount consideration for the preservation of power. As such, the legal realm of constitutionalism comes to the fore as a mechanism for control and a center for political conflict.

Given the enhanced and strikingly pro-active stances that Thailand’s constitutional independent organizations have taken since 2006, with the dismissal and jailing of the Electoral Commission of Thailand, to the disbanding of consecutive pro-Thaksin political parties and disenfranchisement of multiple pro-Thaksin Prime Ministers, to the judicial rulings on government policy, legislation and decrees, it goes without question that these organizations are both challenging electoral politics and the executive and legislative branches of government. The authors argue in the following sections that the primary reason for these challenges lays (or can be found) in Thailand’s conservative establishment which seeks to undermine the threatening power of Thaksin Shinawatra and his family. This influence is derived from unprecedented electoral success and seeks to protect the ‘network monarchy’ from majoritarian politics which can no longer be controlled via traditional methods thus the reversion to undemocratic politics of institutional subversion by the use of law. This network monarchy serves to denote elements of the military, namely the hegemonic ‘Eastern Tigers’ of the Queens Guard, the traditional social elites, the economic elites centered in the capital of Bangkok and the Privy Council.

Current scholarship on Thailand’s constitutionalism centers on politicization of the judiciary with a focus on court cases and the historical process of politicizing legal institutions (Dressel: 2009, 2010a, 2010b), (Dressel, Mietzner: 2012), (Ginsburg: 2009), military influence and political figures (Chambers: 2010, 2013), (Phongpaichit, Baker: 2009). Dressel (2012) argues that hegemonic preservation offers promise in explaining the larger context of Thailand’s judicial problems, yet there is a lack of inquiry using this tool which seeks to inclusively incorporate institutionalization
and context of elite preservation through politics and law. Judicial politicization is a powerful analytical tool to peer into court decisions and the underlying logic of judicial decisions. However, this tool does not allow for a broader analysis which is political in origin, but is restrictive in the end product of court decisions. Current scholarship on Thailand’s political conflict uses different units of analytic frameworks that help to answer some important piecemeal questions, but fall short of providing a compelling larger picture. Walker (2012) considers Thaksin’s policies to have empowered and made Thailand’s rural peasant population self-aware, which has put Bangkok elites on the defensive. Ünaldi (2014) considers the 2010 red shirt protests and anti-monarchy graffiti as powerful symbols of a spontaneous outburst of a politicized underclass that has increasingly gained insight into the powers that are obstructing their political voices. The political conflict strain of inquiry assumes, perhaps unintentionally, a grassroots political awakening that is taking on spontaneity and a life of its own which embodies, to the authors’ point of view, far too much agency on the part of individuals. This is borne out by the lack of resistance after the 2014 coup when Thaksin and his allies effectively demobilized the red shirt movement due their own concerns of political retribution. If the political conflict strain was correct, logic would dictate a continued localized grassroots resistance regardless of top down funding and organizing. This is simply not the case in Thailand’s body politic and the claim of extreme agency flies in the face of the political sociology of Thailand. Marshall (2014) considers the primary source of Thailand’s instability to be centered solely on contestation over royal succession. Marshall’s claim carries weight in the context of succession being an issue due to the centrality of the royal institution within the network monarchy. However, the claim that all political conflict boils down to elite fears of royal succession is reductive in that it does not allow for an analytical framework outside of contestation for the role of the King while generalizing the “elites” influence to nameless persons and vague institutions. Furthermore, it assumes that the King is all powerful in managing this network monarchy without giving proper regard to institutions and powerful actors within a constellation of institutions to engender challenges to traditional power centers. While these authors provide valuable insights into Thailand’s conflict emergence, generators and expressions, they fail to answer two primary questions: 1. how the supposed great divide of Thailand’s body politic is being managed institutionally in a continuous and oblique manner; and 2. who is involved in this continuing process and how do they relate within a larger ecosphere of different power centers and actors.

We believe that hegemonic preservation allows for analyzing Thai politics from a perspective that bridges units of analysis of the individual, group and institutional levels. This provides a richer descriptive frame for understanding the larger mechanisms of power and conflicts in Thailand’s body politic. By considering the macro framework of legal constitutionalism within the context of multi-branch institutional networks, this paper seeks to offer a pathway that ‘connects the dots’ for a greater understanding of the inner workings and personalities at work that have successfully undermined civilian elected governments sympathetic to Thaksin Shinawatra. This article also seeks to address this gap in scholarship and modestly provide an extrapolation for future research. Given the context of post-coup constitutional drafting and the outcome
of which is now known, hegemonic preservation is an ideal method to demonstrate how traditional elites are using constitutionalization to fundamentally roll back civilian politics of the previous two decades. The most glaring example of this is the interim charter’s insistence that independent bodies can challenge government policies based on financial criteria that ‘endanger’ the financial stability of the country. The methodology of hegemonic preservation provides for a rich explanation of the political origins of the 2007 constitution as well as a deeper understanding of how constitutional organs are shaping the political landscape against majoritarian democracy. It does so by exploring the origins of constitutions as well as the people and groups inside constitutional institutions and their decisions to provide a descriptive reading of why and how Thailand has reached this point while also providing a glimpse into what will transpire with the coming ‘permanent’ constitution.

3. Background to Thailand’s Political Crisis

Thaksin’s removal via a military coup was the crescendo of an intense political standoff that found its roots in ex-Thaksin supporter Sondhi Limthongkul personally leading protests and taking his Channel 9 television show mobile after it was cancelled due to personal conflicts between Thaksin Shinawatra, Sondhi Limthongkul, and Paiboon Damrongchaitham in September, 2005 (Nelson: 2005). These mobile, single man protests continued building and finding wider bases of support until eventually attracting thousands of viewers. This can be perceived rightly as the incubator that would later turn into the full blown political force that removed Thailand’s most successful Prime Minister. However, these protests, while attracting thousands, did not achieve critical mass until the sale of Shinawatra’s Shin Corporation to Temasek Holdings of Singapore. The sale of Shin Corporation was the trigger that enflamed and galvanized many sectors of Thai society and truly gave Sondhi’s movement wider appeal (Sajid et al.: 2009), (Nelson: 2007a). The Shin Corp sale was the critical juncture that united personal crusade with wider social outrage due to the $1.8 billion tax free business transaction, leading to the creation of the People’s Alliance for Democracy as it came to be known in February, 2006 (Nelson: 2007a), (Nelson: 2007b).

With increasing street protests and allegations of disloyalty to the monarchy, Thaksin called for a snap election in April 2006 just one year after having won a landslide parliamentary victory [19 million Thai Rak Thai votes opposed to second place Democrat 9 million] (ANFREL: 2005), (Croissant, Pojar: 2005), (Nelson: 2006), (Nogsuan: 2005), (Ueranantasun: 2012). With pressure to hold off this election until political reform could take place, Thaksin instead went ahead with elections to solidify a majoritarian mandate by popular referendum which precipitated a boycott of the elections by Thailand’s main opposition parties; namely the Democrats and Chart Thai. This created a constitutional crisis as the necessary 20% vote threshold could not be met in order to seat a quorum in parliament (Nelson: 2006). Adding to the crisis was the Electoral Commission of Thailand’s investigations into alleged irregularities of Thaksin’s Thai Rak Thai ‘hiring’ small parties to run in uncontested constituencies as well as ECT officials being accused of electoral fraud in accepting 30,000 Baht [approximately $1,000] by altering database information allowing for candidates to
switch parties in accordance with electoral laws stipulating a 90-day period of party membership prior to elections (Nelson: 2006).

With a political stalemate ensuing and no end in sight to political conflicts, Thailand’s King Bhumibol came out publically in what was considered an unofficial political intervention by Thailand’s revered monarch exercising moral and extra-constitutional authority. In late April, with still no quorum for parliamentary seating, the King, in a straightforward and very public manner in audience with justices of the Supreme Administrative Court and Supreme Court, stated:

Now, I will talk about the election. The court itself has the right to discuss the election, especially the candidates who received less than 20 per cent of the vote. Should the election be nullified? You have the right to say what's appropriate or not. If it's not appropriate, it is not to say the government is not good. But as far as I'm concerned, a one party election is not normal. The one candidate situation is undemocratic. When an election is not democratic, you should look carefully into the administrative issues. I ask you to do the best you can. If you cannot do it, then it should be you who resign, not the government, for failing to do your duty. Carefully review the vows you have made. ... The nation cannot survive if the situation runs contrary to the law. Therefore, I ask you to carefully study whether you can make a point on this issue. If not, you had better resign. You have been tasked with this duty. You are knowledgeable. You must make the country function correctly.

Judges of Thailand’s high courts, armed with the King’s words, decided to intervene in politics directly and, in contravention to Thailand’s notoriously slow bureaucratic methods, quickly, decisively and in alarming coordination. In late April, the Administrative Court cancelled rerun elections to fill constituency seats. On May 8th, the Constitutional Court declared in an 8-6 ruling that the April election was null and void, thus ordering new elections to be held within 60 days. The Court declared “the election yielded results which are unfair and undemocratic, and are therefore unconstitutional, being inconsistent with Articles 2, 3, 104 (3) and 114 from the beginning of the election process” (Constitutional Court of Thailand: 2006). This dual decision was based on the reasoning that initial elections which took place within 37 days violated the democratic ‘core’ of Thailand’s election and that the ECT had allowed voting booths to be positioned in such a way as to violate privacy and anonymity of voters which had already been warned by ANFREL earlier (Bangkok Post, November 5, 2005). Mounting pressure on the ECT to resign over its performance and compromised neutrality built over the course of a month. The ECT in defiance of public and royal opinion refused to resign [except for one member] and hence were convicted in July of malfeasance over the April election by the Criminal Court and ushered off to a 4-year jail sentence (Dressel: 2012). Perhaps to head off perceived conflict, but most likely because it was the ripe moment for intervention that had been planned since February, the military led by the Army enacted a coup d’état in the evening of September 19th ahead of the rescheduled elections (Chambers: 2013), (Montesano: 2009).

4. The 1997 People’s Constitution: Too Successful but an Inspiration to Extraconstitutionalism

Thaksin Shinawatra’s rise, success and eventual downfall was part and parcel
apart of the democratic reform period of the late 1990’s which culminated in what Connors terms a ‘liberal-conservative’ effort to find common ground between social conservative and radical reform groups in the aftermath of the 1991 coup and the bloodletting of 1992 (Connors: 2008), (Hewison: 2010), (Phongpaichit, Baker: 2009). The 1997 Constitution attempted to rectify a number of apparently chronic problems in the Thai political system, namely corruption, corrupt government/officials and politicians, punishment of corrupt officials, an unproductive legislative process and unstable coalition governments (Borwornsak, Burns: 1998), (Connors: 1999), (McCargo, 2002), (Ockey, 1997). In attempting to counter these problems, the 1997 Constitution strengthened the executive branch of government, stabilized political parties by instituting a 90 day rule and crafted a delicate balance of power by allowing for the creation of independent watchdog agencies of the Ombudsman, National Counter Corruption Commission, Human Rights Commission, Election Commission, State Audit Commission, Administrative Court, Constitutional Court and a fully elected Senate with oversight and participatory powers in selecting members of independent agencies (Borwornsak, Burns: 1998), (Constitution of the Kingdom of Thailand 1997: sections 75, 121, 126.1) (Klein: 1998), (Klein: 2003) (Nanakorn: 2002), (Pongsudhirak: 2009). Bowornwathana (2000) alluded to the fragility and possible ‘success’ of the 1997 Constitution leading to its eventual downfall. The claim that its subversion is derived from the success of Thailand’s first PM elected under the constitution, PM Shinawatra, and the manner in which he came to dominate Thai politics via populism and allegedly undermined constitutional checks and balances, thereby threatening a systemic risk factor to the entire democratic system with the King as head of state (Albritton, Bureekul: 2008), (Hewison: 2004), (Kuhonta: 2008), (Phongpaichit, Baker: 2009), (Pongsudhirak: 2009), (Tejapira: 2006). In essence it can be stated that the 1997 Constitution’s death was due to its success and the inability of Thailand’s conservative elite to adapt to challenges to their power via legal pathways as the Constitution’s structure had been nearly hegemonized by PM Shinawatra. The reason for the 1997 Constitution’s success is that it attempted to stabilize Thai politics by empowering the executive branch of government while empowering independent agencies. After nearly all of these were captured by Thaksin in 2005, it had led to what the People’s Alliance for Democracy (yellow shirts) labeled a “parliamentary dictatorship”. This was strong enough so that “in the 5 years during which the TRT led the one-party government, the Opposition was not even once able to open a House debate for a vote of no confidence against the Prime Minister” (Mérieau: 2016, pp. 9).

PM Shinawatra’s success and discourse of disloyalty to the monarchy [veiled as a threat to the larger network surrounding the monarchy] led the Thai military led by army chief Sonthi Boonyaratkarin to seize power in a bloodless royalist coup on September 19, 2006 (Connors, Hewison: 2008), (Ungpakorn: 2007) and proceed immediately to declare martial law, repeal the 1997 Constitution hence disbanding the Constitutional Court and take full control of both Houses of Parliament (Council for Democratic Reform: 2006, 1, 3, 4, 16). Interestingly, following the coup, the CDR junta announced that it would be keeping relics of the 1997 Charter via organic legislation such as the NCCC, Criminal Procedure for a Person Holding Political Position (Council for Democratic Reform: 2006, pp. 19) while also adding an Assets Inspection [Scrutiny]
Committee to undertake investigation where there are “grounds to suspect that the Administration of the State affairs under the Council of Ministers vacating office by the result of the Democratic Reform under Constitutional Monarchy was carried out dishonestly for personal benefit or benefit of others” (Council for Democratic Reform: 2006, pp. 23). The AIC found its legal grounding in organic legislation derived under the legitimacy of the 1997 charter with the Anti-Money Laundering Act, B.E. 2542 (1999) and the Organic Law on National Counter Corruption, B.E. 2542 (1999). The AIC was provided with legal authority equivalent to the Anti-Money Laundering Commission, Transaction Commission, National Counter Corruption Commission and the Director of the Revenue Department. This created a closed loop system for hounding PM Shinawatra personally as well as “seizure, attachment and auction of [his] assets” as the CDR chose the AIC members, empowered it via organic legislation from an abrogated constitution and utilized those organic institutions legal basis for insulating the AIC with powers equal to them then reselecting the State Auditor-General (Council for Democratic Reform 2006, 23 supra 1, 2 and 6, 29). The inherent biases of the CDR’s actions can be seen in its views towards cherry-picking the 1997 Constitution as it wished, exemplified by its acts towards the now defunct charter:

The provisions of Clause 1 of the Announcement of the Council for Democratic Reform No. 12 dated 20th September B.E. 2549 (2006) shall be repealed and replaced by the following: Clause 1. The repeal of the Constitution of the Kingdom of Thailand does not affect the enforcement of the Organic Act on State Audit, B.E. 2542 (1999). The Organic Law on State Audit, B.E. 2542 (1999) shall remain in force, provided that the provisions of Part 1, Chapter 1, shall be suspended until the enactment of a law amending or repealing thereof; The State Audit Commission holding office on 18th September B.E. 2549 (2006) shall vacate from office. Council for Democratic Reform Order #29

In closing, it should be noted that the Assets Scrutiny Committee did its job, according to its’ political mandate and alongside its’ sister organization the NCCC which was comprised of many known anti-Thaksin persons. It filed multiple criminal charges against PM Shinawatra affiliates in connection with the CTX bomb scanner scandal and proceeded with the grand prize of indicting and freezing assets of PM Shinawatra and his family in connection with the later adjudicated Ratchadapisek land deal, satellite communications deals and EXIM bank loans (Charoensin-o-larn: 2007, 2009).

This backlash against the 1997 Charter is interesting in that particular portions of it were used as the prototype of the 2007 Constitution which was drafted by the Council of National Security (CNS) [successor to the CDR junta] and approved by the Constitutional Drafting Assembly (composed of military and bureaucrat personnel) with a mandate of 6 months to draw up a charter for referendum prior to fresh elections (Dressel: 2009, pp. 297). The CNS essentially threatened the general public with the constitutional referendum by stating, as a hedge, that if the draft constitution was rejected it would choose among the previous 17 Constitutions (Nelson: 2011). As such, even with the full weight of government, military, royalist, royalist bureaucracy,

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1 It should be noted that the usage of B.E. refers to the Buddhist calendar year which then corresponds to the later Christian calendar year of A.D.
media and government budget, the referendum only provided a turnout of 57.61% and approval of 57.81%. Nonetheless, with the passage and promulgation of the 2007 Constitution, Thai politics changed both structurally and ideologically, the first of which is the focus of the subsequent section. It will be shown that the 1997 Constitution served as a basis for the 2007 Constitution, and in particular for its independent organs. However, the 2007 Charter used the organs and insulated them from change via a closed loop system. It accomplished this by way of the Senate and selective appointments so as to take the reformist liberal ideals of the 1997 Charter and use them as tools to counter electoral democracy.

5. The 2007 Constitution: Senate and Independent Triumvirate of Constitutional Organs

This section will focus on the 2007 Constitution and its institutional setup with specific focus on the Senate and the three independent constitutional organs: the Election Commission of Thailand, the National Counter Corruption Commission and the Courts [Constitutional, Administrative]. It is argued that the 2007 Constitution laid the legal basis for these institutions to contain democracy and majoritarian politics by institutionalizing a closed loop system of appointments and selections that act as guardians for traditional elite interests in the face of threats by PM Shinawatra and his new populist based electoral network. Prior to engaging in the analytical discussion it is important to provide a frame of reference for the original intent of the drafters of the 2007 Constitution. Judge and constitutional drafter Vicha Mahakun lucidly stated that:

*We all know elections are evil, but [why do] many people still want to see history repeated? People, especially academics who want to see the constitution lead to genuine democracy, are naïve...Electing senators is a problem, as seen in the past, so why don't people want judges to help select senators?...I would like to recall HM the King's speech here. On April 9, His Majesty told the judges to perform their duties firmly and without caring what others might say. His Majesty said if the courts did no support good people, society could not survive. His Majesty said it was most imperative [for judges] to ensure justice...Even HM the King places trust in the judges; would you condemn them? (cited in Bangkok Pundit 2007)*

This is crucially important in that it provides clear insight into the role the judiciary finds for itself within greater Thai society and the political system. This brash statement is not indicative of a self-anointed position but stems from King Rama IX’s words and the self-interpretation which was seized upon by members of the judiciary. Within the context of a King legally, socially and culturally beyond reproach, the judiciary is simply acting out the ‘good’ will and intentions of the King and not being an enemy of democracy and the Thai people.

5.1. The Senate of the Kingdom of Thailand

The 2007 Constitution dictated that the Senate be a 150 member chamber with 76 members directly elected in single member provincial districts while the remaining 74 to be appointed based on selection (Constitution 2007: section 111).
The appointment of senators was left to a Senate Selection Committee comprised of seven members which included the President of the Constitution Court, Chairperson of the Election Commission, Chief Ombudsman, Chairperson of the National Anti-Corruption Commission, Chairperson of the Audit Commission (the auditor-general), a Supreme Court judge, and a Supreme Administrative Court judge (Constitution 2007: section 113). The Selection Committee can choose equal representatives from the academic, public, private, professional and other sectors according to a minimum majority process (Constitution 2007: section 114, Organic Act on the Election of Members of the House of Representatives and the Acquisition of Senators 2007). Senators must hold a Bachelor’s degree and are prohibited from being “an ascendant, a spouse or a son or daughter of a member of the House of Representatives or a person holding a political position” and cannot be a political party member 5 years previous to their candidacy (Constitution 2007: section [3], [5], [6]). This clearly indicates an urban middle class bias as well as fear of the Thai familial network dynamic of politics where relatives and associates often hold office with or for another politician.

Chambers and Muntarbhorn have argued that this opaque mechanism is highly elitist with a strong bias towards urban areas and now “lends itself to a greater degree of instrumentalization by the powers-that-be” but verges on authoritarianism as the military dominated the process of drafting with the network monarchy in the background, especially as the Palace has the final say regarding signature endorsements to independent institutions and legislation (Chambers: 2009, 2010), (Muntarbhorn: 2009, pp. 86). Eoseewong (2003) argues that the final point is critical to understanding the deeper structure of Thai political culture as constitutions can be torn up or abrogated, but underlying and constant is the cultural constitution with the monarchy at its apex and held to be sacred [saksit].

This point is highly instructive as the Puea Thai led government of Yingluck Shinawattra attempted to pass an amnesty bill in September 2013 encountering fierce resistance from the general Bangkok public which led to a fresh round of protests and conflict. She promptly withdrew the amnesty bill stating “I have sought royal permission from His Majesty the King for the return of the controversial charter amendment bill on the make-up of the Senate as well as a royal pardon for any act that may have offended the King” (Bangkok Post, 2013).

The lynchpin of the Senate is key to understanding independent institutions and hegemonic preservation which is why appointed Senators were so outraged at Puea Thai’s attempts to change the Senate make up by going so far as to petition the Constitutional Court to rule on the constitutional legality of the amendment. The Court itself ruled in a series of decisions on November 20 that amendments to the constitution seeking to alter the Senate to a fully elected body “[would] overthrow the democratic regime of government with the King as Head of State” and allowing for spouses for candidacy “would allow for a domination of power” (Constitutional Court of Thailand 2013).[2] The Court’s reasoning was that Thailand’s majoritarian system allows for ‘oppression’ and trampling of rights of the minority and to allow for a fully elected Senate would further aggravate democratic imbalance. This cuts to

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2 See Saksith Saiyasombut’s blog for excellent commentary on the Courts ruling and general politics. See Thitinan Pongsudhirak commentary on East Asia Forum for up to date commentary on Thai politics and insight into contemporary machinations of courts, protests and political players.
the heart of the argument for hegemonic preservation as Parliament should have the constitutional prerogative to amend portions of the constitution. In attempts to change the democratic composition of the Senate to make it fully elected, legal elites stepped in to rebuff challenges to their original constitutional power of appointment. It should be noted that three judges of the Court were members of the military appointed constitutional drafting committee for the 2007 Constitution.

The senate is a crucial body as independent constitutional organizations and judges are appointed by this legislative organ. The Constitutional Court comprises of nine judges appointed by the King from the Senate (Constitution 2007: section 204), the composition being: three Supreme Court judges, two Supreme Administrative Court judges, two from law and political science fields respectively (Constitution 2007: section 204). Furthermore, in the case of law and political science judges, there exists a selection process conducted by a Selection Committee comprised of the President of the Supreme Court, the President of the Supreme Administrative Court, the President of the House of Representatives, the Leader of the Opposition in the House of Representatives and the President of a constitutional independent organ elected amongst Presidents of such independent organs (Constitution 2007: section 206). It is instructive that courts are selecting courts and the leader of the opposition (Democrat Party has been in opposition for the better part of 15 years notwithstanding its elite engineered rise to power in 2008) has a say in such a vital organ. Lastly, independent organizations are instrumental in having a key say in who gets selected to sit on such vital organs which will be explored in subsequent analysis.

The importance of the Senate in holding the system of independent organs, and hence hegemonic preservation of ‘network monarchy’, is central and demonstrated by the fierce defense of its Constitutional status with Constitutional Court rulings in 2013, which argued that changing the Senate composition to be fully elected would be tantamount to subverting the monarchy and democracy. The legal logic behind this decision essentially states that having full democratic expression via majoritarian electoral democracy of the Senate would be to destroy democracy. This logic rests on the assumption that if Senate reform were to take place, former PM Shinawatra and his Puea Thai party would be able to change the composition of all independent organs to their advantage as they would come to dominate the Senate as they do the House in a repeat of the 2001-2005 years. In a readily reducible form, this logic reads as fear that if the closed loop system is broken and electoral democracy supplants the closed system, the old network which established the system would stand to lose heavily and hence the system must be protected at all costs. The same can be said for Yingluck and Thaksin as can be seen in their attempts to change the composition of the Senate. The politicization of appointed Senators can be assumed but this has been confirmed by appointed Senator Somchai Sawaengkarn who stated that voting patterns of appointed senators show that 60 of the 73 appointed senators are in the anti-government camp (Bangkok Post 2014a). The Senate is central to hegemonic preservation in that it provides the locus point for conflict against the House of Representatives. Furthermore, the Senate provides oversight and selects the composition of independent agencies which are secondary focal points for institutional resistance to former PM Shinawatra proxy governments and their ability to operate. This is further substantiated with the
latest Constitution which, due to a lengthy and oddly formulated question in the 2016 Constitutional referendum, will see a fully appointed Senate for a period of five years after the next elections. It can be presumed that any attempt to alter the Constitution by a former PM Shinawatra friendly government will most certainly be rendered void by the Constitutional Court.

5.2. Constitutional, Civil and Administrative Courts

The Constitutional Court has four judges from both law and political science professions (Constitution 2007: section 204). The selection of the latter four non judicial members is done by a selection committee comprising presidents of the Supreme Court, Supreme Administrative Court, House of Representatives, a president of a constitutional independent organ elected amongst presidents of independent organs and the House of Representatives opposition leader with a final submission to the Senate President (Constitution 2007: section 206). Perhaps the strongest power aside from judicial review is the fact that the Constitutional Court can now introduce and enact legislation, a power equal to the legislative and executive branch of government (Constitution 2007: section 139).

The Supreme Administrative Court adjudicates cases between the state and private persons. As such Administrative Courts hold significant power in their ability to hear and decide on cases of state administration, including emergency decrees, state policies essential to machinations of state power and its ability to govern. This court is chosen by the judicial commission which is comprised of the “President of the Supreme Administrative Court, nine qualified members who are administrative judges and elected by administrative judges amongst themselves, two qualified members elected by the Senate and one qualified member elected by the Council of Ministers” (Constitution 2007: section 226), (Dressel, Mietzner: 2012), (Pariyawong: 2010).

It is clearly seen that these powerful courts are essentially closed loop systems of nomination and selection but the lynchpin of confirmation is once again the Senate. To demonstrate a clear bias in these court’s rulings we can draw on a selection of cases occurring over the previous years. The most publicized cases are from 2008 when the Constitutional Court in a 9-0 verdict disqualified pro former PM Shinawatra People’s Power Party PM Samak Sundaravej for hosting a cooking program on television and receiving petty remuneration in what has been called ‘judicial creativity’ (Constitutional Court Decision 2008a). The Court based its ruling on Section 267 of the Constitution which deals with conflict of interests and forbids the PM and Ministers from being a private employee which would compromise their ethics. The Court reasoned that the PM was an employee due to receiving remuneration and as such a contract was entered into with the production firm. It based this on a rather ‘general’ definition of employee in the Thai language and further reasoned that ‘constitutional intent’ of Section 267 was to bar state officials from all contractually self-benefiting interactions with the private sector. (Constitutional Court Decision 2008a, supra 13-14). Later, with the People’s Power Party\(^3\) government and under extreme pressure, the Constitutional

\(^3\) Thaksin’s political parties have undergone changes in name. The original was the Thai Rak Thai Party dissolved after the 2006 coup. Its reincarnation was the People’s Power Party which was dissolved in 2008 by the Constitutional
Court in conjunction with the Supreme Court on advice from the NCCC ruled to dissolve the PPP and ban Yongyuth Thirapairat for vote buying in accordance with legal provisions of Organic Act on Political Parties B.E. 2550 (2007) (Constitutional Court Decision 2008b). The Court reasoned that party executive Yongyuth had met with 10 district and village level chiefs of Chiang Rai province. Furthermore, the Court stated that the accusation of vote buying was justified as it was plausible that Yongyuth had planned (though had not yet done) to exchange land, money and various assets in return for their support of the PPP in elections (Constitutional Court Decision 2008b, supra 20).

A comparative glance at constitutional rulings across governments of the political divide provide a glance into the biased discretionary power exercised by the Courts. In comparison to the latest political crisis when ‘red shirt’ supporters of former PM Shinawatra descended on Bangkok in April of 2010, then Democrat Party PM Abhisit enacted an emergency decree, whereby the government asked the Civil Court to rule on an injunction to force protesters from Ratchaprasong intersection. The Civil Court passed the case on to the Constitutional Court for a decision on the constitutional legality and usage of the emergency decree, stating that it did not have the competence to rule in such a case. The Constitutional Court decided that Courts of Justice (Civil Court) had the jurisdiction to rule on cases regarding the Decree on Public Administration in an Emergency Situation. The Civil Court thus ruled that the protest was “illegal, was an internal security risk for the country, and was an unconstitutional use of freedoms” (Civil Court Decision 2010a). Furthermore, the Court reasoned that an injunction was not necessary as the PM, qua director of the Internal Security Operations Command was empowered by Articles 16 and 18 of the Internal Security Act to enforce the emergency decree (Civil Court Decision 2010a). Later in the month the Civil Court further decided that the PM and Deputy PM “must use measures to reclaim protest sites as they presented a danger to the country” (Civil Court Decision 2010b, supra 8). These decisions upheld the constitutional legality of the emergency decree without reservation and allowed the government of the time cart blanch to enforce the emergency decree due to the presence of violence. It is well documented that later in May the government ordered the military to retake protests sites which led to the death of over 90 protesters, civilians and security personnel (mostly protestors).

In order to gain clarity, it is important to juxtapose the prior decision with the political crisis between a Puea Thai led government and the People’s Democratic Reform Committee led by former deputy PM Suthep Thaugsuban of the Democrat led Abhisit government. In 2014, the Yingluck government enacted an emergency decree in response to aggressive actions by the PDRC and a petition was brought before the Constitutional Court by former Democrat MP Wirat Kalayasiri and Senator Paibul Nititawan asking for a decision on the legality of the decree invocation. The Court ruled that an Emergency Decree invocation would not automatically lead to a seizer of administrative power and upheld the legality of the governments invocation (Constitutional Court Decision 2014a, supra 73-78). The Civil Court was petitioned by PDRC member Thavorn Seniam asking for a ruling on the legality of the emergency Court in the Yongyuth Case. Its current incarnation is the Puea Thai Party.
decree on the grounds that it was not yet necessary and to revoke and prohibit the government’s use of force with protest dispersion. The Civil Court ruled that the decree was legal according to the previous Constitutional Court ruling and that the caretaker government had executive legal power to issue the decree. However, the Court noted that the execution of the decree must take into consideration the rights, freedom and liberty of citizens in accordance with Section 4 of the Constitution. That said, the Court called three witnesses, former PM and Democrat party leader Abhisit Vejjajiva, Democrat MP Atthawit Suwanpakdee and former Secretary General of National Security Council Tawin Pleansri (whom would later be reinstated by the Administrative Court on grounds his transfer was illegally done by Yingluck Shinawatra). All three witnesses claimed that PDRC protests were non-violent and protesters unarmed. The Court chose to give much weight to the witness statements and chose to rule that while the emergency decree was legal its enforcement must not: 1. Use force, or authorize the use of force and weapons to break up a peaceful protest organized by the plaintiff and other protesters, in accordance with Section 63, paragraph 1, of the Constitution of Thailand B.E. 2550; 2. Order seizure of goods, consumer goods, chemical substances or other materials which have been used, or will be used, for any act, or to support any act, by the plaintiff and the people; 3. Issue orders to search, remove or demolish buildings, structures, or barriers set up by the plaintiff and the people; 4. Prohibit the sales, use, or possession of medical supplies, consumer goods, chemical substances or any other material or equipment which could be used by the plaintiff and the protesters; 5. Ban any act that amounts to blocking traffic and roads, any act that causes disruption to the normal use of roads in all areas that the plaintiff and the people occupy for the purposes of the protest; 6. Prohibit public gatherings of the plaintiff or of five or more people in certain areas; 7. Prohibit the use of roads or vehicles, or setting restrictions on the use of roads or vehicles by the plaintiff and the people for the purposes of the protest; 8. Prohibit the use of buildings, entry into or residing within any building or place; or prohibiting entry into any area by the plaintiff and the people; 9. Order the evacuation of the plaintiff and the people out of the protest sites; or prohibiting the plaintiff and other protesters from entering the protest sites (Civil Court Decision 2014, Black Case).

The Court’s ruling essentially defenestrated the government, emboldened protesters and was based on the legal test of whether or not protesters were violent. As such, the government was duty bound to uphold the legal rights of freedom of movement, assembly etc. without regard for the disruptions that it was causing. This was in direct contradiction to the Civil Court regarding Democrat PM Abhisit’s government in 2010 where the protesters were considered violent and a menace to non-protesters freedom and liberties. This ruling can be seen as partisan in that the PDRC protests had seen numerous acts of violence including but not limited to the forceful blocking of election polling stations on February 2nd, 2014, thus negating citizens constitutional rights of voting. But the Court also ruled that the different protest sites, some of which were permanent, the same as UDD protests of 2010 but that the inconvenience they caused was not equal to the freedoms which permanent and roaming protesters were constitutionally protected. The Court’s legal reasoning is strange in that a cursory glance at the daily situation would show that violence was
taking place behind PDRC lines against government security forces and causing major disruptions to far more people than the two site 2010 protests. Witness testimony to which the Court gave weight can be seen as tainted in that all three persons were known anti-Thaksin opposition and/or had an axe to grind with the administration of the time. Given that the Court chose to listen to partisan testimony and base its decision partially on that testimony is in itself a demonstration of politicized bias.

The last case we will examine is the Constitutional Court decision to nullify the February 2nd, 2014 general election. On December 9th, 2013 in the face of mass protests over the botched Amnesty bill, Yingluck dissolved parliament and called for fresh elections. With the EC indeterminate and not wanting to hold elections according to the caretaker government’s date of February 2nd and the Democrat party boycott, the stage was set for a confrontation. When the polls were held on February 2nd 2014, the PDRC forcefully disrupted polling stations in over 30 constituencies [and disrupted voter registration in the run-up] (The Nation, December 30th 2013).

The botched election led to legal questions regarding the validity of the election results and when to hold elections in the 28 constituencies where voting was not completed. Thammasat University professor Kittipong Kamonthamwong asked the Constitutional Court to rule on whether the February 2nd polls were legal and where legal authority to set a new date lay. The Court ruled that the polls were incomplete in 28 constituencies and thus invalidated the election results. This was based on Article 108(2) which states that “The dissolution of the House of Representatives shall be made in the form of a Royal Decree in which the day for a new general election must be fixed for not less than forty-five days but not more than sixty days as from the day the House of Representatives has been dissolved and such election day must be the same throughout the Kingdom. The dissolution of the House of Representatives may be made only once under the same circumstance” (Constitution 2007). The Court decided that elections had to be held and completed within 1 day even though this is not explicitly stated in the Constitution (Constitutional Court Decision 2014b). Rather than hold replacement elections in the districts where voting did not take place, the Court invalidated the entire election thus derivatively providing support to the EC which had been against holding the polls in the first place. Secondly, by not allowing replacement polls the Court essentially blocked the democratic process by not allowing people to exercise the constitutional right to vote. Perhaps most importantly the Court did not allow for the democratic system to play out, but rather insulated the democratic process within the EC which was staunchly anti-government.

The puzzle of why Thailand’s courts seemingly side with conservatism can be answered partially by considering royal virtue and socialization. The 2006 annulment of the general election came just after the King’s speech where he called for a resolution to the constitutional crisis. This can read as a call to political intervention by courts or to take a more active role in events of chaos and doubt. Second, and more profound, is the internalized perception of judges and their sense of loyalty and duty. There are only a few researchers and sources which are openly available, one is a notable short book by Judge Natthapakon Phitchayapanyatham. Phitchayapanyatham stresses a need for moral centering and to be pure and clean due to a judge’s responsibility to exercise authority on behalf of the King and the last line of defense for conflictual situations...
The first is most telling and reflective of the oath Thai judges take upon holding office which should be quoted at length:

> I offer my oath that I shall be loyal to the King and shall perform my duty in the name of the King with honesty, removed from all biases, in order to create justice for the people and peace for the kingdom. I shall preserve and adhere to the democratic regime with the King as the head, the Constitution of the Thai Kingdom, and the law (Natthapakon, 2011: 31).

Kritpatchara Somanawat argues that there has been a profound historical evolution of Thailand’s judiciary beginning in 1901 A.D. where the judiciary was held in very low esteem and considered to be levator (extremely bad / contemptuous). In the interim, with the continued rise in popularity and reverence for the King under the 9th reign, and the professionalization of the judiciary in 2434 B.E. (1912 A.D.) with the setting up of the Ministry of Justice, there was eventually a fusing of ideology and a symbiotic relationship emerged which formed into an exalted status between the judiciary and royal institution/person (Somanawat: 2016).

Ultimate allegiance for judges does not lie with the constitution or the civil government but with the King. Furthermore, the socialization process and rote learning pattern of judicial qualifying continually stresses extreme conservative outlooks going so far as to dictate social and informal dress and personal consumption among many others (McCargo: 2015). Further, as Nithi Eoseewong (2012) has argued, within the Thai context, judges are viewed as ultimate arbiters of justice and law due to being socially perceived as highly virtuous persons attached to royalty by virtue, decree and deed and as such are unquestioned similarly.

5.3. Election Commission of Thailand

The Electoral Commission of Thailand (henceforth ECT) has extensive powers to organize, manage and provide oversight during elections not just limited to organizing, but also to verifying results and to carrying out investigations of fraud, bribery or other criminal acts. It has extended powers of inquiry by being able to investigate party financing and enforcing the Organic Act on the Election of Members of the House of Representatives and the Acquisition of Senators, the Organic Act on Political Parties (Constitution 2007: section 235). These organic laws provide the ECT with derivative legal powers of enforcement as it is enabled to forward voter fraud cases to the Anti-Money Laundering Office for prosecution (Organic Act on the Election of Members of the House of Representatives and the Acquisition of Senators 2007: section 53 supra 2, Organic Act on the Election Commission 2007: section [11], [12], [13]) as well as forwarding cases of malfeasance of political party members whether known or not to party executives to the Constitutional Court for party dissolution and banning of party executives for five years, in essence delivering legal coup de grâce’s (Constitution 2007: section 237 supra 2, OAEMHAS 2007: section 103, Organic Act on Political Parties 2007: section [18], [94]). Its constitutional powers include the exclusive right to ‘red card’ or disqualify a candidate for malfeasance or after an election announcement to pass the case on to the Supreme Court (Constitution 2007:
section 239 supra 1, 2). Lastly, it is instructive that there is a specific section applicable to Senate appointments and elections for the ECT to investigate and pass decisions on the Supreme Court as a final safeguard for controlling the Senate and its powers of legislation, appointment and confirmation of independent organ membership (Constitution 2007: section 240).

The current ECT is a composition of members that were appointed by the military CNS junta in 2006 (Council for Democratic Reform 2006: 13). Four members of the ECT are still active commissioners while Sumeth Upanisakorn retired in 2009 and was replaced by Wisuth Pothitaen with Senate approval. It should be noted that Commissioner Sodsri was also appointed by the military junta in 2006 to take part in drafting of the 2007 Constitution prior to her appointment as ECT Commissioner.

Parliamentary elections of 2007, which saw the restoration of electoral democracy, demonstrated the biased nature of the ECT. Plans by the military CNS to sabotage and harass the pro-Thaksin People’s Power Party were uncovered. The ECT investigated the CNS and found that “the authorities had indeed acted with bias, but it dismissed the case on the grounds that CNS had done so to safeguard national security and therefore enjoyed constitutional immunity” (Freedom House: 2009). ANFREL has documented the biased nature of the ECT red and yellow election cards and investigations in 2008. ANFREL reported numerous instances of vote buying by all major political parties but witnessed investigations heavily slanted towards the PPP with lax investigations towards the Democrat and other major parties (ANFREL: 2008).

The February 2014 House elections witnessed the ECT dragging its feet and being indeterminate regarding the election organization, (Pongsudhirak: 2013) with election commissioner Somchai Srisuthiyakorn publically stating “if she [PM Yingluck] doesn’t come, we’ll still send out invites, keep changing hotels to meet until we finally [zeroed in on] the Four Seasons Hotel. May be then she’ll come, no? (Khaosod 2014a). Mr. Srisuthiyakorn’s later commented on his Facebook page that government opposition movement red shirts of the UDD are “low class and vile” having no place in decent society (Bangkok Post: 2014d). This sort of open public bias stands in contravention to the expected neutrality becoming of a public political figure charged with organizing democracy and demonstrates the nature of the ECT’s views towards former PM Shinawatra.

The Constitutional Court ruling which nullified the February 2nd election further emboldened the ECT to act as a constitutional equal with an elected government. This is best demonstrated by Commissioner Somchai’s remarks concerning the resetting of general elections when he stated “the government still has a duty to propose a royal decree setting the election date. But to do so there must be a consensus between it and the E.C….if no agreement is reached, a royal decree on a new election date cannot be sought” (Bangkok Post: 2014e). ECT Chairman Supachai Somcharoen upon the Constitutional Court ruling and questions regarding a new election stated that “all

\[4\] ECT Commission Somchai’s reference to the Four Season’s [hotel] refers to rumors early in Yingluck’s Prime Ministership of unethical meetings while parliament was in session with Srettha Thavisin a property development tycoon (ironically the PM was head of SC Asset a Shinawatra property development company prior to her rise to political prominence).
political parties should have a say in the matter...would have to take into account the political situation to ensure tax money would not be wasted” (Bangkok Post: 2014f). This is quite interesting in that Supachai suggested that a boycotting Democrat party still be engaged in election planning and that money for elections would not be provided unless the government reached a deal with the ECT.

Commissioner Somchai most recently expressed his support for the coup and told European Union representatives that he supports the junta’s suspension of elections until ‘reforms’ are carried out so that democracy in Thailand will produce moral people capable of running the country (Khaosod: 2014b). The ECT has proven itself a useful tool in the institutional battle against former PM Shinawatra proxy governments. The case above demonstrated that once political deadlock had been triggered and fresh elections called by the legitimate government the ECT refused to carry out its legal mandate and instead assisted in plunging the situation further into chaos.

5.4. National Counter Corruption Commission

The NCCC’s composition of members is stipulated as having to been “Ministers, Election Commissioners, Ombudsmen, members of the National Human Rights Commission or members of the State Audit Commission, or must have served the government service in the position of not lower than Director-General or Executive in a Government agency or hold a position of not lower than Professor, become representatives of NGOs” (Constitution 2007: section 246 supra 2). This is instructive as there is a closed loop of persons from other independent organs and senior bureaucrats as well as a bias for middle class professionals rather than politicians and or private sector persons.

The current commissioners are noteworthy as Klanarong Chanthick served on the junta ASC investigating and prosecuting former PM Shinawatra alongside the Constitutional Court (The Nation: 2013). Vicha Mahakun has served on numerous posts including as principle secretary to Chief justice of the Supreme Court along with many other posts in the judiciary and, interestingly enough, was an author of the 2007 Constitution and known advocate of appointed Senators. Jaided Pornchaiya’s career spans being the Attorney General as well as senior bureaucratic positions including president of the office labor law. Jaided recently reached the age of 70 and, hence mandatory retirement, has been replaced pending Senate approval by Supa Piyajitti, a former deputy permanent secretary of commerce known for her role in publically investigating and publicizing corruption in the Yingluck governments rice pledging program in her capacity of chair of the subcommittee investigating the governments rice scheme to which she was removed as chairperson. Prasart Pongsivapai has served as appointed governor of various provinces as well as deputy permanent secretary of the interior ministry. Pakdee Pothisiri is a former senior civil servant of the public health ministry whose officials publically supported the PDRC lead by Suthep Thaugsuban (Bangkok Post 2014b). Panthep Klanarongran and Preecha Lertkamolmart are longtime NCCC members dating back over 10 years. Vichai Vivitsevi a career judge in various courts (NACC Annual Report 2011). The make-up of this organ is interesting
as it comprises senior bureaucrats, prior serving NCCC members and professors with very close links to the bureaucracy which is seen as being pitted against former PM Shinawatra led governments and sided with the anti-government PDRC.

The NCCC’s powers are investigatory and quasi-judicial in that members are judicial servants (Constitution 2007: section 250 supra 2). Its powers include inquiry and providing facts for the removal of government officials from office as submitted to the Senate, investigating acts of corruption of government as submitted to the Supreme Court of Justice’s Criminal Division for Persons Holding Political Positions and investigating assets and liabilities of those holding public office (Constitution 2007: section 250 [1], [2], [3], [4]). The NCCC plays an investigatory role in preparation for the courts and it is instructive to consider the rice pledging scheme case. The Yingluck governments’ central policy during its first term had been a rice pledging scheme to provide rice farmers with a 40% higher than market value price for their rice to be bought without quantity restriction by the government. It was alleged that there was major fraud and leakage of billions of dollars (TDRI 2014). Regardless of these accusations the NCCC pressed ahead with a criminal inquiry against PM Yingluck in a case compiled in no less than 21 days indicating extreme efficiency and unprecedented agency coordination or the NCCC had been collecting data for years and waiting for the proper time to press formal charges (Bangkok Post 2014c). This is somewhat ironic considering similar cases on rice policy under the Abhisit government are still pending after 8 years. The NCCC’s mandate to eliminate corruption by state officials is laudable but is currently being used as a mechanism to render political opponents vulnerable to civil and criminal liability on a basis which appears to be biased. The NCCC has failed to make progress in a similar case against then Democrat Party Prime Minister Abhisit Vejjajiva’s rice price guarantee policy which was also accused of wide spread corruption (The Nation 2017).

6. Conclusion

It has been argued that the current constitutionalization of Thailand has its roots firmly in the political realm. While simply studying the judicialization of politics through its outward characteristics of court decisions is instructive, it treats law as existing as a stand-alone element in a larger context of rule of law without providing the institutional and human agency bound realities. Both of these assertions can and should be challenged in the Thai context as the current constitutional conundrum is but an outgrowth and manifestation of socio-political conflict. The authors have argued that this conflict has its roots in Thailand’s larger body politic expressly in the conflict between traditional networks of power labeled as ‘network monarchy’ against new networks of power associated with Thaksin Shinawatra. The current situation has been characterized as one of hegemonic preservation by the former in order to obviate its power loss to the latter by majoritarian democracy. ‘Network monarchy’ has been able, so far, to contain threats to its power by institutionalizing a constellation of independent organs legitimized with constitutional power and supported by a half-appointed Senate which stands as the lynchpin of the closed system of institutional hegemonic preservation. It is no wonder the Yingluck government wished to amend
the 2007 military junta drafted Constitution which provides the basis for support of this network, not out of altruistic liberal democratic idealism, but rather for its own survival. The viciousness and vindictiveness of ‘network monarchy’ has been shown with the confiscation of former PM Shinawatra family assets and handing down of a prison sentence based on retroactive legislation and judicial review of a politicized and biased Court.

While hegemonic preservation has been used as an analytical tool for peering into the agency bound and cross institutional setting for Thailand’s continuing conflict it is also evident that the process for entrenching traditional institutional power from majoritarian democracy is not yet complete. This is plainly evidenced by the military coup of 2014 amid the general breakdown of political order. That said, the constitutional referendum of August 7th, 2016 has ushered in a broader control of electoral politics by further entrenching and expanding institutions of an undemocratic nature. An analysis of the new ‘permanent constitution’ is beyond the scope of this article but provides further insight into the problematic nature of the traditional elites attempt to roll back Thai democratization and finally defeat former PM Shinawatra and his allies. Hopefully, this work will serve as a basis for future research, as Hirschl’s thesis makes for a hegemonic fit with the current case of Thailand.

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ABSTRACT

When Arab citizens of Israel (ACI) began to study in the Hebrew University in Jerusalem (HUJ) in the 1950s, under the military regime (1948-1966), this phenomenon had various effects. The present research topics on sociology, anthropology and history of higher education (HE) aimed to examine this phenomenon of trail-blazing ACI, who set out to acquire further education in the HUJ. Data were collected from semi-structured in-depth ethnographic interviews with a number of ACI, who graduated from the HUJ during the military regime. The interviews gathered data on the reasons that motivated these ACI, and the academic, social and cultural difficulties with which they coped on the liberal campus. Findings showed that these students were exposed to a foreign modern culture and essentially underwent a culture shock generating incumbent assimilation difficulties. Most of the ACI eventually succeeded in integrating into campus society and adjusted to its requirements and values. They graduated successfully but faced additional difficulties on their return to their villages.

KEYWORDS

- Higher education
- Integration
- Arab students
- Military regime
- Hebrew University

1. Introduction

This pioneer study traces the phenomenon of the first Arab citizens of Israel (ACI) who studied in the Hebrew University of Jerusalem (HUJ) during the period of the military regime. The study aimed to answer several questions concerning this phenomenon and its context and to use the resulting data as a springboard for further studies on the subject. The main motivation for the choice of the research topic was a desire to understand the daily life of these first ACI on the university campus during the difficult period of the military regime, and this is the first study that discusses this issue from the testimony of those early Arab graduates.

Arab university graduates from Higher Education (HE) institutions in Israel and abroad are considered to be an elite stratum of their society and they are seen as a cadre that can contribute to the socio-ethical-economic development of ACI society towards various goals (Al-Haj: 1996), (Haj-Yehia, Arar: 2014), (Mar‘i: 1978). This is in line with previous research, which has shown that minority populations tend to value

1 Although there were other pioneer Arab students who studied in teaching seminars and nursing schools during the same period, their experiences remain outside it.
HE more than majority populations (Connor, 2004). HE helps bridge gaps between the majority and minorities in various life domains and empowers the minority (Kettley: 2007). For this reason, ACI society in Israel views HE as a positive factor in their national and political struggle in the State of Israel (Arar, Haj-Yehia: 2016), and as a factor that assists absorption and integration of ACI in the jobs market in Israel.

Apart from illuminating the lives of ACI academics, this sociological-anthropological study also contributes to the history of HE in Israel in general, and in ACI society in particular. In addition to the cultural and political changes that it engendered, the establishment of the State of Israel and the imposition of the military regime on ACI society in Israel led to changes in access to HE for the ACI population. Geographical, cultural and political separation of ACI society in Israel from the Arab world following the establishment of the state meant that graduates of the few Arab high schools that existed during the military regime could no longer apply to Arab universities abroad and they began to apply to study HE in Israel. Despite educational gaps between them and Jewish students and a scarcity of resources these students aspired to cope with a high academic standard, with either Hebrew or English as the language of instruction and with experiences of culture shock from the moment of their first encounter with Jewish students (Al-Haj: 2003). Changes in the political map arising with the application of Israeli citizenship to the ACI population and their inclusion within the Israeli education system, acted as catalysts for the entry of Arab school graduates to HE institutes in Israel to acquire academic qualifications.

The current study depicts the ACI students’ academic and cultural integration on HE campuses in Israel, and the interpersonal relations that developed even during the military regime between young ACI and Jewish students. It also draws conclusions concerning the impact of campus life on ACI graduates’ integration. Conclusions relating to the period of the military regime can also be compared with data from new studies conducted among ACI on Israeli campuses in recent years. The findings of this study could also assist academic institutions in better serving students from diverse backgrounds.

2. Theoretical framework

2.1. The historical context

As a result of the 1948 war between Jews and Arabs in post-Mandate Palestine and the continuation of a state of war between Israel and the Arab states after the establishment of the State of Israel, Israel viewed the Arab population that remained within its borders as a security problem, a sort of “fifth column”, actual or coerced. The main tool for the implementation of the security policy was the imposition of the “military regime” as a mechanism for military and civil supervision of the ACI (21 October 1948). It was imposed by force, under the Mandatory Defense and State of Emergency Regulations (Ghanim: 2001), (Jiryis: 1976). The main purpose of the military administration was to act as a deterrent force against hostile acts by ACI, to control and supervise movements of this population and to prevent the return of refugees to their villages and lands, which were assigned for settlement by Jewish

As part of the policies of the regime, ACI society was partitioned into different minority groups according to religious affiliation and ethnic origin. Under the military administration, Arab residents were required to present travel permits in order to travel outside their villages; until 1959 both during the day and night, and from 1963 only at night, when the ACI were under curfew. Special permits were sometimes attained for those who provided services to the security services (Bäuml: 2007).

The regime supervised the Arab villages and towns and appointed the Mukhtars (village heads) and local councils (Ghanim: 2001), (Ozacky-Lazar: 2010). Education, health and local government employees in Arab villages were appointed with the approval of the security services. Although, the military regime aimed to ensure Israeli control of the land resources within its borders and administered the appropriation of lands owned by Arabs, liberal-egalitarian considerations helped to develop a democratic facet of the state’s character and gave birth to policies of gradual integration of Arabs as citizens with equal rights (Bäuml: 2007), (Ozacky-Lazar: 2010).

In 1966 the military regime was abolished as a result of legislation proposed by the Maki, Mapam, Ahdut Haavoda-Poalei Zion and Herut political parties. The ACI saw the military regime as a hated mechanism that had penetrated their social and private lives. It symbolized the true relations of the state towards them and prevented their civil assimilation and use of their basic human rights (Abu-Saad: 2006b). The era of the military regime was considered a period of isolation for Arab communities in Israel, but also the beginning of the formation of a specific ACI society. During this period the unique behavioral patterns of this society crystallized, treading a tightrope between affiliation to the Arab people and an aspiration to achieve equality in the State of Israel.

2.2. HE among the Arab minority under the military regime

During the British Mandate period a few ACI were able to acquire HE in the universities of neighboring Arab states, especially in Egypt and Lebanon. Following the establishment of the State of Israel, Arabs were no longer able to cross the borders to continue their studies in these states. During the military regime, from 1948, a few ACI therefore invested special efforts to study in Israeli HE institutions, including seminars, teacher-training colleges, nursing schools and the universities (Abu-Saad: 2006b).

From 1948, and with the passing of the Compulsory Education Act in 1949, there was an obvious increase in the level of education for the ACI (Mustafa: 2007). Nevertheless, the military regime restricted movements of ACI who wished to study in Israeli universities. They needed to obtain permits and passes from the military administration which they were required to present to the authorities whenever and wherever they travelled. This severely hindered ACI’s access to HE (Mar’i: 1978).

Many Arab families could not afford to allow their children to go on to HE, and most school students were forced to leave their studies after high school to help finance their family, working mainly in their farms or the villages (Knaana: 2005). Even for the few families who were able to overcome all these obstacles, their children
found it difficult to gain admission to prestigious faculties (Mar’i: 1978). Yet, after the establishment of the state, and despite these obstacles, Arabs encouraged their children to acquire HE since they understood that an academic degree could enhance socio-economic status and would constitute cultural capital in the State of Israel (Nakhleh: 1979).

Only a few ACI acquired degrees in Israeli universities during the military regime, but after that period the proportion of ACI in HE institutions gradually increased and recently there has also been an increase in the numbers of ACI studying abroad (Haj-Yehia: 2013), (Arar, Haj-Yehia: 2016). Among the factors for the increase in the proportion of ACI in Israeli universities are the increase in the numbers of girls entering the Arab education system and the increase in the number of girls attaining matriculation certificates (Abu-Rabia-Queder: 2008).

2.3. ACI in the HUJ during the military regime

There has been very little research discussing the issue of ACI students in HE institutes. More specifically, there are few accurate resources recording the number of ACI studying in HE institutions in Israel during the military regime. During this difficult period, many graduates of the few then existing Arab high schools were employed as teachers in Arab elementary schools and only a small number of high school graduates managed to enter the HUJ in Jerusalem, mainly those from families who were economically and socially well-established (Al-Haj: 1996), (Mar’i: 1978), (Zadek: 2014). A matriculation certificate was considered a significant factor for admittance to the HUJ during the military regime. However, the proportion of ACI school graduates eligible for a matriculation certificate was very low during the decade after the state’s establishment (Nakhleh: 1979).

At the beginning of the military regime one of the difficulties that deterred ACI from studies in the HUJ was the difficulty in obtaining travel permits from the military governor and restriction of students’ geographical movement, especially travel to Jerusalem. For this and other reasons ACI preferred to study in teacher-training colleges in Israel and for those who were financially privileged in Europe or the USA (Haj-Yehia: 2002), (Arar, Haj-Yehia: 2016).

Among those ACI who decided to overcome the difficulties and apply for an Israeli university, the HUJ was the preferred university because of the lack of other academic institutions; the only alternative was the Technion Sciences University in Haifa and the University of Haifa was only established in 1968 (Mar’i: 1978), (Mustafa: 2007). In the academic year 1951-1952 there were ten ACI at the HUJ, in a campus with 3,686 Jewish students (Al-Haj: 1996). By the academic year 1956-1957, 45 ACI were studying at the HUJ, including just one female student (Al-Haj: 1996), (Saria: 1973). At the end of the military regime in 1966 the number of ACI at the HUJ was reported as 200 to 208 (Bentwich: 1960), (Al-Haj: 1966), (Saria: 1973). In the academic year 1966-1967, the number of female ACI in the HUJ rose to 12 and they were just 5% of all ACI students in the HUJ in that year (Saria: 1973). ACI preferred the disciplines of social sciences and humanities, since entry requirements were easier in comparison with other disciplines.
3. A conceptual analysis: The integration of minority students in the university

The under-representation of minority students and difficulties involved in their integration into HE institutions are not unique phenomena. These phenomena appear in many public systems throughout the world in the past and today. The terms “diversity”, “integration” and “inclusion” are terms customarily used when discussing the access of minority group members to HE (Hendin: 2009). “Integration” is the acceptance of a target culture by a minority group in parallel to maintenance of their own culture of origin. “Integration” can only succeed when the minority group is interested in integrating, and when the majority society is interested in including the minority group, and favors the formation of a multicultural society (Berry: 1997). “Diversity” is used to refer to a varied social and cultural composition of students in HE institutions and depends on the institution’s preferences and policies in support of the involvement of a composition of students drawn from different socio-cultural backgrounds (Gurtin et al.: 2002). “Inclusion” entails that an institutional policy provides access to the system to groups who until now have not participated in it (Ross: 2003).

With regard to implications of such concepts for ACI students in HE institutions in Israel, who come from a traditional patriarchal society, research shows that the individual student’s immaturity, low level of life experience, sense of isolation and low self-esteem were factors influencing their integration in Israeli academic campuses (Abu Saad: 1999), (Hendin: 2009), (Roer-Strier, Haj-Yehia: 1998). Mastery of the majority’s language is also considered a possible major obstacle to integration. ACI students arrive at the university where the instruction and textbook reading is not in their first language and they are required to quickly familiarize themselves with different learning challenges (Amara, Abd el-Rahman: 2002).

A further term used when discussing social aspects of integration is “marginality”. This refers to a situation in which minority groups attempt to integrate within the majority group and to adopt its culture but find this is impossible, and in parallel to their efforts to integrate within the majority group, the minority group becomes distanced from its society of origin (Hendin: 2009).

The “contact hypothesis” explains relations of reciprocity between different social groups in a state of conflict such as the Arab minority opposite the Jewish majority in Israeli universities. Encounters between the groups in conflict lead to reduction in prejudices under the condition that there are conditions of equal status at the time of the encounter, joint work to achieve the common goal, personal connections between members of the different groups and the existence of social norms supported by both groups that serve as a foundation underpinning the encounter (Hendin: 2009).

The meeting between ACI students who come from a traditional society with the foreign academic environment engenders tension between their original traditional values and norms and those of modernism. In this sense, the ACI students can be considered to endure dual marginality: both in respect of the Jewish majority society and also in respect of their traditional society of origin, from which they find themselves distanced (Erdreich: 2006) (Hager, Jabareen: 2016).

Finally, a significant characteristic affecting ACI students’ integration in HE
both in the past and present is the presence of the national conflict. The influence of
this dispute on ACI students’ HE is felt in personal, cultural and academic dimensions
of their studies (Slone et al.: 1998).

4. Methodology

The phenomenon of ACI who studied in the HUJ during the military regime
in Israel is revealed in response to the following research question:

1. How ACI explain at that time their integration into the campus of the
Hebrew University and how did they make it a successful integration?

From the main research question were derived the following secondary research
questions:

2. What role did HE play in the lives of ACI during the difficult military
regime in Israel?

3. What was the role played by the academic space and the encounter with
Jewish students in the HUJ?

4. What experiences did the ACI undergo in the HUJ? And which factors
influenced their perceptions of their culture of origin?

5. And what were their socio-cultural norms when they returned to their
society of origin?

Qualitative research was employed to enable the researcher to produce a thick
holistic and comprehensive picture of the components of the studied phenomenon.
Semi-structured in-depth interviews were used to understand the narratives of the
ACI in their own words, eliciting stories and events that had influenced them and been
meaningful for their lives, including their thoughts and feelings and the meanings they
gave to their experiences as some of the first ACI in the HUJ (Patton: 1990), (Denzin,
Lincoln: 1994). The interviews consisted of 12 open questions. All interviewees were
interviewed individually for approximately two hours in Arabic and the interviews were
recorded with their consent and transcribed. Content analysis was applied to the data
to describe the interviewees’ perceptions and attitudes concerning their experiences
during their academic studies in the period of the military regime.

This study gathered data from 11 ACI academics, now pensioners (all men in
their seventies and older), who studied in the HUJ in Jerusalem in the 1950s during
the military regime in Israel. To comply with ethical requirements, the interviewees
received a full explanation of the purposes of the research and were promised full
privacy. Their personal details remained confidential and they are identified in the
findings with fictive names (see Appendix 1).
5. Data analysis

The content analysis was performed by categorization – connecting pieces of information relating to the same phenomenon through fragmentation and reconstruction of the data. After the interviews were recorded and transcribed, the interviewee texts were read several times to go as deep as possible into the interview contents and form. Texts were reread to identify meaningful sentences and point up main common themes voiced by interviewees, then analyzed according to content categories (Creswell: 2004). After the categorization process, the next stage involved conceptualization. Finally, the different themes were integrated within a descriptive narrative to succinctly express the meanings of the experiences described by the interviewees (Unra, Coleman: 1997).

5.1. “Our aspiration was to acquire HE”

As a minority within the Arab minority in Israel, a few Arab high school graduates decided to become the first to study in the only Israeli academic institution offering their preferred disciplines at the beginning of the 1950s. The interviewees found the HUJ daunting since it was their first academic experience and they feared they would be seen as a hostile element, just as they feared hostility might be turned towards them. Abed Al-Manan, who studied history and political sciences from 1955-1958 at the university added:

HE was very important for us. But we hesitated because we were not yet mature enough to deal with it and we didn’t know Hebrew. The level of the Arab schools in that period was unsuitable for academic studies, especially when those studies were in Hebrew and English. The difficult conditions of travel, financial expenses, lodgings and costs of books also played a major part in our perception of HE. Our ability to overcome those difficulties indicates how important HE was for us.

Other interviewees stressed their sense of impotence in HE and some of them talked about a sense of competition that they developed regarding HE. Jassar, born in 1934, studied history and Middle Eastern Studies from 1955-1959. He explained:

Despite the common notion prevalent in our time that HE was important, the truth is that we did not have any idea what university involved! We did not know its purpose, apart from the training that it provided so that we could become school teachers when we returned to our villages. We had heard a lot about how important HE was for our traditional society but we didn’t know anything about it.

In general, the interviewees, as the first generation of ACI that studied at the HUJ, were considered to be the vanguard of Arab society that set out to acquire HE outside their villages and they felt it was their responsibility to help to advance their weak traditional society in socio-economic terms, a sort of national social mission.
5.2. The students’ motivations for studies in the HUJ during the military regime

The HUJ was part of the society that imposed a military regime on their society, and the ACI students saw this regime as their main enemy during the first years of the State of Israel and just a few years after the Nakba that had dispersed their people throughout the world. First of all, they had to convince their parents to agree to their studies in a Jewish town, and they had to attain travel permits to Jerusalem, which were very cautiously assigned by the military administration.

Mahsen describes his motivation to study in the HUJ:

I always felt that my father had a strong will for this and with his continuous encouragement I succeeded in going on to HE despite the economic and political difficulties during that period, and despite the fear and anxiety regarding the military regime that pursued anyone who was travelling and did not distinguish between those who were travelling for studies and those who travelled for other reasons.

Wahid explains the factors that persuaded him to study at the HUJ:

In that period there was no other university where we could study apart from the HUJ. My brothers pushed me to study there because they had begun to study there before me. I was scared to live among Jews, whom I did not know and the only thing that I knew about them was that they supported the military regime imposed upon us. I could not travel abroad for HE because my oldest brother had already gone to the USA and my family could not afford to fund two sons studying abroad, especially not in the USA.

Many of the interviewees noted that they were motivated by the desire to acquire academic knowledge and their aspiration to develop academically and professionally so that they could return to their traditional society that needed to develop and advance after the events of the Nakba and the war of 1948. Abed Al-Kader, born in 1934 studied geography, education and Middle East studies in the HUJ. He explained:

We did not know what university entailed. However, we knew that studies at the HUJ could distance us from the problems of the military regime, especially since most of the students’ families were not close to the military administration. During that period there was a sort of flow of students from our village to Jerusalem to study at the HUJ. In 1954 there were 18 students from one village who studied there.

The interviewees indicated several factors that led them to study at the HUJ in the 1950s during the military regime. The common denominator underlying these factors was described by the interviewees as the effect of the military regime on their lives and the lack of an alternative to the HUJ at that time.

5.3. The initial encounter with the university: Difficulties and challenges

Since the large majority of Israeli universities are not located in the proximity of the Arab population, most ACI students need to leave their homes and spend time distant from home, often for the first time, on a campus with a new culture and atmosphere, in order to continue their academic studies. Research has shown that it is
essential to find culturally and socially suitable residence for the students’ successful integration in Israeli universities. ACI students experienced a lack of sensitivity concerning their unique culture on the Israeli campus, expressed in the absence of religious and linguistic features and symbols on the campus (Maayan; 2013), (Hager, Jabareen: 2016).

Being a member of a minority on an academic campus constitutes an obstacle. Research has shown that during the transition to academic institutions, the ACI student must cross over between two different cultures: their own community and that of the campus. They move from the Arab community, which despite modernization still maintained many traditional features, to a new socio-cultural environment in which the Jewish-Western culture predominates. Research has shown that this could be confusing for the ACI students creating questions regarding their personal and cultural identity; it creates a sort of “culture shock” considered an additional burden hindering successful integration (Hendin: 2011), (Hager, Jabareen: 2016).

Most of the interviewees reported that they encountered multiple difficulties in their adaptation to their new campus life. Abed Al-Fatah talked about these difficulties:

We encountered problems regarding language and lodgings. There was a large difference between our educational level and that of the Jewish students, especially noticeable in the comprehension of concepts and analysis of texts and academic ideas. In the Arab school, learning was then based on memorization and we did not know what it meant to analyze learning material. This was a serious obstacle for us.

Abed Al-Rahman detailed several difficulties, especially difficulties involved in attaining travel permits and the complexity of the journey to Jerusalem from the villages of the Triangle region:

We found it difficult to find lodgings; most of the students’ residences were allotted to Jewish students. It was also difficult to get a travel permit and permits to remain outside our villages. The military governor granted us travel permits and permits to stay in Jerusalem for the purpose of our studies, but these were limited to one month and we needed help from someone with influence to get them renewed. It was very difficult to cope with this bureaucracy and often we had to cease our studies because of those permits. It was difficult to reach Jerusalem during that period because of the restrictions on movement, and difficulties with transport. We went by car from our village to Netanya (Jewish town) and by bus from Netanya to Tel Aviv and from Tel Aviv to Jerusalem; it took a whole day to get to Jerusalem. Sometimes we had to go by train from Eyal to Jerusalem.

Yunis was lucky; he obtained residence in the university and coped well with the travel difficulties and the high costs of the university. But he encountered other difficulties when living in the university halls:

I received a room in the university residences, they were comfortable, but the main problem was that all the residence buildings were very far from the university, something I wasn’t familiar with in my village. I would walk all day from building to building. I also didn’t have a problem with the permits for travel and staying in Jerusalem, I had a permit as a resident of Jerusalem and only had to renew it once every half year.

Mohsann, mentioned problems concerning his political affiliation, when he
studied at the university:

*We encountered many financial and social problems involved in our assimilation, especially in our freshman year. The serious problems were political. Our teachers at school were forbidden to talk about politics, and so they could not raise our political awareness. Those students who were involved in politics did this outside the school, in the Israeli communist party. The military regime began to track party members in the village and this continued when they went to the university. In the university there was a sort of political supervision of all the ACI who belonged to left-wing streams, like the communist party.*

Jassar described his difficulty in finding lodgings and other problems:

*It was difficult to get a place in the university residences; the university housed us at first in an abandoned British army camp, “Allenby Camp”, Four of us lived in a small room in the camp and we could only take a shower once a week. After that we had to move to an Arab neighborhood “Al-Bakaa”, where I lived in a room with my friend. It was owned by an Arab from Jerusalem, it was in a better condition than the British camp. Other friends of mine lived in the Armenian quarter of Jerusalem. Life was difficult and many products were unavailable. Sometimes we had an opportunity to eat at the university where it was cheaper.*

Thus, the ACI encountered many difficulties in the HUJ: academic difficulties, coping with new languages, restricted travel, difficulties finding lodgings, social alienation, economic and political difficulties, which all made it difficult to adapt and assimilate into campus life.

Inequality between Arab and Jewish students is therefore associated not only with inferior resources but also lack of information and support concerning higher education in their areas of residence that could encourage the access of ACI students to the universities (Hager, Jabareen: 2016).

5.4. The first encounter with Jewish students

Restrictions on Arab travel and the atmosphere of conflict that pervaded the country made it difficult to forge relations between Jews and Arabs. The relations between the two groups: the minority Arab and majority Jewish, are problematic and sensitive, reciprocal relations take place in a complex reality in which there are areas of co-existence, closeness and cooperation alongside deep separation and even hostility and conflict (Smooha: 2001), (Al-Haj: 2002).

In this state of tension and conflict during the military regime, most of the interviewees reported that their first meetings with Jewish students were difficult and even traumatic. Yet, some of them succeeded in coping well with this experience, they broke the ice and formed good relationships with “left-wing” Jewish students. Wahid described his experiences:

*In my first meeting with Jewish students, I felt rather foreign. Most of the Jewish students held negative stereotypes of Arabs. They thought they were superior to ACI and to Arab society in general. We shared our difficulties with the military administration with them and told them how the regime behaved towards us with regard to the restriction of freedom of movement and the appropriation of our lands. At first the Jewish students denied this...*
and rejected what we told them, refusing to recognize it. But over time some of them began to understand our
distress, and we also began to understand their difficulty concerning us. We found that we had similar problems
as human beings. Some of us formed positive relations with some of the Jewish students and especially with those
who advocated political views of fraternity and peace between different peoples. Although we thought that Israeli
students represented the military regime, we felt that they could nevertheless become our friends. Because I was tall,
I played basketball with the university team and I became a good friend with the coach.

Other interviewees, such as Abed Al-Manan described friendships between ACI and “left-wing” Jewish students and towards Jewish students from different origins, describing how these relationships developed:

There was a difference between the different student groups in the university: Jewish students, who came from
Arab countries, accepted us and we assimilated with them, as did students who had left-wing opinions. Students
belonging to the Mapai faction [Labor party] tended to come to get to know us. Other groups of Jewish students
didn’t want to know us or have any contact with us.

Mazan also spoke about relations with Jewish students, male and female:

At first we had many difficulties with the Jewish students. It was a loaded encounter. But we began to become
familiar with them and slowly integrated, and since some of us joined the Sons of Shem Association and some
of us joined the university football team and some joined the ethnic folk dance ensemble, we soon began to mingle
with female students too. Here we began to get to know the “other sex”.

Jassar encountered several difficulties in his contact with Jewish students. But, despite an initial trauma, contact with them improved over the academic period:

It was a time of war: 1948, 1956. The hostile atmosphere from the war continued to influence the encounter
between the two groups and especially the feelings of the Jews towards the Arabs. They were suspicious and saw
us as enemies and we feared them and did not trust them. Yet, despite that, we developed friendships with some
of them, especially the female students, just collegial relations. I taught Arabic to a Jewish girl and she gave me
a book as a present.

The students’ testimony indicates that their initial contacts with Jewish students were difficult. Nevertheless, most of the interviewees developed positive relations
during their academic studies with some Jewish students especially those with left-wing views who advocated peace and friendship with others, with Jewish students from
Arab countries and with students specializing in Arabic, Islam and Middle Eastern studies.

ACI students enter HE at a far younger age than their Jewish counterparts. Almost all Jewish students serve in compulsory military service before arriving in the
universities. In contrast with Jewish students this is the first experience for ACI of living outside their home. Research has shown that they suddenly find themselves coping
with the need to balance several activities simultaneously, research, homemaking, social activities, management of finances etc. while they also attempt to cope with
the demanding structured academic environment. Moreover, in most cases this is the
first meaningful encounter of ACI students with the dominant Jewish-Israeli society, a situation that can pose additional academic, social and cultural challenges (Hagar, Jabareen: 2016), (Arar, Haj-Yehia: 2016).

5.5. Integration, daily life and adapting to the campus

Most of the interviewees who studied at the HUJ were male, young, single and socially and financially dependent upon their families in the Arab villages. Their transition to the campus involved frustration and a sense that they did not belong to the new location. They felt rejected and on the margins or outside student society. Most tended to withdraw within their own group in their lodgings or on campus. Since they were given no special assistance by the university, they had to cope with and overcome their difficulties and challenges alone or with the help of friends and students that they knew from their villages, and their integration was slow and gradual.

Araf described the daily life of ACI in the university during that period:

Most of us lived in lodgings geographically close to one another. At first, we couldn't assimilate so we mixed with our group. There was a lot of free time and we spent it together, speaking about our village, with a lot of gossip and wasting time. Our practices differ from those of the Jews and we have a traditional life style. We felt a strong culture shock when we saw male and female Jewish students dancing together on the Sabbath and we were amazed by their romantic relationships. We also differed from them in our musical taste – they liked noisy or classical music. We treated them with contempt and were surprised how they could admire that sort of music and could not admire Arab music: “Ala Dalona and Ataba and Mijana.” We were also very shocked by their dress: short trousers and the girls with their thighs exposed. It was really strange for us.

Other interviewees talked about the differences between them and the Jewish students and the culture shock that made it more difficult for them to integrate. It was only over time that they gradually became accustomed to these unfamiliar behaviors. Abed Al-Manan explains:

There were many cultural differences between us. The way that the Jewish students and lecturers dressed was more sportive and liberal and their food was very different and the men had very free relations with the women. In comparison we were very shy, we were embarrassed to talk with a woman or even to look at her. So in the main we socialized with ACI, in most of the social events the ACI kept together. We were almost in social isolation since they initially saw us as their enemies. It was surprising that there were Jewish lecturers who wanted to help us and some of them empathized with us. But despite the cultural and educational differences (deep thinking skills, skills for text analysis) over time we overcame that culture shock.

Hani talked about the tools that helped him to acclimatize to the university and to integrate in its social life:

At first, we experienced culture shock. First, we had to get to know the other ACI, especially since we were a small group and we came from different Arab villages throughout Israel. We were initially afraid of the Jewish students. Our social activities were mostly with the other ACI students, with almost no contact with Jewish students. 2 Popular music.
would almost say in isolation, at first we looked at them with hatred and hostility and wanted to distance ourselves from them. Afterwards we plucked up courage and began to integrate in this new social life. I joined a club called “Sons of Shem” for Arab-Jewish understanding and that helped me to improve my Hebrew. I also participated in a sports club and folk dancing and I was in the university football team. That helped me to overcome my assimilation difficulties in my new life at the university, before that I had cried each time I got on the bus and I was ashamed to go into the restaurants and cinemas and found it difficult to prepare food.

Each of the interviewees felt the culture shock and assimilation difficulties in a different way. All the interviewees agreed that over time they succeeded in gradually integrating into the cultural and political activities of the university and succeeded in overcoming their social isolation, even forming friendships, despite the difficult conditions of the military regime.

Since most ACI students in Israeli universities were the first generation in their family to enter academia, ACI students do not have a model for imitation that could shape their aspirations and make their entry into HE easier. The lack of models for imitation and lack of family support on the campus make their integration in the university more difficult.

Academic and professional forerunners could not only serve for imitation but could also guide the students in their initial contact with academia, and when they do not exist ACI students have an unequal point of entry and this may constitute a serious obstacle to their integration (Roer-Strier, Haj-Yehia: 1998), (Khattab: 2005), (Hager, Jabareen: 2016).

5.6. Returning to the villages after graduation

After graduation, the ACI returned to their villages to integrate in local employment, and especially in teaching as school teachers in Arab schools. ACI graduates mainly chose teaching because of the lack of alternatives and the lack of skilled teachers in the Arab schools during the military regime (Al-Haj: 1996), (Haj-Yehia: 2007). Their families and local village society expected them to become social leaders, while the military government set obstacles in their path and tightly supervised their work in the schools, this made it difficult for them to promote their ideas.

Most of the interviewees reported that on their return to their villages after graduation during the 1950s and early 1960s, they underwent a form of reverse socialization and acculturation, different from that which they had undergone when they reached the university. The interviewees described how they were received by the villagers and the difficulties they now encountered in the village, especially socio-cultural difficulties, as Wahid explained:

When we returned to the village we had to readopt traditional values and we were frustrated that we could not engender change. Some of the villagers saw us as people who had relinquished traditional values and they thought we had become part of the Jewish society, so different in culture, which fiercely ruled them. But since we did not have the courage to voice our new ideas publicly their suspicion soon died down, and we could not change anything or even think of changing it.
Abed Al-Manan described how difficult it was for these groundbreaking academics to change something in the socio-cultural weave of traditional Arab society in 1958 and the results of their attempts:

*When we returned to our village, we had strong motivation to criticize certain traditional practices, but we felt that we could not realize this and it was also difficult for us to readjust to traditional norms of the village. In our circles, we tried to introduce new social and cultural contents that had not been seen in the village. It was frustrating.*

Most of the interviewees, who returned to the village, were received with much respect by the villagers due to their academic studies and their new social status. Despite this reception the interviewees were frustrated that they were unable to engender social and cultural change in the village because of the deep-seated conservatism and traditionalism of village society. Nevertheless, some of the interviewees tried to contribute from their academic experience to enrich the village and to some extent succeeded in introducing new ideas.

### 6. Discussion

The research dealt with the main issues involved in the studies of groundbreaking ACI in the HUJ in Israel during the military regime (1948-1966). The findings of this exploratory study indicate that these pioneers, who studied in the HUJ during the military regime perceived HE as an important socio-economic lever and an important tool for various areas of their lives during this difficult period for Arab society in Israel. It is important to note that all the interviewees were born before the establishment of Israel and acquired their school education during the British Mandate. They were not educated in the atmosphere of a fundamental dispute between two cultures with different values and different basic perceptions. Moreover, they were young men aged 19 and 20 when they entered the HUJ and had to sleep away from their homes. In general, they constituted a small homogenous group of students within the foreign Israeli campus, a situation that largely reflects the situation of ACI students in Israeli HE institutes today (Haj-Yehia: 2007), (Haj-Yehia, Arar: 2014), (Modood: 2006).

The findings show that the transition of ACI students in the 1950s from the low level of education prevalent in Arab villages at that time to the very high academic standard of the university, disadvantaged by underdeveloped mastery of Hebrew, demanded strong personal skills and motivation from those students. The ACI also arrived at the university less well equipped with learning resources and skills than the Jewish student. For the ACI, the university is considered a unique experience. It is seen as almost the only space where Jews and Arabs meet as equals (Arar: 2014), (Mar’i: 1978). A culture gap was exposed between the two groups that increased the students’ difficulty; in particular, the campus was democratic and liberal but the ACI had come from a traditional society which was neither democratic nor liberal.

Sixty years on, many of these difficulties are still reflected in the experiences of ACI students in HE institutes in Israel today (Al-Haj: 2003), (Haj-Yehia, Arar: 2014), (Arar, Haj-Yehia: 2016). According to the findings, in the 1950s, ACI students
needed to invest strong efforts in order to reduce the gaps between them and the Jewish students, and they did not always succeed. Even today, the academic campus experience of ACI in Israeli campuses can be described as complex and full of obstacles and competitiveness, a very challenging and, for them, a foreign experience (Arar, Haj-Yehia: 2016).

Concerning integration, the research has shown that ACI often experience depression in Israeli universities more than their Jewish colleagues, and this is largely related to their academic lives. ACI are less well prepared academically in comparison to Jewish students, who experience non-academic related depression (for example: personal, social and cultural depressions). Since they come from a different traditional background and speak a different mother tongue, ACI students may feel socially alienated and be the victims of discrimination and prejudices (Zeidner: 1992). Until now there have been limited studies investigating different aspects of discrimination against ACI students in Israel’s HE institutes (Maayan; 2013), (Hager, Jabareen: 2016).

As noted above, the first encounter with campus life of the interviewees, who broke open the path to the HUJ for future generations of ACI, was complex and strewn with difficulties due largely to socio-cultural differences between their society of origin and the modern Westernized society of the university campus. Israeli HE institutions are usually represented as open and multi-cultural, and the universities do indeed include students from different social strata, ethnic groups, both sexes and various political and religious persuasions. However, this secular space is an alien environment for most ACI and especially for female ACI (Abu-Rabia-Queder, Weiner-Levy: 2008), (Geiger: 2013).

The culture prevalent in Jewish towns and on university campuses differs from Arab culture; this difference is emphasized because of the separate spaces inhabited by Jews and Arabs in the state (Masry-Harzallah, Razin, Hoshen: 2011). Consequently, Arab society is often concerned that its students may embrace the “foreign”, Westernized and more modern Israeli culture they discover on HE campuses (Abu-Rabia-Queder, Weiner-Levy: 2008).

The first ACI to study in the HUJ left their homes for the first time in their lives and encountered difficulties in the integration to academic life. They needed to construct a new network of social relations and to learn how to interact with students who were foreign and culturally different from them (Zadek: 2014) as usually happens with new students entering a foreign campus for the first time (Day, Livingston: 2004). The ACI came from a village culture that can be characterized as collectivist, patriarchal and authoritarian, which was significantly different from the Jewish Israeli campus culture. Research has shown, for example, that ACI enter the university with marked collectivist ideals (Peleg-Popko, Klingman, Abu-Hanna Nahhas: 2003). In the university they mostly kept together as a homogenous group that represented traditional Arab society in Israel. Assimilation problems, cultural influences and the sense of isolation on the university campus led them to become a close and cohesive social group. Till today, the transition from a traditional society to modern society arouses anxiety. The ACI may feel alienated, both on the campus and in the adjacent town where they lodge. Ambivalent relations with the predominant majority on the campus develop: on the one hand the majority constitutes a reference and comparison
group, while on the other hand they may be excluded by this group and sense that they are inferior within the university community (Arar: 2014).

Throughout their studies, ACI students usually maintain a strong connection with their families in the villages (Arar, Haj-Yehia: 2016). In order to overcome the culture shock that they experienced at the HUJ, the interviewees tried to find lodgings close to other ACI so that they could retain a sense of home and receive guidance from friends in times of distress. The findings show that some of the students tried to overcome the sense of alienation and culture shock by integrating within the new society and trying to understand the mentality and behavior of Jewish students up close. Berry (1997) pointed out that members of minority cultures cope with the fundamental issue of maintenance of their traditional culture while at the same time they need to maintain relationships and contact with the hegemonic culture in their environment. During the period of the military regime, traditional Arab society in Israel had not yet reached a stage of transition to modernization as it has done in recent years and had not attained the same level of freedom and lack of social supervision as existed in Jerusalem in the HUJ (Al-Haj: 1996), (Knaana: 2005). Similarly, more recent research shows that after one or two years at university, ACI begin to undergo changes in their lifestyle, tending to adopt a more modern outlook, distancing themselves from the traditional values on which they had been raised (Arar, Haj-Yehia: 2016).

Research findings have shown that the university stimulates ACI students’ politicization (Arar: 2014), (Miari, Diab: 2005), (Mustafa: 2007). It is reasonable to assume, that because of the prohibition of political organization during the military regime, ACI at the university in that period were unable to participate in this politicization. It was only in 1959, that the ACI Students’ Committee was established at the HUJ; the committee, which started by offering advice to new students on academic issues, and gradually expanded its agenda to include social and political matters (Shoughry: 2012).

The ACI student’s personality was shaped and evolved within the walls of the HUJ. Since this was a predominantly Jewish space, this sharpened the ACI’s sense of alienation and created a gap between the familiar traditional social reality of his home and the reality that he experienced as a student. However, they also wished to maintain their traditional mother culture. They sometimes became confused or felt a conflict of identity when they were exposed to norms and values identified with a Western mentality, totally different from their own. Since the students were involved in continuous daily exposure to this culture both in the university and outside, their basic values including for example their attitudes towards women and attitudes on education of children and the need for food were influenced by this other culture (Zadek: 2014). They were torn between their commitment to the values of the traditional society that supported their studies and their desire to create a new more modern self-identity in line with their new environment, although that environment often rejected them because of the political circumstances.

This encounter is an important component in the ACI student’s consideration towards the Jewish majority and also towards Arab society (Abu-Rabia-Queder, Weiner-Levy: 2008) and was the basis for the relations that developed between Arabs and Jews at the university. Studies describe the Israeli university as a multi-cultural space and a body that in addition to providing an arena for academic studies, knowledge and
education (Peleg, Benjamin: 1977), also provides a place for socio-cultural encounters in various activities that influence the individual's identity building. Identity is mainly shaped through the acquisition of academic knowledge, supplemented by acquaintance with new cultures and values which bring the students to reexamine their own personal set of values and viewpoints and to adopt or not to adopt new values and attitudes (Arar: 2014).

The present research findings indicate also that these pioneer ACI at the HUJ eventually overcame the various obstacles they encountered and most of them returned to their village with academic degrees. Since they had been exposed to a world of different values and acquired academic knowledge, their return to their villages was not easy and necessitated a process of re-adaptation to their traditional society.

Usually, the ACI studying in universities miss their homes (Haj-Yehia, Arar: 2014), yet re-assimilation in their villages is often a process accompanied by crises and problems. One difficulty reported by most of the interviewees was having to correlate the mature world-wise awareness they had attained through academic education with the traditional norms of the village. Returning graduates were torn between the values on which they had been raised and modern “Westernized” values expressed in their life in the university in Jewish society. Scholars have suggested that these students are actually a group in transition between tradition and modernization (Smooha: 1975), (Nakhleh: 1979); a group that mediates between the center and the periphery, between the modern Jewish and traditional Arab societies. They learn to live in a world of abstract conceptualization that contradicts the more concrete world view of local villagers (Peleg, Benjamin: 1977).

Arab and Jewish students who have grown up in separate social, cultural and educational settings have limited opportunities to mingle before their academic studies. Previous studies have shown that time spent in the universities has the potential to alter this situation: learning together for several years provides a window of opportunity for Arab and Jewish students to share activities. Accordingly, the institution of HE can serve as a catalyst promoting work towards equality and inclusion (Lev Ari, Laron: 2014), (Hager, Jabareen: 2016).

7. Conclusions

One of the conclusions of the research is that ACI were integrated and exposed to and adopted some modernization processes at the HUJ during the military regime. Some scholars characterize the phenomenon of modernization among ACI as a process of Israelization (Smooha: 1975), (Smooha: 1992). Oplatka and Tevel (2006) consider that the modernization of traditional Arab society in Israel, is due to certain factors which contribute to alteration of a system of beliefs and values: mainly, the acquisition of education, contact with a population with a Western orientation and also living in an urban environment and the geographical proximity of the Arab community to Jewish communities. The adaptation to modernization that the ACI underwent during studies at the HUJ involved changes stimulated by continuous contact with the campus’s modern culture (Smooha: 1975).

Other conclusions of the present findings indicate that the ACI saw the Jewish
students as representing the military regime sternly imposed on their society, which did not allow them to travel freely for work and studies. Nevertheless, their first encounter with Jewish students did not stimulate questions regarding the situation of national conflict and in fact a large proportion of the interviewees tried to overcome the obstacles and to form relationships with Jewish students. However, they faced difficult dilemmas since they encountered modern social norms and values so different from the values that they knew from their homes, and there was tension due to the difference in power between the dominated minority group and the hegemonic majority group (Abu-Nimer: 2004), (Rouhana, Korper: 1997). The surprising findings of the research are that despite the hostile and tense atmosphere that prevailed between the two groups during the military regime and only a few years after the establishment of the state, ACI and Jewish students developed direct relationships and even friendships. Relationships with Jewish students were usually formed through ACI students’ participation in informal activities far from politics such as folk dancing, music, sport and visits to Jewish colleagues’ homes.

Finally, the graduation of these students from the HUJ during the military regime marked the success of their integration at the university and the beginning of a social, cultural and political awakening for Arab society in Israel and a turning point in the policies of the Israeli establishment concerning the phenomenon of HE for ACI. It should however be remembered that the success of integration and the reduction of the sense of alienation and foreignness that ACI initially feel on entering HE institutes in Israel and formation of friendships with Jewish students does not only depend on the ACI students’ attitudes towards the new culture that they encounter in the university but also depends on the extent of acceptance and support that they receive.

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Nino Gozalishvili

COUNTERBALANCING EU AND RUSSIAN SOFT POWER PRACTICES IN GEORGIA

ABSTRACT

This article examines the counterbalance of EU and Russian soft powers in Georgia through identifying the main strategies, frameworks, tools and the domains of operation. The analysis is done on macro and micro levels by exploring the counterbalance within political, economic, cultural and educational spheres and simultaneously scrutinizing the fluctuations of public attitudes towards the EU and Russia in Georgia. Via the detached conceptualization of Soft Power, the study illustrates foreign interest frameworks and consequences of the soft power practices on the two levels of analysis. Cultural domain appears to be the most vulnerable vis-à-vis Russian soft power presence, paving the way to the political influence further illustrated by the alterations in public attitudes. Whereas for the EU, economics and education are the spheres where soft power is best revealed and public attitudes are affected respectively too. Georgian political establishment has been stable in providing legitimization and legal frameworks for the EU presence through the mentioned fields. The influential power of Russian cyber and media tools and anti-Western myths that counterbalance EU soft power on a micro level are closely examined throughout the study.

KEYWORDS

- Soft Power
- Russia
- European Union
- Georgian Politics
- Influence; Counterbalance;

1. Introduction

Throughout 2017, East Statcom Task Force have identified and altered 66 pro-Kremlin disinformation cases in Georgia through the campaign ‘EU vs Disinformation’, which makes it fourth on the scale for this year following Ukraine, Russia, and the EU.[1] This single statistic is a part of a wider picture of the divulged soft power policies becoming increasingly incorporated in the policies of the great powers in the international arena.

Traditionally, the test of a great power was its strength in war. Today the definition of power is moving its emphasis away from military force and conquest that marked earlier eras. The factors of technology, education, and economic growth are becoming more significant in international power, while geography, population, and raw materials are becoming somewhat less important (Nye: 1990, p.153). The attitude

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1 EU VS Disinfo Web-page. Main page: https://euvsdisinfo.eu/
towards hard power has changed, and nowadays soft power is more advantageous for great powers to pursue their interest. Josef Nye offers the definition of soft power, which unlike the use of coercion is the use of inducements, payments, and attraction that “makes others want what you want” (Nye: 2008, p.96). The distinction between hard and soft power is the nature of the behavior and the tangibility of the resources. Non-military expressions and the subtler uses of power are usually manifested in diplomacy – which embodies and expresses much more than power (Malissen: 2005). The phenomenon is especially revealed when speaking about small states, who are seeking their position in the international arena. This paper focuses on post-Soviet Georgia in the sense of explaining the counterbalance of Russian and EU soft powers impacts in the state.

After the collapse of the Soviet Union, the member republics became sovereign subjects of international law. However, the independent states of the South Caucasus were geopolitically dependent on the Russian Federation, which had a substantial political and economic impact on them. By the early 90s, the West still considered post-Soviet countries as a matter of Moscow’s domestic affairs (Jones et al.: 2013). The Western states reevaluated the importance of the South Caucasus, not only because of its linkage status between central Asia and Europe but mostly because the political shifts within the South Caucasian states seeking European integration. At the same time, the interest of the Russian Federation in maintaining the imperialist political and economic influence on these states never faded away. However, the traditional method of military intervention became less efficient, due to responsive international sanctions. Simultaneously, European Union presence in the region started to expand through the comprehensive partnership programs concentrated on building the political institutions and market economy in the post-Soviet countries throughout Eastern Europe. Such cooperation between the EU and Georgia aims to reduce dependence on Russia. At the same time, Russia formulated a new lever towards the states of South Caucasus: using “Soft Power” in order to restore influence and prevent the processes of European integration.

Since soft power has been declared part of Russian foreign policy (in 2012) several studies have concentrated on different dimensions of this policy. Some have been focused on the theoretical understanding of the phenomenon itself and locating it in the theoretical framework (Troistski: 2011; Pilko: 2012; Makinen: 2013). This literature mostly draws the line between Nye’s conceptualizations of Soft, Hard and Smart power and phenomenon of the Russian soft power. The others paid more attention to the understanding of the Russian soft power strategies towards Baltic States (Kuczyńska-Zonik:2016; Simsons: 2015; Smirnov: 2012) and also towards post-Soviet Eastern Partnership Countries collectively (Kornilov and Makarychev: 2015; Tafuro 2014; Cwiek-Karpowicz: 2011). Almost all of these studies took into consideration the factors of the EU and the West in general when analyzing strategies or interests of the Russian soft power, although none, to my knowledge, have systematically analyzed presence of the both types of soft powers (from the EU and from Russia) through the single case in the context of their counterbalance.

The research paper’s main argument is the following: Russian and EU interests are derived from different historical contexts and aim to fulfill dissimilar interests,
which results in a counterbalance in the politics of the great powers in Georgia. Hence, the research questions are: *why and how do the EU and Russia apply soft power tools in Georgia and how are they counterbalanced on micro and macro levels in the state?*

The paper applies the qualitative strategy of research based on the primary and secondary sources. The paper also employs triangulation in the sense of using several qualitative methods within a single study (Flick: 1992). It should be mentioned that generalization of the findings is not in the aim of this single study. Most frequently, the method of secondary data analysis will be used throughout the analytical part of the paper. In this regard, the following sources will be used: surveys conducted by Caucasus Research Resource Centers (CRRC) Georgia, which have a high quality of accountability and transparency[^2^], reports of Georgian nongovernmental research organizations, and reports from the EU institutions, mainly by the European Commission. Publications of National Democratic Institution of Georgia are mainly based on datasets collected by international social surveys. Because of the reasons, these regional sources have been selected for the purposes of this paper.

As for primary sources, the content of the resolutions of the EU institutions referring to the subject and official policy documents from Russia - concerning foreign policy and security strategy (mainly from 2015) - are critically analyzed. The discourse analysis and media analysis methods are applied to the speeches of the politicians (for a time frame of 2007-2017).

At the beginning of the paper, a review of literature locates the soft power phenomenon in the academic discussion. That is important insofar as a deep and comprehensive literature review gives the readers an opportunity to understand soft power by distinguishing its various aspects. For example, the theory by Joseph Nye concerning *Soft Power*, which is the basic and primary work on this issue, is fully concentrated on the political weight of the states. Whereas, other analyses put an emphasis on economics, global informational era and hard power. Considering the role of a theoretical framework in conceptualizing a phenomenon, (Spink,1999:15) a review of the existing literature and debates will serve as the theoretical framework of the research, within which the issue will be explored. The following section indicates and compares the interests of the EU and Russia for applying respective policies of the soft power vis-à-vis Georgia. Through this section, the consequences of the mentioned policies are also revealed through the analysis of the social surveys conducted through the years of 2015-2017. Observing soft power tools through politics, economics, culture and education, the research emphasizes the dissimilar nature of the great powers for procuring influence through soft power policies. Finally, the paper reaches the conclusion that Russian soft power is especially successful through culture insofar as anti-Western myths and propaganda content have room to access Georgian society through traditional informational sources and most importantly, through historical legacies. By contrast, the counterbalance of the EU soft power in these terms is based on educational programs and campaigns, which have an asymmetric impact on awareness throughout the society. However, the latter finds its legitimacy within

[^2^]: CRRC has 10 years of experience providing researchers, governments, donors, NGOs and the private sector with data and analysis of critical trends and expectations in Georgia and across the region. See more at [http://www.crccenters.org/2015/Brief-History](http://www.crccenters.org/2015/Brief-History)
economic and especially political spheres, where it counterbalances the traditional Russian presence to a larger extent.

2. Soft Power

Traditionally, power was interpreted as the strength of a state in war, which itself was dependent on the following criteria: political stability, military forces, economic size, natural resources, territory, population, etc. However, at the end of the 20th century, the definition of power lost its previous meaning, and other factors became more significant for international power (Nye: 1990, p.155). During this period the concept of soft power emerged, which was directly connected with the work of Joseph Nye. Accordingly, that became rather dependent on foreign policies, values and culture, than military incentive (Nye: 2004). Later, Nye drew out the concept of the smart power, which is, in this sense, a balance of hard and soft power (Nye: 2005, p.75). However, Joseph Nye’s view is entirely concentrated on an enhanced meaning of soft power. In the modern era armed conflicts became costly, in other words, applying hard power is related to huge political and economic expenses, while the use of soft power is “free of charge”. As a final point, important for the research, Nye describes soft power as the ability to affect others through the co-optive means of framing the agenda, persuading, and eliciting positive attraction, in order to obtain preferred outcomes (Nye: 2011). The logic of this analysis has a notable relevance for the paper, insofar as it departs from the modern tendency of detached understanding of soft power as a political tool in the globalized world.

Nevertheless, popularity as well as the legitimacy of the soft power is probably best revealed in times of widespread media and usage of the internet, but the probability of applying hard power still keeps its role as a basis of other influential political tools. At times, hard and soft powers are used together to strengthen one another. Frequently, soft power depends on hard power and without any support is not able to gain traction. Contrary to this opinion, Cynthia Schneider claims that soft power will be more effective if more money is spent on it (Schneider, 2005). Therefore, a powerful economy is considered as an appropriate source of soft power. Like Schneider, Alan Chong emphasizes the distinguishing source of soft power. He argues that the global information era not only reinforces soft power but also makes it the most influential leverage, which does not need the backing of hard power (Chong: 2007). Finally, we can say that Schneider and Chong supplement Nye’s three factors: foreign policy, values and culture, with firm economics and informative sources.

It should be noted that some scholars do not admit soft power as an independent tool of foreign policy and see its function only in concert with hard power. For example, Colin Gray argues that hard power is the state’s essential instrument in order to accomplish their interests and it must not be replaced by soft power, which is mostly dependent on the foreign countries’ perceptions (Gray: 2011). Niall Ferguson shares Gray’s views and examines soft power as modern imperialism, which is dependent on hard power (Ferguson: 2004). Both of these authors criticize the newly appeared and widely recognized soft power, which has already achieved some popularity among the states for different reasons. As we shall see later, this is not quite the case if we
take into account various dimensions of applying soft power. Although the context of Georgia leaves room for taking into consideration the presence of a hard power too, particularly when speaking about the success of Russian policies in the country on a macro level. Here it should be useful to turn to the understanding of soft power phenomenon from ‘narrow’ and ‘broad’ senses. The narrow understanding implying policies related to attractiveness and the broad as ‘the ability to change the political preferences of others’ (Troitski: 2011).

As for outcomes and advantages of soft power, the governments are forced to put a lot at stake when using hard power, which sometimes results in direct and overt confrontations that are subversive. Therefore, many scholars emphasize the advantages of soft power, which are less pernicious for states and governments. Firstly, soft power does not rely on finite resources, like military power, economic power, etc. It does not require any commitment to justify or prove implemented actions (Wagner: 2014). Herewith soft power is an effective way to control not only nations but also non-state actors, which are flexible enough and resistant to hard power (Gallarotti: 2011). Outlining the non-state actors is of significant importance for the case of Georgia, as church institutions, media, and non-governmental sector are the momentous sources of influencing different segments of society in the country.

In conclusion, used as a primary subject of the analysis here, soft power is the means of power which rejects military and aggressive actions. The spread of ideology, information, and generation of public opinion by media, influential public institutions, educational centers or other funds give governments an opportunity to direct their foreign policy without any tensions and prestige problems on the international level. The effectiveness of soft power is dependent on the well-organized scheme, stable economy, sufficient financial resources and political will. By these disguised activities, states using soft power are able to procure or maintain political, economic or cultural influences on their target states. In addition, the only feasible and legitimate tool to be used for opposing the establishment of strong influence, is again soft power. In the case of Georgia, this appears to be EU soft power counterbalancing policies of Russia in the country. Consequences of the later are analyzed throughout the following section.

3. Purposes and Consequences of Using Soft Power in Georgia

Georgia is one of the small states which emerged after the dissolution of the Soviet Union. Its status as a small state is mainly ascribed according to the major threats the state has to continuously confront. Summarized by Charles, those are the intimidations related to the territorial integrity, stable economy, political independence and security with social cohesion and environmental sustainability (Charles: 1997, xi). In addition to the fact that small states play a noteworthy role in international peace on the one hand, their decisions concerning foreign policy turns out to be crucial. In the case of Georgia, we could speak about political sovereignty (Rondeli: 2001). However, considering post-Soviet context and geopolitical importance of the state, when analyzing its policy constructions Russian interests should not be taken out of the analysis.

As a successor state of the Soviet Union, Russian Federation prioritizes
maintaining a hegemonic position in the region. As the stronger neighbor, Russia has been powerfully affecting newly independent post-Soviet countries, characterized by weak political institutions and economic stability (Herzig: 1999). One of the noteworthy reasons behind Russia’s interest in staying influential power over Georgia has to do with its growing geographical importance for the Western countries to connect Central Asia. The very fact makes Georgia an important energy transit and simultaneously decreases Russian hegemony in the region affecting its monopoly on ways to supply energy to Europe. In general, Russia has been aiming to influence foreign policy decisions of the South Caucasian states (Cornell: 2007). Consequently, it was not unexpected that the firm decision of Georgia towards moving onto a Western vector would contribute in deteriorating relations with Russia, which appeared to be the case throughout the last decade. To start with, Russia imposed an embargo on Georgian wine being exported to Russia, followed by a refusal to allow Georgian mineral water imports in Russia. Besides economic manipulations like blocking money transfer and postal service to Georgia, the Russian government used mass deportations of Georgians as another tool for regaining influence.

The doctrine used by Russia towards the Southern Caucasus is often described as controlled instability (Liberal Academy Tbilisi, 2016). In Georgia, the issue of a creeping border is meant to destabilize the political situation and maintain its salience on a social level. Economic manipulations are an important part of this policy too. Significantly, the possibility of applying hard power contributes to creating the situation when the need of dependence on a powerful neighbor becomes unavoidable for the transitioning, post-Soviet, countries.

In the context of soft power, through the official documents from 2013 and 2015 concerning foreign policy and security strategies, Russia has explicitly legitimized the necessity of informational influence outside of the federation. According to the documents, a strengthening of the Russian media on the international level is connected to the sovereignty and security of the Russian Federation (National Security Strategy of Russian Federation, II). Here ‘the threat to security’ largely implicates European integration of Georgia as the process is perceived as uncontrolled southern border and presence of hostile forces there (Utiashvili: 2014).

On the other hand, EU interests in Georgia mainly implicates the will of the country for further integration with the West. Several authors speak about the strategic importance of the South Caucasus states insofar as their location facilitates the connection between Central Asia and Western Europe through the Black Sea, which in a way influences Russian dominance on the energy route (Herzig: 1999; Rondeli: 2002). Having mentioned the strategic meaning of Georgia above, EU has adopted a strategy that is remarkably dissimilar from Russia in relations with Georgia. In general, the strategy of the EU towards Georgia scripted through firstly EU Neighbor Policy and later under the EU Eastern Partnership Program, aims on the stabilization of the governing institutions; strengthening the rule of law and respect of human rights; improvement of democracy and consolidation of civil society; in general, introducing European Values[3]. In other words, the primary interest in the region for EU is

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transforming neighboring former Soviet states into stable and peaceful ones. The tools both global powers use underline their relative interests concerning Georgia.

The external vector of Georgia has not changed on an institutional level by firmly declaring an intention for integration with the European and Euro-Atlantic institutions. While this is an established comprehension of foreign policy within the ruling party, attitudes and support of the society towards the foreign vector has been experiencing some fluctuations. Moreover, as we shall see, the soft power policies have been occasionally targeting Georgian population rather than the state institutions. Consequently, the upcoming analysis demonstrate trends in public policy attitudes that could be causally corelated with external informational influence.

Public attitudes in Georgia towards the foreign policy of the country is mainly divided between improving relations with Russia and willing to strive for integration with EU. There is quite a clear line among people prioritizing ties with Russia as the most important national issue and respondents supporting and trusting further integration in EU. In this sense, applying the concept of counterbalance becomes especially relevant. However, a minor segment of the representative sample reveals positive attitudes towards both, Western integration and cautious policies towards Russia.

According to the results of countrywide representative sociological polls conducted by CRRC Georgia in 2015, only 18% of Georgian respondents fully support Georgia’s membership in EU, while this variable in 2013 was 34%. Simultaneously, the numbers of respondents supporting Georgia’s membership in the Eurasian Union have risen from 16% (2014) to 24% in 2015 and 20% in 2016. This situation is caused by two main reasons, which are directly connected to Russian soft power. According to the Russian narratives, if Georgia and Russia establish closer political and economic relations, the problem of territorial integrity will be solved in no time. Furthermore, the number of EU and NATO skeptics increased, because of the long-term and perceived as non-beneficial integration processes. Georgia is still outside of the EU and NATO. Although after approving Visa waiver by the European Parliament for Georgian citizens, positive attitudes towards EU have slightly risen, the latest survey indicates that 45% of the respondents still express strong will for “Georgia to have closest political cooperation with Russia” (CRRC: 2017). It is also important to note, that the more skeptical the respondents are about membership prospects, the more they prioritize improving relations with Russia (NDI: 2015). Comparative shifts in the public attitudes since 2015 marks an intensification of spreading disinformation and border provocations by Russia in the annexed region of South Ossetia. In addition to that, the negotiations with EU concerning Visa facilitation were accompanied by Putin’s announcement referring to the will to eliminate Visa for Georgian citizens. He pronounced the statement on the closing conference of the year 2015, just the day before EU would announce fourth and final account on the successful accomplishment of Visa liberalization requirements by Georgia (EU Commission: SPEECH/15/6371). This indicates the attempt of the Russian politicians to compete with ‘Western popularity’ in Georgia by maintaining the attractiveness of Russia deeply rooted through some segments of post-Soviet Georgian society.

Consistent with the same research from 2015, a large number of those who express distrust in the EU, see it as a struggle for Georgian culture and traditions. It
is important to underline that fewer people in 2013 would perceive the EU as the striking actor for Georgian traditions that would abolish specific Georgian culture. Even in 2017, this rhetoric is still visible, although among fewer respondents (33%). The apparent explanation lies in a media portrayal by Russia that seeks to present European values in a negative light. Narratives of the disinformation spread among the Georgian population attempt to persuade them that only close relations with the Russian Federation can preserve Georgian culture and individuality. These tales find their legitimacy in the common religion and historical importance of Christian Orthodoxy for the Georgian nation. As for the EU efforts, an increasing number of sources have been implemented in intensifying informational events through urban as well as rural areas. These include enlarged support to pro-EU non-governmental organizations and civil society movements in making the information about the EU work easily accessible. In these terms special attention is paid to the ethnic minorities as skepticism towards European integration has always been higher among these groups.

In regards to media power, an interesting discrepancy in the trust towards the EU is to be seen between the respondents who base their knowledge about EU on newspapers and Russian channels and those who get this kind of information from the internet, international organizations, social networks and EU delegations. Obviously, their trust is based on the information they hold. Slightly below half (46%) of the respondents from the 2015 survey, who support Georgia’s membership in the Eurasian Economic Community exclude membership of the country in EU. It is noteworthy that a vast majority of the EEC’s supporters, 85%, and 90% have no answer or refuse to reply about Georgia’s membership in EU (Caucasus Barometer, 2015). Although the number of EEC supporters have been significantly reduced since 2015, a majority of them base their support on their own economic interests and on the hope to resolve territorial problems, which is again a significant part of Russian propaganda.

One more significant data refers to “the best current support to Georgia”, to which those interviewed responded in the following way: EU - 33%, Russia - 24%, while 17% is for the USA (Eurasia Partnership Foundation, 2016-17). The numbers stay immutable through 2017 too. Here we should also take into account results from 2011, when “Approval of Russian Leadership” against U.S leadership was 6% - the lowest in all Eastern Partnership countries[4] (Gallup poll :2011). However, while the EU takes a central place in this case, it is still undeniable that Russia remains a desirable assistance for some Georgians. Insofar as division of responses among dissimilar age groups is quite noticeable (people in the group of 56+ age mention Russia more frequently) this could reflect the nostalgic attitude of some Georgians towards the Soviet Union, which is repeatedly revealed and reminded by different political parties or social movements[5]. Most of the mentioned political parties appeared to be explicitly affiliated with Russia, either financially or politically.

Noteworthy tendencies are revealed in case of the ethnic minorities. According

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4 Armenia 75%; Ukraine 61%; Moldova 56%; Azerbaijan- 54%; Belarus- 40%; Source: Gallup poll (2011) “Russia’s Leadership Not Popular Worldwide”

5 By the 2016 elections, there have been several political parties promising to Georgian people either to bring Communism back or to become part of the Russian Federation. Their right to take part in the elections was suspended by Election Administration of Georgia.
to the census release 2014, the biggest ethnic minority group in Georgia is the Azeri people (6.3%), followed by the Armenian minority (4.5%) and Russians (0.7%) (National Statistics Office of Georgia: Census 2014). This segment of Georgian citizens has always been a significant part of the Georgian multicultural society. At the same time, they become the first and foremost target group for external powers to influence. Especially Russian policies toward Georgia normally include provocations targeting different ethnic minorities. In the sense of Soft Power, those policies convert into media tools spreading favorable disinformation according to Russian interests in Georgia. Some other factors like a lack of language proficiency in Georgian prevent them to get information from other alternative sources than Russian ones. Also, the deterioration of effective government policies towards minorities collectively resulted in the increased hopes towards Russian assistance in correspondence with dwindling expectations towards EU. Compared to Georgian-speaking segment, Ethnic minorities show notably less awareness about EU in general and especially in specific issues related to EU-Georgia relations. Apparently, there is a correlation between above-mentioned factors including ‘Russian soft power’ and knowledge and attitudes of Georgian ethnic minorities towards EU and Russia. In addition, most of the ethnic minority groups are concentrated on the borders of Georgia, which makes them even more vulnerable to the Russian propaganda.

Nonetheless, several authors suggest that the presence of Russian hard power reduces effectiveness of its soft power strategies (Sergunin and Karabeshkin: 2015; Tafuro: 2014; Ćwiek-Karpowicz: 2012), in this case, the presence of hard power rather reinforces success of the soft power strategies. In order to provide an adequate explanation of the situation described in the above section, the upcoming sections will include a closer examination and analysis of Russian soft power tools. This time the emphasis will be on the cultural, political and economic influences.

4. Russian Soft Power

In her article concerning the Russia’s soft power discourses, Yulia Kiseleva speaks of the ‘dual great power identity’ of Russia, which is a result of the relationship with the other great power - the West. According to her, Russia’s need to gain an influence and status revealed in its soft power strategies are driven from this traditional approach to the Other, meaning the West (Kiseleva, 2015). That was revealed in the rhetoric of Putin when he referred to soft power policies coming from the Western context as “unlawful” interference [6] (Putin: 2012 analyzed in Kornilov et.al, 2014; Kiseleva: 2015). Applying soft power policies by Russia are also analyzed in the context of restoring its international image as a reliable, modern democratic state, which was contrary proved after the 2008 war with Georgia and the internal protests prior to elections of 2011 and 2012, not to mention the international talks concerning Crimea (Sergunin and Karabeshkin: 2015).

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4.1. Cultural Influence

Russian propaganda in Georgia mainly involves the following narratives: 1) Orthodox Christianity as a common faith (paving the way for 2) The common values and shared history reflected in social discourses on a daily basis and 3) Cultural closeness, in the sense of shared cultural practices and experiences of living together under one regime (Liberal Academy Tbilisi: 2016, p.34; Karpowicz: 2011). Given 70 years of the Soviet rule and the strong myth-producing policies, these narratives have deep roots in the consciousness of the post-communist Georgian society. Speaking about the success of the myth, Christopher Flood emphasizes the importance of a narrative to be correctly interpreting in a way that social group “accepts or subsequently comes to accept as true” (Flood: 2001, p.43). This logic applies to Georgia too, insofar as the mentioned narratives are publicly shared in a way that denial of them causes a feeling of protest in some segments of the society.

Since the very beginning of the Georgia-Russia relations, the factor of common religion played an immense role in maintaining cultural ties. Even during the most challenging periods of Georgia, the small state would choose the leadership of Russia rather than that of any other nation, with the declared intention to maintain and preserve Christian Orthodoxy. Despite many people remembering breaches of agreements and “strict lessons” of invasions, the matter of religion still creates a favorable basis for some people to recover and improve relations with Russia. Moreover, those people somewhat or fully trusting of religious institutions reveal the least trust in non-religious and non-political institutions like NGOs (Caucasus Barometer: 2015) or other think-tanks. This very fact creates more opportunity for them to deny different ideas about European as well as Russian values and priorities. This category of Georgians usually intends to perceive the integration with the EU as a negative step for Georgian culture and traditions. Media Development Foundation reported that the biggest part of anti-Western messages (32%) refer to the cultural and identity issues: “the West tries to impose homosexuality, incest, pedophilia, zoophiles and perversion and fights against national identity, traditions, Orthodox Christianity, family as a social institution” (MDF: 2016, p.9). According to the same institution, Russian propaganda gets to the Georgian society through: fake news, demonization of the West and constant reintroduction of the Soviet myths, and digital (photo/video) manipulations (MFA, 2016:10). Needless to mention the role of the media in providing a platform for these messages to spread in the society.

The Russian media or media sources that get financial support from Russia (operating in Georgian) are one of the most influential tools of Russian soft power in Georgia, as some people find them as the sole source of information. Reports from 2015 and 2016 of the Media Development Foundation conducted in partnership with USAID and UNAG, reveal and classify the main sources of Russian propaganda in Georgia. According to the report from 2015, the foremost source of the mentioned

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7 Christian Orthodox Russia appears in some nationalists’ narrative as a historical assistance to defend Georgia from “expansionist aims of the Islamic world.” (Leader of the political party “Alliance of Patriots of Georgia”) Source: interview with Netgazeti.ge http://netgazeti.ge/news/20747/

8 Most significant examples: Ceasefire Agreement in 2008; Treaty of Georgievsk 1783;
type of information is media, which is followed by particular members of society and political parties. In the report of 2016, the situation is almost the same, with political parties moving closer to media in promoting anti-Western narratives. The clergy and former members of the Georgian government follow those sources through both reports.

The amount and coverage of the mentioned type of media have constantly been increasing since 2014. They agitate disinformation and attempt to create stereotypes based on anti-European rhetoric. For example, the idea that the “Western world is against the Christian Orthodox Church”; “Integration processes with NATO mean giving up on occupied territories”; “NGOs are working not for Georgian but for Western countries’ interests” etc. MDF categorizes the techniques of sending particular messages from the media as AD NAUSEAM. The method apparently recalls one of the most effective tools of Soviet Union and therefore stands for “the method of repeating the same idea frequently enough that the audience starts to believe in it.” One more noteworthy technique used by the media is asking doubtful questions about the real “friend” and the real “rival”. Anti-Western propaganda also includes agitating a fake idea of the non-existing dilemma of the Georgian foreign policy direction. This kind of media includes several Georgian TV channels and web portals, namely: “Obiektivi”, “Sakinform”, “Geworld.ge” and “Reportiori” (MDF, 2015).

4.2. Influence on Politics

In this section, the article emphasizes the role of political parties, which construct not only domestic and foreign policies but also influence the political views of the population. The states, using soft power, often can influence foreign political parties using financial support, intimidation or blackmail.

Therein, there is no exceptional situation in Georgia on these matters. In 2011, four Georgian parties: Peoples party, Conservative Party, the Republican party of Georgia and Free Democrats were sponsored by Georgian businessmen owning huge capital in Russia. Ivanishvili transferred five million GEL (=around 1.6 Million in Euros) in Georgia[^9]. As for political intimidation and blackmail, Georgian parties are persistent enough against Russia’s occupation politics. The latter is not able to manipulate the issues of Abkhazia and South Ossetia because they are not perceived as a matter of “diplomatic trade”.

The issue of the political parties’ backgrounds, as well as their ideological direction, reaches its peak of significance and topicality during the election period in the country. As for the Parliamentary elections in 2016, a wide range of political parties offered “attractive” promises to voters. If in 2012 there were none of the Pro-Russian parties that would obviously express anti-European ideas, in 2016 at least three political parties, out of 29 registered (Election Administration of Georgia, 2016)[^10], agitated at least the possibility of recovering ‘good relations’ with Russia or

[^9]: Netgazeti, “Comments on Ivanishvili’s donations of political parties.”
even getting back the communist regime. In addition to that, even the party promoting formal Russian governance appeared during the pre-election process. The head of the party, recently returned from Russia, actively promoted ideas about getting internally displaced people back to their houses and improvement of the social situation, in accordance with double, Georgian and Russian, passports for Georgians. As those ideas violated certain chapter from Georgian Constitution about territorial integrity and independence (*Constitution 1995 (rev. 2013), Art. 2, Ch. 1*), the party was banned from taking part in the elections. Nevertheless, the stirring up of Russian “soft invasion” during the important democracy-testing process is apparent. However, two other political parties: 1) ‘Democratic Movement-United Georgia’ led by the former parliamentary speaker, Nino Burjanadze, and 2) “Alliance of Patriots” distinguished by its Turkophobic sentiments and antipathy to NATO and EU - are still getting some public support as the latter has 6 representatives in parliament.

It should also be mentioned that Georgian political parties confront each other about the issue of Russian-Georgian future relations. Members of the parliamentary majority, the deputies of Georgian Dream party, are eager to co-operate with Russians in the following fields: power engineering, trade, and social issues. For example, Georgian government’s desire to start negotiation with Gazprom caused interminable discussions among the population and the political groups. The supporters of the mentioned cooperation claim that the entrance of Russian company will have a positive impact on the Georgian energy market. The diversification of natural gas suppliers will create healthy competition, the prices and dependence on Azerbaijan’s economy will be reduced. Contrary to this opinion, most of the Georgian politicians think that any cooperation with Russia is a betrayal of the national interests. The dependence on the Gazprom, gives the traditional political and economic levers to the Kremlin, which might be used in order to restore and strengthen influence on political decisions.

4.3. Influence on Economy

Huge labor market and enormous energy resources with cultural proximity and common history are the factors which Karpowicz underlines when speaking about the success of the Russian soft power strategies (Karpowicz: 2011). Once, Russian right-wing politician Anatoly Chubais said: “If Russia buys the strategic economic units in the post-Soviet space and outside it in order to accomplish its national interests, the mentioned policy in the long-term period will be a more effective way to gain political and economic influence than military intervention” (Kakhiaishvili, 2013). The main levers for implementation of the Russian soft power are the natural gas and oil resources (Hill: 2006, p.341). Russian capital started inculcation in Georgian business too. Russian businesspersons control most of Georgia’s energy resources (Institute for Development of Freedom of Information, 2016).

Russia possesses huge business capital in Georgia, which includes the following fields: power engineering, water supply, oil market and middle scale business. For example, Inter Rao, which belongs to Russian politicians and powerful businessmen,
owns important parts of Georgian energetics. The latter controls 75% of the energy redistributing company JSC “Telasi,” thermal power plant LTD “Mtvari Energetic” and the large hydroelectric power stations “Khramhesi 1” and “Khramhesi 2.” In addition to this, the largest hydroelectric power station in the Caucasus “Engurhesi” belongs to Inter Rao (IDFI Report, 2016). Russian companies control Georgian water supply system. Ltd “Georgian Water and Power” is owned by the Offshore Entity “Georgian Global utilities” which is directly connected to the Russian businessmen (Transparency International Georgia: Report 2016).

More than 200 petrol stations belong to the Russian oil companies. Billionaires Dmitri Trotsky and Dmitri Korzhev are holders of RMG Gold and RMG Copper, which are precious metals mining companies. “IDS Borjomi Georgia,” which produces Georgian mineral waters: Borjomi, Likani, and Bakuriani, is owned by Russian oligarch Mikhail Fridman. The above-mentioned cases show the effectiveness and influence of Russian economic soft power on Georgia. Furthermore, in 2014, Georgia received $66 million direct investments from Russia, which captured the eighth position in the list of foreign economic partners (TI: 2016). The interminable discussion about Gazprom, which tried to enter Georgian energy market, exposed lots of pro-Russian groups. It is overt that the doctrine of Chubais works effectively and most of the Georgian strategic economic units are under the control of the Russian businessmen, who have very close relations with Russian politicians. These conditions give the opportunity to the Russian government to control significant sectors of economics and in case of necessity cause a huge financial crisis or more importantly, a fear of the crisis in Georgia.

5. EU Soft Power

5.1. Influence on Politics in Georgia

In this section, the research’s main aim is to examine the phenomenon and tools of European soft power and expose how it works in counterbalance to the Russian respective presence. It is important to mention that Russia has applied not only soft power, but also military interventions in order to pursue its national interests in the neighboring states. At the same time, the EU is strengthening its political position in Georgia without and in contrast to the aggressive military actions. While Russia uses the variety of above-mentioned propaganda and conspiracy tools in order to procure pro-Russian politicians and public policy figures in Georgia, EU soft power operates under the inclination of the Georgian state towards European integration and sets the criteria that a state seeking partnership and integration is supposed to meet. The one amongst many of those conditions is a harmonization of the legislature and political institutions with EU standards. The different approaches of the EU and Russia derive not only from dissimilar interests, but also from the unrelated historical context of relations between Georgia and Russia on the one hand, and Georgia and the EU, on the other hand.

The starting point of EU-Georgia relations is 1992, one year after Georgia declared its sovereignty following the break-up of the Soviet Union. Since then the
relations did not see any notable progress until 2003, when a revolutionary change of
government took place. Until the Rose Revolution, EU-Georgia relations were limited
to the Partnership and Cooperation Agreement, under which annual meetings used to
take place.

The more intense partnership was launched through the European
Neighborhood Policy elaborated in 2003. The program aims to achieve the closest
possible political association and the greatest possible degree of economic integration
with EU’s Southern and Eastern neighbors. The European Neighborhood Policy as
a part of the European Union’s Foreign policy tries to spread the European values,
as follows: democracy, the rule of law, respect for human rights, and social cohesion
in the target states. The ENP action plans are the basic documents that define the
framework between the sides of agreement[11]. In 2005 the EU and Georgia drafted
an ENP action plan which was later replaced by the Association Agreement. In the
case of Georgia ENP contains several noteworthy aspects that reflect a remarkable
example of the scope of EU’s political influence in Georgia. The areas of partnership
are comprehensive especially in contrast with the suspended and conflicted relations
with Russia. For instance, the aims of the ENP partnership includes:[12]

- An upgrade in the scope and intensity of political cooperation, through further
development of mechanisms for political dialogue
- Enhancing cooperation in the area of Justice, Freedom, and Security, notably
  in the field of border management and migration.
- Increased possibilities for closer co-operation in the area of foreign and
  security policy.

In addition to this, in 2009 EU created the special Eastern Partnership program for
Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine in order to enhance
cooperation with them and accelerate the European integration processes. The
declaration, signed in Prague, aims to extend EU’s relationship with the region,
including the cooperation with the member states on the following issues: security,
stability, and prosperity.[13] The entire involvement in Eastern Partnership program
resulted in Association Agreement between Georgia and EU, which opened up the
further presence of EU policies in the Georgian political agenda and vice versa.

The Association Agreement’s positive continuation was “Visa Liberalization
Dialogues” with three Eastern Partnership countries, namely Ukraine, Moldova,
and Georgia. Following the four positive reports from the European Commission
on the Visa Liberalization Action Plan (VLAP) fulfilled by Georgia, by March 2017
European Commission granted visa-free movement to Georgian citizens through the
Schengen member states (EUr-Lex, Doc.N 22011A0225(02)). The Russian attempt
to counterbalance the optimistic nature of the development consisted of the media
coverage as well as official statements by Russian politicians such as Karasin, the Russian

deputy foreign minister. Karasin, who is the only diplomat from Russia involved in negotiations with Georgia through the single format of the ‘Abashidze-Karasin’, has changed his rhetoric about visa facilitation issue after the agreement mentioned above with EU. Particularly his interview on November 3, 2016, with ‘Rossia Segodnya’ highlights the influence of Georgia-EU relations’ dynamics on waiving visas for Georgian citizens by the Russian Federation: “…In principle, we do not rule out the possibility of a visa-free regime with Georgia. And of course, in dealing with this issue, it is important to take into account the corresponding processes between the EU and Georgia” (Karasin, November 2016)\(^{[14]}\).

Whereas throughout the interviews given after the March 2017 (Visa waiver with EU), he started to point out issues related to terrorism and security as obstacles for granting visa-free movement to Georgian citizens: “The abolition of visas for Georgian citizens is hampered not only by the absence of diplomatic relations between our countries, which Tbilisi unilaterally canceled in 2008 but also by the lack of security in the region. Military conflicts are underway close to Georgia and terrorists are trying to get into the Russian territory through Georgia. That’s why this situation is a matter of serious consideration and needs experts’ analysis” (Karasin, November 2017)\(^{[15]}\).

Apparently, the matter of visa waiver for Georgian citizens ‘offered’ by the Russian government intended to counterbalance support of Georgians towards EU. The Russian media coverage (Gazeta.ru, NTV, RT) referred to the visa waiver approved by EC as an interest of the EU to outsource refugee camps in South Caucasus. The narrative was based on Sebastian Kurz’s talk published by the ‘Bild am Sonntag’ newspaper\(^{[16]}\). However, immediate announcements were made denying that plan from the Georgian government\(^{[17]}\) and from the EU side too\(^{[18]}\), although in a short period public concerns and suspicious attitudes were still altered through everyday discourse.

In sum, EU soft power established the firm positive attitudes towards the importance of European integration process among politicians and electorate, against the background of the counterbalancing power of Russia. Although pro-Russian politicians and bribed parties have a pernicious effect on Georgian domestic and foreign affairs, the most of Georgian authorities consider EU as a propitious partner and the European integration as a premise of the political and economic development.

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15 Interview with RIA Novosti. Russia News Today web-page

16 “We need refugee centers outside the European Union, which would be managed jointly with the UNHCR, UN Refugee Agency. Their location is not so important” [http://time.com/collection-post/4684932/sebastion-kurz-next-generation-leaders/?xid=time_socialflow_twitter](http://time.com/collection-post/4684932/sebastion-kurz-next-generation-leaders/?xid=time_socialflow_twitter)


5.2. StatCom

The European Commission declared essential the effective communication and strengthening of the media environment within the member states and Eastern Neighborhood. Lithuanian member of the European Parliament, Petras Aušrevičius stressed the importance of further action towards disinformation in the open letter published in March 2017: “We are still reactive, not pro-active”. Consequently, addressing disinformation activities by external powers was declared as the raison d'être of the Action Plan on Strategic Communication in March 2015. In Eastern Partnership countries StatCom works through awareness rising campaigns about EU policies. More importantly, it aims to detect, analyze and correct disinformation, against which these states tend to be quite vulnerable. For these purposes, a team of 12 full member employees is actively engaged in social media and the internet weekly publishing Disinformation Review on their web-page: EUvsDisinfo.eu. Furthermore, the StatCom group has already built a network with the local media means and NGOs in order to cooperatively detect fake news.

Although the issue of detecting and altering disinformation has become one of the priorities for EU through recent years, the taken actions do not seem to be enough to guard against the background of Russian systematic and widespread disinformation tools. In the context of Georgia, the above sections reflecting the perceptions and attitudes of the society prove no exception from this claim. Aside from the fact that there is a very limited number of the working staff, there are several other hindering factors too: 1) The work of StatCom published in English and Russian is available through the internet only, which does not reach the segment of the society getting news only from the newspapers and TV (in Georgia this portion is 77%) (NDI Dataset: 2016); 2) The knowledge of existing weekly updates is limited to around 27,000 followers in comparison to the huge popularity of Russian media, for example, an active tool as RT (around 2.5 million followers) or Sputnik (over one million followers).

5.3. Young European Ambassadors initiative

Regarding awareness raising campaigns, Young European Ambassadors initiative is a successful project funded by the European Commission through the European Neighborhood Instrument. Launched since November 2016, the YEA initiative already involves almost 200 members from the Eastern Partnership countries and aims to enhance regional cooperation and spreading the information about EU policies through a bottom-up approach [19]. Most of the projects conducted through the initiative take place in the schools and universities with the members talking with the younger generation about the EU policies and the opportunities they are given through the partnership with the EU. The initiative is unique in the sense that it implies dialogue driven activities among youngsters. Active promotion of their work by the members through the social networks and TV channels reaches wide specter of society in each of the five countries. Through the initiative several informational projects at Armenian, Azerbaijani and Moldavian schools have already been conducted in 2016.

The initiative represents a strong presence of EU soft power in the country in the way that it plays an immense role in counterbalancing anti-Western propaganda among Georgian youth and affecting societal attitudes indirectly.

5.4. Influence on economics

The EU and Georgia have close economic relations which were defined first by the EU-Georgia Action Plan agreed in 2005 and then by the Association Agreement signed in 2014. At the initial stage of cooperation, the EU strived to deepen trade and economic relations; providing the opportunity for convergence of economic legislation and the continued reduction of non-tariff barriers to trade, which would have stimulated investment and growth. The Association Agreement enhanced the mentioned EU-Georgia economic relations and the Deep and Comprehensive Free Trade Area (DCFTA) came into the force. According to the Association Agreement, Georgia receives significant economic benefits from the unilateral Generalized Scheme of Preferences (GSP). Georgia procures access to the EU market and at the same time, Georgian Business should be fitted to the new preferential trade regime provided by the DCFTA.

The DCFTA establishes close and active economic relations between EU and Georgia, which will be an important prerequisite for European integration. The reforms in trade-related areas are based on the principles of the World Trade Organization. It removes all import duties on goods and provides for broad mutual access to trade in services. The DCFTA is a beneficial chance not only for Georgian but also for EU companies to explore each other’s markets, share goods and technologies. EU economic policy in Georgia is concentrated on improving governance, strengthening the rule of law and providing more economic opportunities by expanding the EU market to Georgian goods and services. It will also attract foreign investment to Georgia. All the mentioned activities cause the economic growth and increased involvement in the interdependency, which is one of the most important policies of the EU.

Statistical information shows the effectiveness of EU economic soft power in Georgia. The EU is the most significant trade partner for Georgia. In 2015, EU trade turnover with Georgia was €2.6 billion, which accounted for 0.1% of its total trade, amounting to 35.2% of Georgia’s overall trade. As for Georgian exports to the EU, it included mineral products, agricultural products, base metals and chemical products. The EU imported goods to the value of €742 million from Georgia in 2015, although less through 2016 - €551, EU is still the main trade partner for Georgia.

The improvement of economic relations with the EU is a long-term issue, however it is also a significant factor for the state’s foreign policy vector. As mentioned above, Russian soft power in Georgia most of the time finds its basis in economics. On the other hand, the stated priorities of the people through the social surveys reveal their economic interests as the foremost aspect when asked about the foreign policy of their country. Needless to mention how causal are the enhancement of the economic

Retrieved on 10.11.2017
relations and support for the EU within the society. Hence, economics is a sphere where the EU’s soft power is most effective in the Georgian context.

Fig.1. EU-Georgia “trade in goods” statistics


5.5. EU Soft Power in Education

The EU has been cooperating with the partner countries in higher education fields since 1990. Several programs were created for students in order to help them get an education in an international environment. Tempus, Erasmus Mundus, and Erasmus+ are remarkable examples of EU soft power with aims to spread European values among neighboring countries and give an opportunity to the young generations to become parts of the Western education system. In this section, we describe how these programs have been implemented in Georgia.

In 1990, the European Union established the program Tempus, which supports the modernization of higher education in the partner countries of Eastern Europe, Central Asia, the Western Balkans and the Mediterranean region, mainly through university cooperation projects. 30 Georgian higher educational institutions from the different cities were involved in the mentioned program. From 1990 to 2013, seventy projects were sponsored. Tempus had accomplished 22 projects in Georgia by 2016. 22

The European Union enhanced its influence in the education field in the partner states by the creation of a new Erasmus Mundus program. The latter cooperates in the field of higher education that aims to enhance the quality of European higher education and to promote dialogue and understanding between people and cultures through cooperation with Third-Countries. In addition, it contributes to the development of human resources and the international cooperation capacity of higher education institutions in the third countries by increasing mobility between the European Union and these countries. Georgian Universities participated in 23 sponsored projects during 2007-2013. 23 Against Tempus and Erasmus Mundus, the Jean Monnet programme has


different aims. It is concentrated on stimulating teaching, research and reflection in the field of European integration studies at the level of higher education institutions within and outside the European Community. The mentioned program was launched in 1989, but in Georgia, only five projects were sponsored and implemented. In 2015-2016 six Jean Monnet projects have been founded with the participation of Georgian institutions (National Erasmus+ Office Georgia).

The most significant and successful European commission education programme in Georgia is Erasmus Plus. The latter’s main aim is to support education, training, youth, and sport in Europe. Its operation period is 2014-2020 and possesses a budget amount of €14.7 billion. The program provides opportunities for over 4 million Europeans to study, train gain experience, and volunteers abroad\(^{[24]}\). 25 Georgian higher education institutions are cooperating with 102 universities from 29 countries. Erasmus Plus programme has two directions - credit mobility and degree mobility, which offer different possibilities to the exchange students. Through the 2015 year, 888 students (697 outgoing to Europe + 191 incomings from Europe) won credit mobility scholarships, while this variable in 2016 reached 1,388 students (878 outgoing to Europe + 510 incoming from Europe). Between 2015 and 2016 only 25 students have got scholarships for Erasmus Mundus degree mobility Master Courses. It should be noted that Georgia is in 8\(^{th}\) position among the top 20 partner countries based on a total share of grants.

**Fig. 2. Top 20 Partner Countries based on a share of total grant**

Hence, the EU invests vast financial recourses in the young Georgian generations in order to create a segment of the population which realizes the importance of European values. This is an indirect result of the educational programs the EU

have supported, insofar as the educational experience in an international environment not only equips youngster with degree knowledge but to a large extent with informal education, broader perspectives on the world, personal development and practical experience of living in the EU member country. Therefore, supporting education through different programs is another key sphere through which EU counterbalances Russian influence on the country and procures its soft power in Georgia.

6. Conclusion

The paper emerged around a research question concerning the reasons, frameworks and tools for applying soft power policies by the EU and Russia, and attempted to analyze their counterbalance on a micro and macro levels in Georgia. Throughout the study, the phenomenon of Soft Power was based on Joseph Nye’s conceptualization, although on a detached understanding of the phenomenon as an autonomous policy.

The analysis of the counterbalancing policies primarily underlined the respective interests and relation frameworks of the EU and Russia towards Georgia. The former’s presence is understood within the frames of the declared external political vector of Georgia towards European integration, whereas the latter’s operation is not politically legitimized by the legal framework and is mainly comprehended through the expression of controlled instability serving an aim to restore the Russian influence on the post-Soviet South Caucasus. Furthermore, reducing Russian economic monopoly on supplying energy from the Middle East to Europe has been an interest factor of the EU for contributing in the transformation of the neighboring former Soviet states into stable and peaceful ones.

As for the fluctuations of public attitudes corresponding the counterbalancing soft power practices, the paper claims that public attitudes in Georgia towards the foreign policy are mainly divided and mutually balanced between improving relations with Russia and supporting further integration with the EU. In short, the more skeptical the respondents get about the membership prospects, the more they prioritize improving relations with Russia. These alterations are connected with increased informational influence of Russia affecting the cultural domains. Thus, even though the EU remains a priority when it comes to the external political inclination, it is still undeniable that Russia somewhat regained an image of a desirable ally for some Georgians, with growing tendency throughout the recent years.

The tools identified as soft power strategies are analyzed within the political, economic, educational and cultural dimensions. Regarding the influence gained through the cultural influences, the Russian (or Russian financed) media sources are the leading influential tools of Russian soft power in Georgia. On a micro level, considerable number of respondents find particular media sources as the sole source of information over the years. In this case, the logic of the success of myths applies, insofar as the Russian narratives are based on perceptions of the history and national identity that are publicly shared among the Georgian society. Through this sphere of influence, Russia has been successfully reaching out the Georgian community. The
qualitative study on these matter from a social-psychological perspective would be a great contribution to comprehend this rather politically paradoxical process.

On the contrary, Russian soft power is mostly counterbalanced by the EU presence in Georgian political establishment, economics and educational domain. The foreign vector of Georgia on a government level is stable and rarely if questioned. Most of the Georgian executives consider EU as a propitious partner and the European integration as a premise of the political and economic development. In addition to that, interaction is limited among the political authorities over the issues of territorial integrity of Georgia as cases of Abkhazia, and South Ossetia are not perceived as a matter of “diplomatic trade.”

The economy is a domain where the counterbalance is most obviously revealed and supposedly tangible for a society too. Russian capital is highly incorporated in Georgian businesses, and Russian businesspersons control most of Georgia’s energy resources. At the same time, the EU keeps being the foremost trade partner for Georgia throughout the recent years. Russian soft power in economy reduces correspondingly with expanding trade cooperation and increasing number of spheres under the trade agreements with the EU. Considering the causality of the improved economic relations between the EU and Georgia and support of the EU among the society, it is fair to name economics as the sphere where the EU’s soft power is most effective in the process of counterbalancing Russian influence in Georgia. Education is another key domain through which the EU counteracts Russian influence in the country and procures its soft power in a long run.

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“Why not socialism?” is Cohen’s leaflet-sized book on the topic of the social ideal. Structured in four chapters and a conclusion, the book is meant to gradually conduct the reader to one conclusion: that socialism and the “socialist aspiration” (Cohen 2009, p. 80) are not only desirable, but have the potential of becoming also feasible. The first chapter presents the thought experiment of “the camping trip”, from which the capitalist vs. socialist world dichotomy arises. After having constructed this context, Cohen considers it reasonable that all who engage in the thought experiment will “strongly favor a socialist form of life over feasible alternatives” (2000, p. 1). The second chapter elaborates on the principles realized by the camping trip: the egalitarian and community principle, two moral principles largely attributed to socialism, as Cohen understands it. Their main role is to show “why the camping trip mode of organization is attractive” (Cohen 2009, pp.1-2). Lastly, the final two chapters complete each other, discussing firstly on the matter of the desirability of the principle and, secondly, on the issue of its feasibility. Even though he concludes that it is not yet feasible, this fact does not take away from its desirability, such as my not being able to procure a shiny, fast car does not impeach its property of it still remaining desirable for me.

Before discussing G. A. Cohen’s theory on socialist equality of opportunity, his vision on the economic market and drawing some final thoughts, I consider that it is necessary to firstly elaborate on the context of the camping trip. Therefore, the trip is, at the very beginning, an enjoyable one among friends, who contribute, share their resources and help one another (Cohen 2009, p. 3-4). It describes a feeling of community, of unitary wholeness, the campers submitting to the two aforementioned moral principles of socialism: equality and community. As the trip progresses, one notes a change in the four friends’ behavior. Altruism aside, they now start demanding compensation, in return for employing their knowledge, skill, and craftsmanship for the benefit of the community (Cohen 2009, pp. 7-9). This, to Cohen, is an example of capitalist reasoning, where capitalism is the factor that tampers with the balance and harmony of the socialist world. Now, should one accept the argument that the camping trip was better when the four friends behaved and thought like socialists, then does this also mean that one automatically accepts socialism to be desirable?

1 “Why not socialism?” can be read as a comparison between capitalism and socialism, where the latter is, in Cohen’s vision, clearly preferable to the former. For better clarity, it should be noted that the socialism he advocates for is not the socialism of the authoritarian regimes of the past century.
Throughout the book, Cohen upholds the concept of socialist equality of opportunity as being not only a principle of justice, but also the ideal of justice. Until now, his and Ronald Dworkin’s theory (2002) are mostly alike – both support the idea in which social disadvantages are the result of unfair inequalities. The cut is drawn by the way they envision compensation. Socialist equality of opportunity is meant to mitigate and correct for any unchosen circumstances that lead to injustice, regardless if the individual identifies or not with his preferences deriving from it. Moreover, Cohen (2009, pp. 17-18) defends the idea that agents cannot be considered responsible for their social status or natural misfortune, the only differences taken into account being the ones arising from personal choice. “Why not socialism?” continues by dealing with the issue of option luck under socialist equality of opportunity. To Cohen, the inequalities preserved by option luck interfere with the balance created by the principle of community. Because in a community where the socialist ideal of justice prevails, no agent should fare better than his neighbor; differences created by lucky or unlucky choices engender selfishness and greed, as does capitalism.

I consider it important to pause and consider the issue of transmitting values and preferences from parent to child. To Cohen, children are to be compensated for genetic disadvantages (what he calls “natural powers and capacities”). I would ask: why not be compensated for their preferences and values as well? What if an agent, throughout his life, is not exposed to any other type of values than the ones his parents have instilled in her. Is she still responsible for her beliefs and preferences? Let us imagine the case of a child of a white supremacist, who has lived all his life in a hateful environment. All his life he has been taught, by people he trusted nonetheless, that only the white man should be granted control and power. Then, is the child to blame for believing this to be correct? Should he be held accountable, in his adult life, for holding racist beliefs, provided that he had never interacted with other kinds of individuals or stepped out of his small white supremacist community? Of course, the information is out there and we, as responsible citizens, have a moral duty to access it, but what if the child never learns of this free access to information? Of course, it is quite difficult to attempt to answer or solve the question at hand, seeing that Cohen strays from assessing the issue of responsibility, as opposed to Ronald Dworkin. For now, let us accept that genetics play an important role in the inheritance of natural or social disadvantages, as G.A. Cohen argues, and further consider the topic of the socialist ideal – the author’s main aim in “Why not socialism?”.

G.A. Cohen’s book then advances from the scope of socialist equality of opportunity to the means through which it could be attained. To Cohen, the problem resides in its design, in the lack of social infrastructure of the current world (2009, pp. 56-57). He argues that the market economy is an impediment to reaching the socialist ideal. Being based on greed (Cohen 2009, p. 40), the market only fuels the fear of having to succeed in order to lead a basic life, thus adding pressure on the second moral value, that of community. Exchanges should be made in the “spirit of commitment” (Cohen 2009, p. 41), and not on the expectation of compensation. Therefore, rejecting the economic market is instrumental to creating a socialist ethos and reaching egalitarian goals. This view is arguably attractive, but is it also adequate for the current world?
Furthermore, why presume that everyone is or wishes to become a socialist? If the achievement of a social ethos is the goal, how can it be fulfilled in a society as diverse as ours? Would it be morally acceptable to impose socialist values upon individuals? However, one should keep in mind the advantages of the proposed view on socialism, namely that it might enhance freedom and freedom of choice, for it has the potential to offer more valuable opportunities to a great number of individuals.

Finally, “Why not socialism?” succeeds in presenting an idealized vision of a socialist world, but ends before giving an account of how to create it. The faults of this work reside in the assumption that the feasibility and, even more so, desirability of socialism, as a moral ideal, are obvious to any reader going through the book front to back. However, I would argue that it is not so obvious and that, maybe, a more in-depth discussion on the finer points of socialism would have been advisable.

References:


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2 In his coda (2009, p. 80), Cohen holds that “politically serious people must take those obstacles (capitalist power and individual human selfishness) seriously.” Does this statement imply that, if one is not necessarily against capitalism, then one is not politically serious? Maybe not, but rather that politically serious capitalists should be aware and take into account those features of capitalism and human nature.

It is already a commonplace to say that recent political events (usually the Brexit referendum and the US presidential elections are brought into discussion) shed a skeptical light on the quality of citizens’ inputs in the democratic process. For some, especially those working in the public choice tradition, these recent civic displays didn’t come as news. The idea that citizens of large democracies hardly have any incentives to acquire and process political information is not a marginal prediction of this research programme, but one of its cornerstones. Given this fact, there is a feeling, especially in the ranks of public choice researchers, that contemporary democratic theory seems hardly ever bothered to engage with the empirical literature that seeks to picture how real existing democracies function and how citizens actually behave when it comes to such matters as voting or debating politics. Recent books and articles that take an issue both with this idealized account found in some conceptions of democracy and, to a certain extent, with democracy itself should, then, come as no surprise. Jason Brennan’s Against Democracy (2016) stands out in this literature as a work of primarily normative democratic theory that offers a qualified argument for the superiority of a form of epistocracy over democracy.

Christopher Achen and Larry Bartels do not excel in their book when it comes to substantial normative arguments. Truth be told, this is far from being their main aim. Rather, they seek to argue that, given the evidence at our disposal, the dominant models of democracy found both in the public culture of contemporary democracies and in the works of different authors are all untenable ways of thinking about this political regime. When it comes to the dominant conception of democracy in the public mind, what we encounter is the so-called folk theory of democracy – the idea that voters have preferences about what a government should do and by voting they choose those leaders (or express their opinions in referendums) that will turn their preferences into reality, the democratic process being the most efficient way of assuring that “what the majority wants becomes government policy” (p.1). This diffuse view originates in some broader theoretical articulations – precisely, the authors take issue with what they call the populist model of democracy and its two incarnations, representative and direct democracy. Besides this, they also discuss and discredit another important model of democracy – the Schumpeterian notion of democracy as a mechanism for
leadership selection, particularly through retrospective voting.\[1\]

The guiding idea behind what is called, following Dahl, populistic democracy is that of popular sovereignty. The simplest way of understanding sovereignty is by asking who decides between policy alternatives in a given state. Of course, in populistic democracy, the answer is the people, but this still leaves open the discussion about the particular mechanisms through which the citizens express their preferences. One answer is the aggregation of individual preferences through the electoral competition of parties and candidates, with the spatial model as “the most systematic and sophisticated instantiation of the populist ideal” (p.23). In nuce, the original version of the spatial model as it is presented by Downs (1957) models the political space as a single ideological dimension with alternative policies ranging from left to right, the voter as having an ideal point in this dimension which is nothing else than the preferred policy alternative and the parties as each presenting a platform that consists of the policies that will be enacted once in power. Given the assumption that voters will maximize their ideological satisfaction and parties will maximize votes as a proxy for the benefits enjoyed once the elections are won, the main prediction is that parties will concentrate around the median voter or, in other terms, around the political center (p.24-25).\[2\]

The main challenges are those coming from social choice theory, contesting the very logical structure of this and similar theories when the aggregation of individual preferences is constrained by some reasonable and widely-accepted conditions, besides majority voting.

This logical challenge, as the authors call it, is not the only type of problem faced by populistic democracy and, by implication, by the naïve folk theory. The other comes from the survey of public opinion casting a shadow of skepticism on the fundamental element in this whole model of democracy, the fact that voters have preferences. The authors discuss, among other things, the pervasive framing effects and the manner in which different wording of a question affect the answers given by citizens. A host of other studies of the American voter are employed in their exposition, drawing especially on the works of Converse (1964) and his findings that the ordinary citizen has no consistent beliefs on any issues, not even on those topics hotly contested between political elites (p.32). Moreover, they disparage the idea of issue-voting, deeply impregnated in the spatial model, arguing for a rather reverse relation between voting and issue-positioning; for example, a study of Lenz (2012), which examines the 2000 presidential elections indicates that voters rather learned the position their preferred candidate had on Social Security privatization and then made it their own (p. 44).

The other mechanism by which popular sovereignty may be actualized is that of direct participation, an idea taken by Achen and Bartels as the typical American answer to democratic failure. As they put it: “For most contemporary Americans, democracy means rule by the people, democracy is unambiguously good, and the only possible cure for the ills of democracy is more democracy” (p. 53). This is usually

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1 Before presenting the specific considerations that make them deflate these traditional conceptions of democracy, I should make the observation that most of the empirical facts that support their views are collected from the political system of the United States.

2 This holds only for a two-party system.
translated into two types of measures – on the one hand, the so-called democratization of the nomination process of parties; on the other hand, the spread of referendums, especially at local and state levels. The authors observe that the adoption of the first measure is rarely an effect of a serious public debate, but rather a game of special interests, citing the example of Robert La Follette, “the most influential champion of the direct primary (...) inspired to destroy boss rule at its very roots when the Republican party bosses of Wisconsin twice passed him over for the gubernatorial nomination” (p. 67). Referendums, too, aim at restoring the will of people when trust in representatives is lost, but the data used by the authors tends that, even in the Progressive Era, a largely apathetic citizen, much like the familiar citizen of contemporary democracies, was the norm, not the exception. Moreover, it is hardly clear that a direct democracy is bulletproof when facing the influence of the political elite, especially in the initiative process of new referendums.

The other paradigm discussed by the authors was formulated as a response to the different variations of the folk theory of democracy, especially by Schumpeter, who offers what we may call a thin view of democracy as the mechanism through which elites are selected in office for a period of time. In this view, public control can be exercised without demanding too much from citizens in terms of informing themselves. Rather, all that is asked is an evaluative effort for each election by looking at how well the leaders performed while in office. Although it has many benefits, such as a better empirical account of “fluctuations in the electoral fortunes of incumbent leaders and parties” (p. 91) or a realistic view of leaders in comparison with the “hapless automatons” of the spatial model, the retrospective theory of political accountability still fails as an explanatory device given the difficulties faced by voters in assessing changes in their own welfare and, even more importantly, the general incapacity of correctly linking these changes to different measures and actions on the part of the government. Moreover, empirical data tends to suggest a landscape with rather myopic voters that, while taking into account the economic performance of a government, are limited to a short-time perspective in assessing this performance.

In the last chapter of their book, based on their argument that politics, especially elections, are much more about group ties and social identities than rational deliberation or policy voting, Achen and Bartels offer a short normative discussion, but without much substantial content, asking, in what I take to be a rhetorical manner, what are the implications of the prevalence of group politics for a democracy. I don’t think the authors offer any satisfactory answer to this and where some incipient form can be found it doesn’t seems clearly assumed. But this is not a book where one should expect to find cogent normative arguments - its strength resides in setting the non-ideal constraints when theorizing about democracy. From this point on, it’s the job of the normative theorists to intervene. Its primary and most important task is, I believe, to formulate a clear position in the ideal/non-ideal debate when it comes to democratic theory, asking to what extent, to borrow Rousseau’s classic phrase, we should be taking men as they are and how much of our normative output should be affected by this.

In this endeavor, Democracy for Realists is not just a helpful handbook that collects and systematizes a huge amount of empirical studies, but, in many respects, the main handbook those engaged in normative democratic theory should use. Of course,
it is not only trained philosophers and political scientists that would greatly benefit from this work, but anyone interested in a clearly written and comprehensive study of some of the pathologies of modern democracy.

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Matteo Zanellato

BOOK REVIEW: CAPITALISM WITHOUT FUTURE [CAPITALISMO SENZA FUTURO].
BY EMANUELE SEVERINO, MILANO: RCS LIBRI, 2012

Capitalismo senza futuro is a daring book of Emanuele Severino in which the author takes a more in-depth view into the question concerning technique\[1\], returning to the relationship between technique and capitalism, a subject that he approached in other books such as Il Declino del Capitalismo, in 1993.

Before analysing the text, it is useful to introduce the author. Emanuele Severino is an Italian philosopher and academician of the National Academy of Science (Accademia dei Lincei). Severino is Professor emeritus of theoretical philosophy at the Ca’ Foscari University of Venice\[2\] and a columnist for Corriere della Sera. For the exclusivity of his thought, he is considered the only exponent of neo-parmenidism. In fact, the author hopes to reset the philosophical tradition of the West, as Farneti explains: “the history of Western philosophy suffered some sort of original bias since Plato ‘killed’ his intellectual father Parmenides. Severino argued in an impressive array of books that the West has suppressed Parmenides’s belief that “being is, and it cannot not be” and has lived ever since under the spell—or folly—of Plato’s mystification of the original truth” (Farneti: 2010, pp.11-12). In other words, this misunderstanding of the sense of being is believed to be the ultimate cause of all the problems the West and even the humankind is facing.

The book that I will analyse has an important impact both in theoretical philosophy and in the analysis of the current economic and political crisis. Moreover, as the book is composed of a collection of articles published in Corriere della Sera that appear to be case studies which better explain the core thematic of the text, it is suitable both for an academic and a general public, although the author's writing style is difficult to understand.

The core thesis of the book is that "capitalism goes towards the sunset\[3\].

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1 At this point is important to clarify the difference between the concepts of technology and technique. The author uses only the word tecnica to explain both the set of rules and also the means. Other authors, as Val Dusek in the book Philosophy of Technology, an Introduction, makes the difference between technique as the set of means-end relationship when he refers to the Ellul’ studies (Dusek: 2006, p.106) and technology in a broad sense. I will follow this differentiation, even if in the English translation of Ellul, The Technological System, the translator uses the word technology to define both the means-end relationship and the means (Ellul: 1980, p.33). Furthermore, in The Essence of Nihilism the translator uses only the word technique (Severino: 2016).

2 Previously he taught at the Catholic University of Sacro Cuore in Milan, but he moved to Venice due to the incompatibility of his thought with Christianity, sanctioned by the Congregation for the Doctrine of Faith -Congregatio pro Doctrina Fidei (the former Holy Office - the institution that prosecuted Galileo Galilei and Tommaso Campanella).

3 The author uses the word «sunset» in this text to indicate the «decline» of the capitalist tradition. In other occasions, such as Il Declino del Capitalismo (1993), he talks about «decline» in the narrow sense. In the translation, I chose to use
not because of the contradictions that Marxism has believed to find in it, but because technological economy is marginalizing the capitalist economy” (Severino: 2012, p.23). Reformulating the thesis, Severino’s point is that the technology used by capitalism to increase profit will become the purpose of capitalist action, increasingly omitting the original purpose of capital accumulation. To better understand the philosopher’s reflections we need to conceptualize some recurrent themes in his thinking, like, in our case, technique and decline.

The first question then is: what is technique? Initially the answer seems obvious. When we talk about this subject, we use the word technology, stating that it is a tool controlled and used by man. However, this is not the interpretation given by Severino. Indeed, the author recognizes that Western culture attributes different meanings to the technique, but the “authentic and extremely complex” meaning is another. From the author’s point of view, the technique is the set of behaviours held by man who needs an instrument created to fulfil some purposes. The instrument should not necessarily be understood as a technological object, as it can be any type of mean. Trying to interpret the author, it could be said that the technique is any organized thought that provides a relationship between means and ends. If we understand it this way, the technique becomes the meaning of Western thought, which since Aristotle, has always dealt with the action’s structure and the relationship between means and ends. Cusano underlines that these different philosophical thoughts led to different outcomes - and the author also refers to Macchiavelli, Kant and Marx[4], in which it has always remained a firm (even if implicitly) fundamental aspect: that what is and signifies mean is not what it is and signifies purpose (Cusano: 2013, p.30).

Every action in the Western tradition involves the use of means in order to achieve its supreme purpose. One of the means is the technology. Even if technique is a mean used to realize the purpose of Western traditions, it is not said that it is not able to fulfil its own purpose. In this context, the second question arises: what is the purpose of technique? According to the author’s definition, its aim is “the will to indefinitely and unconditionally strengthen the ability to achieve ends” in other words, ability to achieve goals means the ability to fill the gaps, to solve problems, to eliminate needs (Cusano: 2013, p.15).

Returning to the thesis of Capitalismo Senza Futuro, the author explains the reasons why technical globalization is designed to replace the economic one, and he also rejects the idea that the solution to the current crisis can be achieved through an economic, moral, religious or political rehabilitation (Severino: 2012, p.5). As mentioned above, technique is the basis of Western thought and all Western traditions use technologies as a mean, making technique to reach world domination. The world domination of the technique is the destination of the «decline» of capitalism. Decline is the second term that we need to examine more profoundly. In

the same definition for both cases, meaning «decline».

4 Aristotle in Nicomachean Ethics says that wealth should be a mean and not the end. Macchiavelli argued that the end justifies the means. In the Metaphysics of Morals (Vol 2) Kant argues that man should always be seen as an end and never as a mean. Marx argues that capitalism transforms the good-money relationship by transforming money into the goal of capitalist praxis.

5 The author refers to Christianity, capitalism, Marxism, democracy, etc.
the introduction, the author first explains how *decline* does not mean destruction - or, using his words, abandonment - of a tradition, like the capitalist one; rather it means abandoning the will of the latter to be the supreme purpose of some or all peoples. In this context, as regards capitalism, decline does not mean the disappearance of private profit, but the abandonment of the reach of profit as the ultimate goal of a group of peoples or, indeed, of global society. Even if he uses the word «destination», the author specifies that the book should not be understood as a discourse to give advice, but it wants to show what people are condemned to want (Severino: 2012, p.7). The purpose of *Capitalismo senza futuro* is therefore to provide a prediction on the future of the world, even if not a scientific, nor prophetic, one. This prediction, purely theoretical, is based on the logical assumption of the erosion of purposes by means.

Trying to analyse the text, my opinion is that the author sees at the basis of Western thought a struggle to conquer hegemony between different traditions, or systems, which use technologies to win against other traditions. However, as Cusano underlines, as technique does not have excluding purposes, it differs from all the other systems and it becomes the *system of subsystems*, in which all the *subsystems* use the technique to impose its purposes excluding the ends of the other *subsystems* (Cusano: 2013, p.16).

To illustrate the struggle between different *subsystems*, the author explains the relationship between democracy and capitalism in the third chapter. Severino objects to those who argue that the coexistence between capitalism and democracy is natural, by claiming it is conflictual. These two Western traditions have different purposes and they want to become the ultimate goal of society. Specifically, capitalism has as its ultimate purpose the indefinite increase of profit, while democracy has as its ultimate purpose the right harmony between freedom and equality. In order to survive the struggle, democracy wants capitalist *efficiency* not to compromise the *solidarity* useful to the harmony between freedom and equality, while capitalism wants *solidarity* not to compromise *efficiency*. To make each purpose practicable, both traditions rely on the technical apparatus. In chapter 8, *The Destination of Capitalism Towards Decline*, the author explains how the decline of capitalism takes place because capitalist action is no longer able to pursue its original purpose. Refusing the possibility of pursuing complementary ends by the capitalist system, the author points out that in order to fulfil its purpose, the increase of private profit, it changes the action, destroying the capitalist system. If the opponents of capitalism, in this case democracy, had increased their technical apparatus more than the capitalist system did, capitalism would be destined to perish in favour of democracy, which would become able to realize its ultimate goal, relegating capitalism as a mean. To gain the struggle against its opponents, therefore, capitalism must recognize that its purpose is also to strengthen the means. It will give up part of its original purpose to increase the means - the

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6 The world to which the author refers is the world of extreme folly, or “the belief that man, ever since he appears on Earth, considers everywhere and in every age as the more evident and indisputable Truth: the belief that things become other than what they are; and what they are they become from something else than what they are” (Severino: 2012, p.7).

7 The reference goes to the additional burden consisting in healthy environment proposed by Bill Clinton and the virtuous circularity between development and solidarity (Severino: 2012, p.65).
technical apparatus - at least more than his opponents will\(^8\): “this is why in order not to perish, it perishes: capitalism, in order not to perish defeated by its adversaries, perishes overcame by the reduction of its purpose” (Severino: 2012, p.62). However, we must take another consideration into account as well. In order to exist, the capitalist economy needs a scarcity of products in order to increase in value; at the same time, as we have seen before, the technique aims to achieve goals, and thus eliminate scarcity. Using the technical apparatus as a mean, capitalism then undergoes this other complication in the realization of its purpose. In conclusion, the author expresses how, in front of the technique, capitalism is destined to change its meaning: “if the purpose of an action changes, the act itself becomes something different from what it was. [...] the act is no longer capitalist; it has become or is becoming something different, that it is a question of deciphering” (Severino: 2012, p.62).

With the same theoretical assumptions used to explain the decline of capitalism, Severino explains the end of the Cold War and the collapse of the USSR, which occurred not due to a decline of socialist ideology, but because Russia was no longer able to strengthen its technological apparatus. With the stellar shield wanted by Regan, the USSR, not being able to compete with the US had to choose its ultimate goal: to save real socialism or save the technological apparatus. In a few years, the Soviet economic model collapsed, in order to save its technological level. Since 1989 the Italian philosopher argued that the scientific-technological apparatus would have survived the collapse of the USSR, and that the US-Russia competition would not have ended, continuing the bipolarity in a different form, if the Russian military arsenal would have been able to compete with the American one (Severino: 2002). Even in this case, we can explain the inversion of the means in ends: the technique should have served to the real socialism to win the struggle with the West, but, to save the technical apparatus, the USSR has abandoned its original purpose, meaning the socialist system. This is the first step towards the pax technica, in which every economic and political conflict is overcome, to safeguard the technical apparatus.

The last chapters of the book allow me to draw some conclusions. On one side the book reflects the author’s thought, who in fact criticizes the extreme folly of the Western thought that refers to “something that is made other than what it is” (Severino: 2012, p.204). On the other side, Emanuele Severino’s book is important for all those who want to study the impact of technology on our lives, but most of all on politics. Beyond any justified opinion that one can have in regard with the author’s thought, if we study technology and the impact of the latter in society and politics, we should not omit this author.

Nowadays, politics is considered a mean to accomplish different purposes. But if we consider politics as a mean, it is probable that in a short time the increase of the technological apparatus in political action will erode its purpose. The political action will transform into a technical government; this kind of prediction was made by the author in the second chapter of the book. An applied example could be the Rousseau

\(^8\) Even remaining within the capitalist system, the reasoning remains valid: today the global system is composed of multinational corporations as powerful as states or more powerful than they are. To be able to compete with each other, and to beat the rivalry, companies do no longer compete on the ultimate purpose of capitalism but on overcoming their competitors on the technological level.
platform of the Movimento 5 Stelle in Italy, or the exponential increase in the use of social networks on a global scale. I agree with the author when he says that the solution to this crisis must take place through philosophy. Faced with this decline, therefore, we must inquire into the meaning of politics. If politics is seen as a mean to achieve goals, then we can only reflect on Severino’s words knowing that the destiny is the one described by the author. However, if politics is understood as a human condition to express your own be-in-the-world, then the sunset of politics seems a little further.

References:


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