LEVIATHAN

BEYOND POWER

AUTUMN 2025

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dear readers,

AUTUMN 2025

Looking back, 2025 featured prolific pushing of political boundaries, from authoritarian populists testing the limits of democracy to new generations of protesters demanding greater accountability. It is in this context that Beyond Power presents new ways of thinking about power and politics.

Leviathan Journal cultivates the voices of a new generation, using academia to rewrite traditional conceptions of power. It is a forum where authors, editors and readers alike wrestle with challenging propositions, agreeing and disagreeing, in pursuit of reckoning with today's challenges.

The authors situate themselves within both ancient and contemporary debates, contributing to these conversations meaningfully and powerfully. This edition contains 33 individual interpretations of 'beyond power', guiding readers through complex political conversations and promulgating new ways to understand political power.

Each article and the journal as a whole would not be possible without the incredible dedication, enthusiasm, and creativity of our entire editorial team. This year's team has done an exceptional job at bringing each author's underlying idea to life both with the written word and visually, as well as cultivating a passionate political community.

Beyond Power begins with Rizwan Ayub's textual analysis of poetry from incarcerated individuals in the Attica Prison, using Black feminist theory to uncover new forms of resistance. Finding further political meaning in culture, Alice Marshall analyses the politics of art, illuminating the covert relationship between Abstract Expressionism and the CIA's Cold-War manoeuvres. Continuing in the U.S., Chase Waldheim debates on the political implications of Texas and California's recent redistricting proposals, while Zofia Jastrun continues the conversation on electoral politics, inviting us to consider how sortition may reinvigorate government responsiveness. Also centring opposition to entrenched political systems, Samsara Chakkara analyses the recent Gen-Z protests in Nepal and how this politically-engaged younger generation capitalises on social media as a tool for mobilisation, before we turn East to the metro system in Hong Kong, which Tian Yun Cheung utilises to argue for the benefits of public-private monopolies in public infrastructure.

Amber Khlat, Leo Rosenthal, and Georgia Folsom challenge traditional conceptions of the nation-state, by analysing Hezbollah's governance, the outsourcing of state responsibilities to Big Tech, and the expansion of Amazon Web Services, respectively. Following this work on emerging technology, Hannah Walsh warns of the dangers of creeping authoritarianism through technological mediums, and Aurora Bortolin similarly notes that the rise of digital 'third places' has allowed populism to take root in the United Kingdom. Also responding to the modern far-right threat, Tommaso Prever analyses the EU's legal vulnerabilities to populism from within.

Daniel Cook builds on these legal themes to highlight the residues of authoritarianism in the Spanish judicial system. Furthering the debate on institutional responses to executive overreach, Cerys Jones and Rachel Barlow each compare the impeachments of U.S. President Donald Trump to the diverging cases of former-President of Brazil Jair Bolsonaro and former-President of the Republic of Korea, Yoon Suk Yeol.

Taking an economic turn, Ryan Chowne analyses the economic dependency of Canada on the United States in an era characterised by tariffs, and Matilda Stevens-Cox highlights the power of pension funds to be stewards of sustainable governance.

Also adopting an environment-centric approach, Max Huberty assesses China's hydroelectricity dam-building projects in Tibet and their detrimental impacts on Tibetan people's livelihoods and culture. Moving south, Finn Hughes and Sophia Pregent focus on the South China Sea, looking at chokepoint dependency and energy security discourse, respectively.

Joseph Harmon and David Naranjo Quintero challenge traditional theories of International Relations, critiquing Walt's contributions to security studies and assessing which framework best reflects the politics of outer space. Charlotte Magill similarly applies theories of IR to the ongoing tension between Kosovo and Serbia, analysing how national identity has been shaped by securitisation.

Alice Ashcroft explores the relationship between the Nevada–Semipalatinsk Movement in Kazakhstan and the nation's nuclear policy, and Ornela Beqa argues that democracy has yet to be fully realised in Albania. Further exploring nation-states in Europe, Eliza Goca argues for a clearer conception of Central Europe and its relationship to Russia.

Alex Daniels compares the decolonisation processes in Guinea and Senegal, and Mahlaka Imran analyses the weaponisation of blasphemy laws in Pakistan. Ellie Davey explores the narratives and underpinnings of violence against Indigenous peoples in colonisation in the Americas and Australia, and Arin Koc assesses how political violence is entrenched in the Turkish state. Catherine Meneghetti compares non-central government-driven processes in Mexico and the United States that undermine freedom of speech in both countries. Kate Taylor analyses the United Nation's structural impediments to preventing genocide from occuring. Lastly, the issue concludes with Editor-in-Chief, Grace Hitchcock's article about the Kremlin's policy of 'passportisation' as part of a wider effort to undermine international legal mechanisms.

We sincerely hope that the next 200 pages offer a thought-provoking and enjoyable read. We encourage you to read, ponder, read again and discuss. These articles are meant to inspire, motivate and mobilise, and we hope that Leviathan is not just a publication, but a community of political thinkers.

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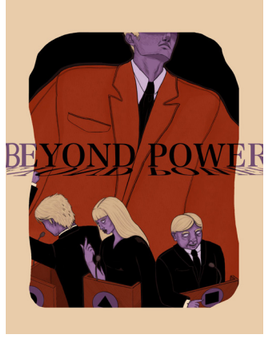

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Rebeca Sterner

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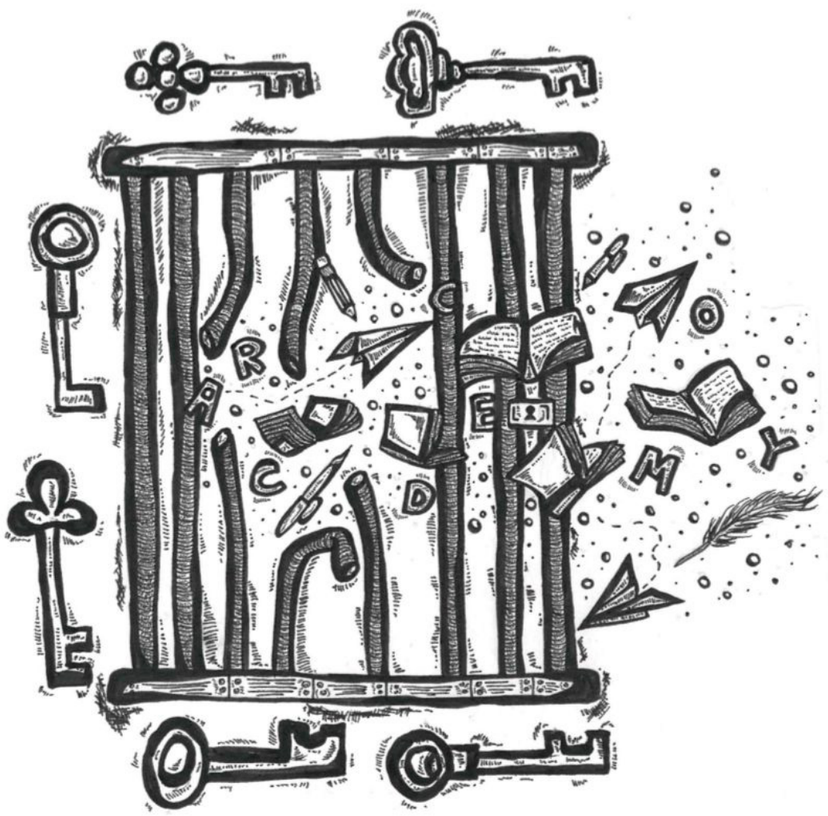
"WE ARE MEN"

Examining the 'Quiet Rebellion' Through Poetry in the Aftermath of the 1971 Attica Prison Uprising"

by Rizwan Ayub

Illustration by Agatha Wren



In the United States (U.S.) today, around four million Americans cannot vote because they have felony convictions (Bishop, 2024). This staggering fact has led scholars to debate the broader question of how justice-impacted individuals attempt to participate in American democracy, if at all. One site of scholarly debate has been the 1971 Attica Prison Uprising at the Attica Correctional Facility in Attica, New York. On 9 September 1971, Attica's incarcerated men took control of the correctional facility, taking several guards and staff members hostage while they tried to negotiate demands with New York State Corrections Commissioner Russell G. Oswald and Governor Nelson Rockefeller (Weiss, 1991, pp.1–2; Murton, 1973, p.496). Broadly speaking, the goal of the negotiations for Attica's inmates was to obtain the state's respect for their human rights and improve conditions in the facility. Some of the final demands of the incarcerated people, before negotiations broke down, included 'adequate food and water', 'amnesty for those involved', allowing 'true religious freedom', and applying 'the New York State minimum wage law to all work done by the inmates' (Thompson, 2016, pp.120–122). After these negotiations failed, New York State Troopers stormed the facility and fired at both inmates and hostages indiscriminately, killing 29 incarcerated men and ten hostages (Thompson, 2016, p.187).

Following the Uprising, in 1972, the poet Celes Tisdale began teaching a weekly poetry class to Attica's incarcerated residents in which students wrote poems that were later published in 1974 by Broadside Press (Tisdale, 2022, pp.25, 78). This article argues that Tisdale's students used poetry to challenge the state's dehumanisation of them through incarceration. Tisdale's students did this through what this article terms 'quiet rebellion': instances when writers challenge societal power structures through ordinary actions, often without realising they are doing so. Tisdale's students quietly rebelled both through writing individual poems and by creating a collective consciousness in the class that questioned the logic of rehabilitation that society imposed on them while incarcerated.

This article employs the Black feminist frameworks of Patricia Hill Collins and Audre Lorde to analyse Tisdale's students' poems as political objects. Although Collins and Lorde wrote their theories about the experiences of Black women, scholars can apply their insights to the men incarcerated at Attica because their intense history of oppression situates them as outsiders from power.

Scholarship on Prisoner Civic Engagement

Researching the democratic effects of mass incarceration, political scientists Amy Lerman and Vesla Weaver, for their book *Arresting Citizenship,* interviewed previously incarcerated Americans living in New Jersey, Louisiana, and Virginia (Lerman and Weaver, 2014, p.14). They argue that formerly incarcerated Americans often choose to withdraw entirely from the public sphere upon release and actively avoid political participation in any capacity due to fear of the state, instilled in them through their time incarcerated (Lerman and Weaver, 2014, p.212). For instance, Lerman and Weaver (2014, p.203) describe how one of their interviewees, Abe, chooses to exist in a 'self-imposed house arrest' even after his incarceration, because of his potent fear of re-incarceration.

By contrast, historian Robert Chase (2015, p.86) shows that justice-impacted Americans' self-exclusion from the 'public sphere' is not an inevitable byproduct of mass incarceration. He also argues that previous social scientists who have analysed mass incarceration from a 'top-down national lens'—contrasting Lerman and Weaver's approach—have missed significant inmate resistance towards mass incarceration (Chase, 2015, p.86). Examining the prisoners' rights movement in the 1970s, Chase (2015, pp.75-76) contends that the movement included 'prison abolitionist' intellectuals inside and outside of correctional facilities, the 'prison union movement', and a legal movement to remedy poor carceral conditions. Chase (2015, p.76) argues that incarcerated people, in order to fight against poor carceral conditions, 'developed a two-pronged strategy, using mass protest tactics alongside civil rights cases and class-action lawsuits to demand public visibility [and remind] the public of prisoners' humanity'. For instance, incarcerated African Americans in California, Illinois, and New York published underground newspapers that employed the language of slavery when speaking about present-day incarceration, attempting to mobilise African Americans to their prison abolitionist cause (Chase, 2015, p.80). The existing literature on mass incarceration's democratic effects is valuable because it seeks to incorporate justice-impacted people's voices; this article thus expands upon the existing literature by incorporating Black feminist theory to understand how poetry by incarcerated people can also be political objects, even if they do not seem to be so on the surface

Black Feminist Theory

Patricia Hill Collins (2000, p.266–267) argues that, for Black women specifically, 'emotion, ethics, and reason are used as interconnected, essential components in asserting knowledge claims,' and that this approach to knowledge production has traditionally been excluded from white, Western academia. Therefore, Collins' framework is useful because it gives scholars license to consider the emotions of oppressed women as legitimate sources of political knowledge, even if Western academia does not recognise them as such.

Audre Lorde (1984, pp.17–18) expands upon Collins' claims, explaining that poetry is critical for nourishing Black women's emotions in the face of white social domination. She describes how, for women, poetry is 'a vital necessity of our existence' because it allows them to tap into and cherish their feelings as sources of power (Lorde, 1984, p.17). She continues by saying that poetry-writing skills are particularly important for women to cultivate, as white American elites only understand ideas, not human feelings, as legitimate ways of perceiving the world; for Lorde, poetry is a necessity for those operating 'within structures defined by profit, by linear power, [and] by institutional dehumanization' (Lorde, 1984, p.18). To Lorde, poetry is a survival strategy for oppressed people in predominantly white societies.

Collins and Lorde's frameworks are applicable to Attica's inmates because the intense oppression they faced from the state within Attica situated them as outsiders from power. In Attica, many inmates would go hungry every night and often had to spend 15 to 24 hours a day in their cells. Additionally, the facility cut them off from their families—who were often low-income and lived far away in New York City—and from the outside world by withholding even basic access to newspapers (Thompson, 2016, p.9). More fundamentally, historian Heather Ann Thompson (2016, p.xvi) argues that the inmates' trauma from the 1971 Uprising was 'never allowed to heal' and that New York

State officials still actively protect those who inflicted that trauma, such as politicians and law enforcement. Here, scholars can recognise that Attica not only physically and materially deprived its incarcerated residents, but that it systematically dehumanised them by deeming their voices illegitimate. Therefore, studying the poems of Attica's incarcerated people simultaneously empowers the lived experiences of carceral suffering, and illuminates the motivations of the powerful white elite who are sheltered from the exploitative structures they create and from which they profit. Scholars can use Black feminist theory specifically to draw these valuable insights from the emotions and imagery in Tisdale's students' poems. Furthermore, Collins' theories help scholars identify why it is necessary to look towards inmates' writings to understand the Attica Prison Uprising. She argues that knowledge production, in spaces such as universities and publishing companies, is 'controlled by elite White men,' and thus 'knowledge validation processes reflect this group's interests' (Collins, 2000, p.253). Incarcerated people's plight extends well beyond the material interests of the elite white men controlling knowledge validation, especially because for the state and its allied media and academics, admitting that they had erred during the Attica Prison Uprising would serve as a devastating indictment towards their legitimacy to rule. Analysing these poems from Attica through a Black feminist framework enables these emotions and lived experiences described to become credible knowledge claims in the public sphere.

Attica's Poets

Isaiah Hawkins

One of Tisdale's students, Isaiah Hawkins, chose to focus on the 1971 Uprising's violent ending in his poem '13th of Genocide'. He writes:

For the white folks were coming
to lay some black brothers away [...] The word was
*kill ni****s,*
kill all you can.
For they don't have the right
to live like men'
(Hawkins, 2022, p.39).

Immediately, Hawkins places the Attica Prison Uprising within America's long history of racial violence against Black men. Drawing on Lorde, scholars can understand this historical re-interpretation as an act of self-humanisation. Applying Lorde's understanding, Hawkins' act of writing poetry—his introspection on his emotions and political consciousness—is a means to help him endure Attica's attempt to dehumanise him (Lorde, 1984, pp.17–18).

Hawkins' interpretation of events stands in direct contrast to what powerful, elite, white men alleged about the 1971 Uprising. For instance, in response to the Uprising, Republican Vice President Spiro Agnew

> *...studying the poems of Attica's incarcerated people simultaneously empowers the lived experiences of carceral suffering, and illuminates the motivations of the powerful white elite who are sheltered from the eploitative structures they create and from which they profit.*

(1971, p.43) wrote in the *New York Times* that extremist violence caused the Attica Uprising and that felons were inherently less human than 'law-abiding citizens'. Scholar Vicky Munro-Bjorklund (1991, p.51) argues that, even beyond politicians like Agnew, the 'newspaper accounts of the Attica rebellion reflected to the public a constantly shifting mixture of rumor and fact'. For example, initial *Minneapolis Star Tribune* reporting on the Uprising included stories blaming the inmates for the hostages' deaths, despite New York State Troopers' indiscriminate firing towards both the inmates and hostages (Munro-Bjorklund, 1991, p.51). It should be noted that Attica's incarcerated people had almost no access to outside newspapers (Thompson, 2016, p.9), Hawkins almost certainly did not read any news regarding Attica, and thus was not responding to them directly in his poetry.

Collins' theoretical framework, in which emotions are an essential part of knowledge production for oppressed people (Collins, 2000, p.266), helps scholars interpret the symbols and emotions Hawkins draws out in his poems, demonstrating how they constitute a broader quiet rebellion. In '13th of Genocide', Hawkins employs and subverts the symbols of American capitalism and American society by describing a metaphorical 'big green bird' telling Attica's incarcerated protesters occupying the courtyard to stand down (Hawkins, 2022, p.39). This 'big green bird' flew into the prison from out of nowhere and proceeds to judge the inmates from above. Then, Hawkins tells us

from a distance
came a black brother's cry.
I'm a man, white folks,
and like a man I'll die'
(Hawkins, 2022, p.39).

Through this imagery, Hawkins articulates a furious and defiant rage towards the trauma that the state caused in Attica. Interpreting Hawkins' poem through Collins' theory, Hawkins defies the elite portrayal of the incarcerated peoples as a group of 'convicted felons' (Agnew, 1971, p.43) and instead characterises them as political martyrs standing up against unjust state violence. In doing so, Hawkins' poem becomes a quiet rebellion against white-dominated American society's epistemic authority to unilaterally interpret the events of the Uprising. When Broadside Press published Hawkins' poem, this quiet rebellion was brought into the public sphere, bridging the gap between the oppressive carceral environment and the free world.

L. Alexander Brooks

Another of Tisdale's students, L. Alexander Brooks, takes a different approach than Hawkins. Instead of making an explicit political statement through his poem, he paints a beautiful nature scene for his readers. Brooks describes how

The kiss of sunset
Soothes the innocent longing
Of the blushing earth'
(Brooks, 2022, p.34).

He then describes:

Susanna, dancing
Soars like the spray of fountains
Kidnapped by the wind'
(Brooks, 2022, p.34).

Brooks expands his image of natural beauty by evoking the beauty of human connection. Beyond this surface imagery, Brooks' poem also expresses his deep grief about his incarceration, illustrating how the state, through incarceration, has forcefully cut Brooks off from the relationships that make him human. He longs for a life outside incarceration, yet lives in an environment—Attica—that systematically oppresses him and the other inmates.

Lorde's and Collins' Black feminist frameworks help scholars understand the personal and political significance of Brooks' poetry writing. Through Lorde's lens, Brooks writing poetry is an act of self-preservation, because he is engaging with his deep emotions where 'true knowledge and therefore lasting action comes' (Lorde, 1984, p.17). Lorde (1984, p.17) would understand Attica as a place where 'feelings were not meant to survive' due to its 'institutional dehumanization' of incarcerated persons. Therefore, Brooks, like Hawkins, is quietly rebelling against said 'institutional dehumanization' (Lorde, 1984, p.17) just by expressing emotion and being human. Collins' framework also enables scholars to read the political message that Brooks conveys: that his incarceration, in and of itself, is terribly unjust, because it sliced through the personal and emotional relationships that Collins articulates as key to oppressed people's knowledge production and humanity (Collins, 2000, p.266).

Jamail and Sanford X

Jamail (also known as Robert Sims) and Sanford X move beyond the implicit self-humanisation found in Hawkins' and Brooks' writing. Instead, they illustrate in their poems the salient belief among Tisdale's class that American society as a whole is systematically unjust towards them. In his poem 'Buffalo,' Jamail takes his readers on a tour of his likely hometown Buffalo, New York. He illustrates Buffalo's alleyways:

I saw drugged drags nodding
into oblivion, –dying as painlessly as vile odors' and 'I saw law and order prevailing there
with its greedy hands extended'
(Jamail, 2022, p.41).

Jamail expresses his raw emotional outrage at this city of 'haves' and 'have nots' by repeating twice in his poem that 'Buffalo is a drag town– / I ran through it screaming' (Jamail, 2022, p.41), painting a violent and chaotic scene. Collins' theory that 'emotion, ethics, and reason are used as interconnected, essential components in asserting knowledge claims' (Collins, 2000, p.266) allows scholars to interpret Jamail's visceral outrage, claiming that the marker of an unjust society is one that divides its people into a tale of two cities, and lets the 'haves' exploit the 'have nots.'
Furthermore, Sanford X's poems expand upon Jamail's claims as to what constitutes an unjust society, explicitly arguing that white people are responsible for constructing the unjust American society. In his poem 'Guess Who,' he describes white people as a people who

Speaks of P-E-A-C-E
Means P-I-E-C-E
Pale Face
Thin Skin
Blue Eyes
Murderer
Rapist
Liar
(X, 2022, p.63).

Sanford X dehumanises white people by reducing them to just pale, thin skinned, and blue eyed, thus reversing the traditional epistemic racial dynamic. Interpreted through Collins' lens of understanding emotions as methods of knowledge production, Sanford X is not accusing white people of being literally guilty of committing murder and rape, but is framing them as authors of societal exploitation. In doing so, he questions why white Americans should have the epistemic authority to judge incarcerated men, specifically African Americans, when they are the 'murderers, rapists, and liars' (X, 2022, p.63). Furthermore, this lens emphasises the dehumanising imagery Sanford X employs to describe white people parodies the dehumanising rhetoric that 'elite, White male academia' has employed towards minorities, constituting, once again, a quiet rebellion against white Americans' epistemic authority to comment on people, like incarcerated individuals they have oppressed (Collins, 2000, p.254). Sanford X achieves this quiet rebellion merely by expressing his outrage towards white people.

Sanford X answers the question that Jamail's poem implicitly poses asking why Jamail's Buffalo, and America, impose so much suffering on people like him. Sanford X would respond that white people have intentionally created a society designed to benefit themselves at the expense of everyone else. Thus, these two poems show that, beyond each poet quietly rebelling alone, Tisdale's class as a whole formed a collective quiet rebellion and a nascent collective consciousness which understood that American society was systematically unjust towards men like them. Lorde would understand this collective consciousness—developed by explorations of inner truths through poetry—as engagement not just by the individual, but a tremendously powerful act of collective self-humanisation which enabled the inmates to bond together against their dehumanising and isolating incarceration (Lorde, 1984, pp.17–18).

The Implications of Tisdale's Class' Collective Political Consciousness

When scholars analyse Tisdale's students' poems together, they can see that his students quietly rebel against the 1970s logic of 'rehabilitation'—which held that the goal of incarceration should be to reintegrate incarcerated people into society (Gamo, 2013, p.209). This quiet rebellion is especially intriguing because rehabilitation was the ideological discourse that enabled Tisdale to obtain the resources to teach his class. Tisdale describes how his sponsors—the nonprofit Hospital Audiences Inc. and the New York State Council on the Arts—supported Tisdale's class because they understood it to be rehabilitative in nature (Tisdale, 2022, p.25). A few weeks into the class, one of the sponsors, Randy Lerner from Hospital Audiences Inc., became strongly apprehensive about continuing to support the poetry class because inmates continued to protest (Nowak, 2022, p.8). However, a poetry course designed to help the inmates become quiet and productive citizens would only perpetuate the unjust society that their poems challenge.

Collins' framework helps postulate why Attica's poets find rehabilitation to be an especially unappealing proposition. Arguing that the centres of knowledge production in America are controlled by an 'elite, White male' culture (Collins, 2000, p.266) that has constructed, over centuries, a systematically unjust society, Collins demonstrates that rehabilitation would only teach Tisdale's students to fit into these elite, white, male norms. Even if Attica's poets chose to rehabilitate into broader American society and found greater material comforts post-incarceration, by doing so, they would still

exist in a social order that stigmatised them both as 'criminals' and for being non-white (Munro-Bjorklund, 1990, p.48). This fact helps us understand why, through expressing their honest emotions in poetry, Tisdale's students collectively quietly rebel against not only rehabilitation, but also policymakers' and academics' very construction of America's social order. Ultimately, these poets strove to reimagine American society as one that grants them genuine agency outside the constructs of what is desirable to elite, white men.

Conclusion

Analysing Tisdale's students' poetry through the lens of Black feminist theory illuminates their quiet rebellion against both the state's handling of the Attica Prison Uprising and the state's use of incarceration to oppress them, as well as their perceived oppression by broader American society. Even though the Uprising occurred more than 50 years ago, applying Black feminist theory to humanise incarcerated people's lived experiences is still important to understanding the effects of American mass incarceration. This undertaking asks political scientists and historians to revisit their claims that incarcerated people were largely passive actors in mass incarceration. Lorde and Collins' frameworks specifically help demonstrate how incarcerated people, just by expressing their humanity, can engage in quiet rebellions against their incarceration. This fact then raises the potent question for scholars on whether incarceration, in and of itself, is antithetical to a democratic state.

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THE ART OF INFLUENCE

by Alice Marshall

Illustration by Lydia Kempton

Abstraction and Ideology in the Cold War

Within the grand narrative of twentieth-century art, few movements have attained such iconic status as Abstract Expressionism. Yet beyond the bold and unconventional canvases of Jackson Pollock or Mark Rothko, lies a more complex story: one that extends beyond studio walls into the dim and enigmatic corridors of Cold War geopolitics. Emerging intermittently since 1967, revelations that the Central Intelligence Agency (CIA) actively promoted Abstract Expressionism through covert funding and strategic cultural initiatives have altered our understanding of this quintessentially American art movement (Shapiro and Shapiro, 1978, p.207). The psychological operation, designed to influence the perceptions, emotions, and behaviour of audiences and achieve political objectives, became one of the most potent tools of soft power in American Cold War strategy (Stonor Saunders, 2000, p.4). Such artistic abstraction operated not only as a weapon of ideology but also functioned at the convergence of aesthetic autonomy and existential inquiry, where questions of freedom, subjectivity, and transcendence were negotiated within, and sometimes against, the structures of Cold War power. The analysis presented here argues that while Abstract Expressionism emerged as a genuine artistic movement, its unprecedented status and international acclaim were significantly amplified by the covert promotion of the CIA through the Congress for Cultural Freedom. Despite this, the movement might still have found success without federal intervention, but it would not have attained the same ideological prominence or cultural authority during the Cold War. Rothko's artistic transformation, examined through *Entrance to Subway* (Fig. 1) from 1938 and *No.7* (Fig. 2) from 1951, exemplifies the broader movement's shift from socially conscious figurativism to pure abstraction. This transition, while creatively authentic, proved to be an ideal vehicle in U.S cultural strategy. By examining the interplay between artistic expression and political utility, we can better understand how Abstract Expressionism became entangled in Cold War geopolitics, without artists' knowledge or consent (Stonor Saunders, 2000, pp.258–259).

The Cultural Front: Art, Power, and Ideological Conflict

International politics following World War II saw the emergence of an obstinate ideological battle between the United States and Soviet Union that extended to all spheres of human activity, including art. In this context, American cultural actors often relied on soft power, the non-coercive shaping of attitudes through the circulation of culture and values, to articulate ideological differences. While Soviet artists were associated with the overtly political rigidity of Socialist Realism, American Abstract Expressionists explored radical forms of personal expression through non-representational painting, 'the very antithesis to socialist realism' (Stonor Saunders, 2000, p.254). This provided American cultural strategists with a powerful visual metaphor for the distinction between the two competing systems: one that celebrated individual freedom versus one that demanded conformity. Through its furtherance of Abstract Expressionism, the CIA helped engineer a sophisticated form of cultural persuasion through one of its 'more daring and effective Cold War covert operations': the Congress for Cultural Freedom (Warner, 1995, p.89). In 1950, the Congress for Cultural Freedom was established as a seemingly independent, international organisation operating in 35 countries and serving as the primary mechanism in the anti-Communist cultural offensive, though it was later revealed to have been managed and funded by the CIA (Stonor Saunders, 1995). The Congress for Cultural Freedom was essentially a front for the CIA to mobilise leading Western intellectuals, writers, and artists to promote anti-Communist cultural values and demonstrate the compatibility of artistic freedom with liberal democracy, although the role of the CIA was largely obscured by those whose work the organisation platformed (Warner, 1995, p.89; Stonor Saunders, 1995).This surreptitious arrangement allowed the CIA to influence cultural production under the front of promoting Abstract Expressionism while maintaining the plausible deniability of preserving the illusion of organic artistic freedom (Stonor Saunders, 1995).

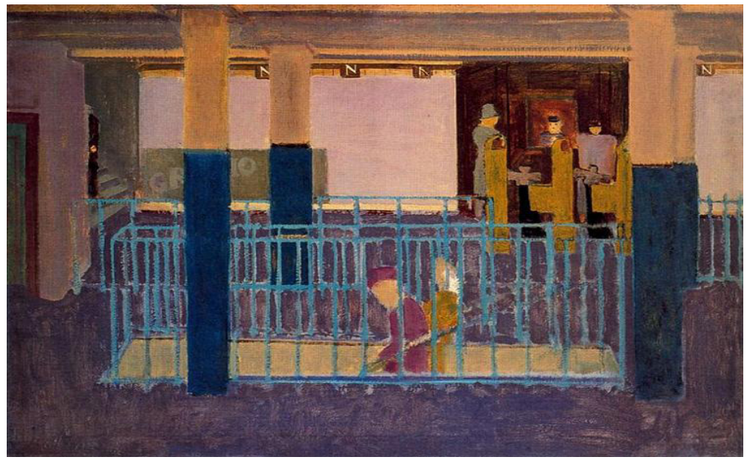

Fig. 1, Mark Rothko, Entrance to Subway, c. 1938, Private collection

Connections between government officials and CIA operatives were particularly strong at New York's Museum of Modern Art (MoMA). Nelson Rockefeller, MoMA's president for most of this period, had previously served as Coordinator of Inter-American Affairs—the precursor to the CIA—alongside other board members with close ties to the intelligence community (Cockcroft, 1974, pp.39–40; Stonor Saunders, 1995). These connections facilitated international exhibitions that tactically showcased abstract expressionist works as emblems of American creative freedom. Such influence was significant, as MoMA stood at the cultural heart of New York and functioned as the leading arbiter of modern art.

This complex dynamic reveals that many prominent Abstract Expressionist works cannot be viewed simply as artefacts of soft power, but as contested fields where artistic innovation, institutional mediation, and political appropriation intersect. They must be examined against the context of their appropriation as instruments in America's cultural Cold War against Soviet dogmas (Stonor Saunders, 2000, p.260).

Fig. 2, Mark Rothko, No. 7, c. 1951, Private collection

Rothko and the Dialectic of Art and Ideology

To examine how this political appropriation manifested in practice, Mark Rothko's artistic transformation provides a compelling case study. A brief examination of his 1951 piece, *No. 7* (Fig. 2), reveals formal qualities that serve both as genuine artistic innovations and fitting attributes for Cold War cultural propaganda. *No. 7* was one of the works strategically chosen to represent the United States on a global stage in MoMA's CIA-funded and influential *The New American Painting* exhibition in 1958–1959 (MoMA, 1959, p. 94; Stonor Saunders, 1995). Belonging to Rothko's distinct and characteristic colour field oeuvre, *No.7*'s quadrilateral forms of deep orange, saffron yellow, and rosy lavender sit within subtle, mingled boundaries, lending the composition a sense of impermanence. The dissolution at the edges creates depth and space through the interplay of colour, rather than through traditional perspective. This radical abstraction, achieved through Rothko's innovative colour field technique, creates an immersive and emotionally charged viewing experience, able to 'alert the gaze to whatever may lurk beneath'; a quality profitable to the CIA's ideological operation (Anfam, 2021).

The painting's monumental scale, present in many abstract expressionist works, reflects American ambition and confidence. The vast canvases embodied the boundless scale of the American landscape and, by extension, the nation's projected sense of freedom and power—visually representing the very ideals the United States sought to promote abroad. While this scale emerged from Rothko's desire to create immersive viewing experiences, it also visually communicated American cultural power on the international stage (MoMA, 1959). The complete abstraction of *No. 7* represents artistic freedom in its purest form, facilitated by 'later institutional empowerment of a de-politicised' artistic dialogue, allowing Rothko to abandon verisimilitude in favour of the exploration of colour and emotional expression (Harris, 1988, p.48). This rejection of representation aligned perfectly with the desired narrative of creative liberty, contrasting the stern condition of Socialist Realism. American diplomats could thus point to abstraction as evidence of a political system that allowed complete artistic freedom, while Soviet artists remained constricted.

In contrast, it is important to consider Rothko's earlier figurative works, as they reveal the social and political sensibility that underpinned his later abstractive work. Although not belonging to realism, these earlier works, such as *Entrance to Subway* (Fig. 1), 1938, are distinctly figurative. The painting features thin, ghostly figures descending into a confined underground space, rendered in a subdued and atmospheric colour palette: blues, purples, and yellow-orange tones that form the painting's sullen and psychologically charged environment. The work's figurative elements, urban subject matter, and sense of isolation reflect the social consciousness of Depression-era America, aligning with the leftist political leanings of many early Abstract Expressionists (Stonor Saunders, 2000, p.253). Despite the more complex nature of Rothko's personal politics—identifying with anti-capitalist libertarianism but also anti-communism—the work certainly corresponds with contemporary artists' commentary on the solitude of modern American life (Harris, 1988, p.48). Rothko's stylistic evolution from *Entrance to Subway*, which typifies his early engagement with the human social experience, to the complete abstraction for which he became known, reflects a significant artistic shift. This transition mirrors the broader movement from the socially conscious art of the nineteen thirties to the emergence of Abstract Expressionism, a change significantly shaped by global political currents (Harris, 1988, p.46). Although not artificially engineered, the movement away from figurative social realism toward abstract emotionalism aligned seamlessly with America's Cold War narrative, an alignment identified and exploited by intelligence officers (Stonor Saunders, 1995).

As Cockcroft (1974, p.39) states, 'links between cultural cold war politics and the success of Abstract Expressionism are by no means coincidental', but their artistic ideations were, in fact, genuine. In Rothko's case, his exploration of colour and form reflected a sincere search for more direct emotional communication, a purpose that 'the figure could not serve' (Rothko, 1958, cited in Harris, 1988, p.40). Yet, these same innovative qualities made Abstract Expressionism an opportune channel for America's Cold War cultural strategy, demonstrating how authentic artistic evolution could unintentionally align with political utility. So, while appropriated and propelled by government agencies as a psychological operation, Abstract Expressionism was founded on bona fide creative innovation.

Authenticity and Intervention: Reconsidering the Movement's Legacy

The exposure of federal intervention in promoting Abstract Expressionism questions the extent to which the psychological operation influenced the development and legacy of the movement. While the CIA unquestionably amplified Abstract Expressionism's international presence through the Congress for Cultural Freedom, this was done largely without the knowledge or approval of the artists (Stonor Saunders, 1995). This, alongside what Max Kozloff (1973, p.43) describes as the movement's 'great distaste for the mixing of political evaluations with artistic "purity,"' is perhaps what made Abstract Expressionism most appealing as an instrument of propaganda. The artists' abstract works were produced organically, just as any other movement, and thus the works themselves represent unfeigned creative expression that has not been informed or manufactured for political ends. Yet, this raises the fundamental question of whether the movement's prominence was contingent on its clandestine promotion by the CIA.

Several factors suggest Abstract Expressionism possessed inherent artistic merit, independent of political utility. Stonor Saunders (1995; 2000, p.277) has argued that it would likely still have been the dominant postwar movement regardless of this patronage, stating that Abstract Expressionism '[was] a creative phenomenon existing independently and even,[...] triumphantly, apart from the political use which was made of it'. The formal innovations evident in Rothko's evolution from *Entrance to Subway* to *No. 7* demonstrate authentic artistic development. However, the scale of international exposure facilitated by CIA-backed exhibitions like MoMA's *The New American Painting* significantly accelerated global recognition in ways that may not have occurred organically (Shapiro and Shapiro, 1978, pp.208–209). The potential involvement of individuals like Alfred Barr, who was instrumental in the success of the Abstract Expressionists, as well as the Congress for Cultural Freedom's affiliations in other cultural sectors like journalism, suggests that many mechanisms contributing to the prominence of Abstract Expressionism were embroiled in the CIA's psychological operation (Stonor Saunders, 2000, pp.266–267; Levine, 2020). Another salient point to consider is the movement's period of rise and decline; as Cecile and David Shapiro (1978, p.211) observe, it 'lasted as king for a decade', waning soon after the Congress for Cultural Freedom's cultural campaign ended in 1967 (Stonor Saunders 2000, p.1). These elements point towards the likelihood that Abstract Expressionism would not have reached the status that it did without the financial and promotional contributions of the CIA. That is not to say it would not have achieved any success, but simply not at the level of what became one of the most iconic art movements of the twentieth century.

Conclusion

Abstract Expressionism occupies a uniquely complex position in the history of art, exemplifying the surreptitious exertion of soft power in modern warfare and embodying a unique paradox where genuine creative innovation was effectively weaponised as Cold War propaganda. This irony exposed the fundamental contradiction of the project: the defence of artistic and intellectual freedom and democracy depended on covert state control and evasion of democratic procedures (Stonor Saunders, 2000, p.257). Examination of Rothko's *No. 7* reveals how the formal qualities that made these paintings artistically groundbreaking—their scale, abstraction, and emotional power—are also what made them such optimal instruments in America's ideological offense. The contrast between *No. 7* and Rothko's earlier figurative *Entrance to Subway* demonstrates a veritable artistic evolution that serendipitously aligned with America's Cold War narrative. While the CIA's covert promotion undeniably amplified the movement's global prominence, it did not manufacture its pioneering creative contribution. This convoluted entanglement of sincere artistic achievement with political utility challenges simplistic interpretations of Abstract Expressionism's legacy. Perhaps the movement's enduring significance lies precisely in this tension between authentic creative impulse and political appropriation, artistic freedom and governmental manipulation. Abstract Expressionism, thus, stands as a pertinent reminder that art's cultural importance often extends far beyond galleries or art historical literature; it becomes interwoven with larger political forces that shape how it is received, promoted, and ultimately understood.

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TEXAS, CALIFORNIA, AND THE DEATH OF INDEPENDENT AMERICAN REDISTRICTING

by Chase Waldheim

Illustration by Oleksandra Zhyhalkina

There are few topics in the United States as electorally central and politically controversial as redistricting. Historically, this power was vested in the elected state legislatures, who often pursued biased or partisan districts. Eventually, the twentieth century brought non-partisan independent commissions, composed of independent citizens or bureaucrats who draw maps around objective parameters (Torchinsky, 2022). However, the independence of electoral commissions has recently buckled to political pressure, as state legislatures expand beyond their allotted electoral power, threatening election integrity across the US, particularly in the lead-up to the 2026 midterm elections. Perhaps most importantly, recent partisan redistricting efforts in Texas, and now California, threaten to ignite a redistricting arms race prior to the 2026 midterm and 2028 presidential elections. This article argues that independent redistricting commissions are necessary to defend electoral integrity against partisan state legislatures, whose primary incentive is to gerrymander for political advantage. After illustrating the origins of independent redistricting, this article traces its precipitous decline and continued struggle in light of the California-Texas-dispute, and ultimately defending its merits—offering a path for political independence in an increasingly polarising age.

The Roots of Redistricting

Redistricting typically occurs every ten years to reflect new population data from the census. With the 435 members of the House of Representatives divided proportionally among the 50 states, redistricting assesses and creates new congressional maps segmenting states into the appropriate number of districts based on changes in the state's population (McDonald, 2007). These changes often shift the partisan makeup of districts, altering political power. As denoted in Article I Section IV of the *United States Constitution* (1787), this electoral power is vested in state legislatures rather than the federal government, creating a structure which incentivises state-level politicians to draw districts that favour their party, significantly because 'the timely partisan shift of a few seats could make the difference between majority and minority status in the House' (Engstrom, 2013, p.9). This often results in illogical district shapes. Perhaps most famously, satirists claimed Massachusetts Governor Elbridge Gerry's contorted 1812 district map resembled a salamander, birthing the portmanteau 'gerrymander' (Griffith, 1907). Though often seen as a modern practice, gerrymandering has long been used to promote partisan goals. Prior to the introduction of basic regulation in the twentieth century, state legislatures had 'nearly free reign over when and how to redistrict' (Engstrom, 2013, p.8), constrained only by vague, unenforced population equality suggestions. Unbound by the modern decennial process, legislatures altered maps whenever convenient: Ohio redrew its congressional maps six times between 1878 and 1890; Connecticut, by contrast, preserved its 1842 districts until 1912 (Engstrom, 2013, p.8). This resulted in near comical levels of voter distortion, such as in Indiana's 1852 election where Democrats won ten out of eleven districts, despite garnering a mere 53 percent of the vote (Engstrom, 2013, p.9). However, the frontier of wild-west redistricting would soon close.

Throughout the 1960s, the United States Supreme Court placed the first substantive, albeit vague, limits on districting in the so-called 'Reapportionment Revolution' (Herbert and Jenkins, 2011). In *Baker v. Carr* (1962) the Court held that gerrymandering was justiciable—that is, something that can be decided by the courts—under the Fourteenth Amendment's equal protection clause (*United States Constitution*, 1787); applying this standard in *Reynolds v. Sims* (1964), it established that representatives must represent roughly equal amounts of people (Herbert and Jenkins, 2011). However, the Court failed to address qualitative electoral quality—whether the political composition of representatives should reflect statewide vote shares (Herbert and Jenkins, 2011, p.547). In *Rucho v. Common Cause* (2019), the Court ultimately held that 'partisan gerrymandering claims present political questions beyond the reach of the federal courts', surrendering control of regulating gerrymandering to state legislatures (*Rucho v. Common Cause*, 2019).

In response to this climate of judicial ambiguity, some states pursued independent redistricting to preserve electoral political equality. Starting in 1956, over 28 states established some form of independent commission with varying levels of insulation from partisan actors (Torchinsky, 2022, p.539; Ballotpedia, 2025). These commissions fall into four categories: advisory commissions, which assist the legislature during the redrawing process; backup commissions, which decide the districts should the legislature fail to agree; politician-led commissions, composed of politicians acting independently of the legislature; and the most prominent form, citizens commissions, composed of unelected citizens (Torchinsky, 2022; Ballotpedia, 2025). Though all of these forms are independent relative to the traditional legislative redistricting, citizens commissions combine political neutrality absent from political commissions with enforceable authority not seen in backup or advisory commissions.

The Death of Redistricting

Though the five decades after 1960 were the heyday of independent redistricting, the past decade has brought its collapse, as shown in both Utah and Maryland. In 2018, Utah voters successfully created an independent bipartisan redistricting committee (Wang and Sippy, 2025). Just two years later, the Utah state legislature quietly voided the committee's authority and drew its own partisan maps (Wang and Sippy, 2025, p.227). Voter groups have since sued to nullify the Utah legislature's actions (Winslow, 2025). Maryland followed suit in 2021, with Republican Governor Larry Hogan creating an independent citizens commission that overwhelmingly approved nonpartisan maps (Wang and Sippy, 2025, p.234). However, the Democrat-controlled legislature discarded the commission's maps in favour of skewed legislature-drawn districts (Wang and Sippy, 2025, p.235). After a series of court battles, the state legislature drew a remedial map which remained tilted towards Democrats (Wang and Sippy, 2025, p.235). In both states, citizens'attempts to reclaim electoral power were thwarted, leading to protracted and ultimately unsuccessful jurisprudential attempts to preserve independence—only reinforcing both the threat to fair elections, and the inability of the courts to protect them. This trend has only accelerated in recent months.

The recent Texas-California redistricting conflict threatens to be a fundamental blow to the viability of independent redistricting across the country. In June 2025, under encouragement from President Donald Trump, Republican Governor of Texas Greg Abbott proposed an unusual mid-decade redistricting effort which would give Texan Republicans five extra seats in the House of Representatives. When asked about the redistricting, the President bluntly remarked: 'I got the highest vote in the history of Texas[...] and we are entitled to five more seats' (Trump, 2025). The Texas legislature approved the newly drafted plan just two months later in an overwhelming 88–52 party-line vote (Saad, 2025). Democratic Governor of California Gavin Newsom quickly proposed a response in kind, drawing a legislative map that would add five Democratic congressional seats by temporarily suspending the authority of the California Citizens Commission. This serves not as an indictment of Newsom, but rather an illustration of the inherent difficulty

in formulating a response to partisan redistricting. Newsom faced two choices after Texas' action: either allow an unchecked expansion of Republican power in the House of Representatives, which would unfairly shift political power rightward, or abandon fair election procedures in California, gaining five Democratic seats and neutralising the effect of Texas' plan, preserving a balance of power nationally (Rosenhall, 2025). Now that it has been approved, the California rollback marks a seismic defeat for the redistricting committee, losing a commission which once symbolised the advance of fair electoral proceedings. More worryingly, as the most populous state, and thus the state with the most representatives, California may act as the starting gun in a race to redistribute; any gerrymandering effort provides a pretext for a Republican response in kind, or an example for smaller Democratic states to follow—as both sides see redistricting as another facet of party loyalty.

The Value of Commissions

California offers a strong model of a functional independent commission. It incorporates key checks on partisanship similar to those in the independent Australian redistricting system—one of the oldest and most successful systems of electoral independence (Kelly, 2012). Established in 2008, the California commission offers four safeguards to ensure a transparent and fair commission. First, the commission barred individuals and their family members who had held public office or lobbied within the previous decade from serving on the committee, sifting just fourteen applicants from an initial pool of 36,000 after a stringent application process (Cain, 2012, pp.1824–1825). Australia similarly has strictly neutral requirements in order to join a commission—most commonly, a requirement to consult opposing parties on all appointments, and a tradition of primarily nominating professional election managers, rather than politicians (Kelly, 2012). Second, the California commission explicitly prioritised standards like equal populations, Voting Rights Act (Senate 1564, 89th Congress) compliance, and the geographic contiguity and integrity of given areas (Cain, 2012). Geographic integrity is particularly notable as, unlike prior commissions, the California commission explicitly aimed to preserve practical geographic boundaries of local communities. This serves as a stark contrast to the abstract-painting-like approach to district maps, embodied in Maryland's 2012 third Congressional District, dubbed the 'Broken-Winged Pterodactyl' (Weber and Fong, 2016). This is key, as spread-out districts artificially congeal distinct groups of local voters, often with significantly different concerns. Third, the commission launched extensive outreach operations to ensure transparency and democratic accountability, organising 'thirty-four public meetings in thirty-two locations around the state, more than 2,700 participants, and over 20,000 written comments' on proposed maps (Cain, 2012, p.1826). Finally, the commission imposed a supermajority voting rule, requiring nine of fourteen members to approve any plan (Cain, 2012, p.1827). Likewise, Australia requires the approval of parties across the political aisle to ensure a bipartisan product (Kelly, 2012, pp.36–39). Ultimately, that manifests in democratically sound, and politically neutral elections—with commissioners seen 'almost universally, as honest and incorruptible' (Kelly, 2012, p.36).

The recent Texas-California redistricting conflict threatens to be a fundamental blow to the viability of independent redistricting across the country.

The similarities with California elucidate the pillars of effective redistricting: a strict process of commissioner nomination to ensure expert advice and mandatory involvement of those from across the political aisle to approve a map, ensuring an even-handed distribution.

Despite these safeguards, many derided the California commission as unduly political or ineffective. Throughout the redistricting effort, despite a lack of any evidence of partiality, California Republicans claimed they had insufficient power on the commission given that the commission's maps produced primarily democratic districts (Cain, 2012, p.1829). Perhaps more damningly, recent studies analysing the short-term effects of independent commissions indicate that they have only marginally increased electoral competitiveness: elections in which the winner prevails by a small margin, rather than uncontested or skewed races with little serious opposition (Cottrill, 2012, p.50). However, long-term analysis suggests more effective results: one study analysing 50 years of districting norms across the nation concluded that shifting to commission-drawn legislative maps increased the number of competitive districts in a given state by nearly ten percent (Carson, Crespin, and Williamson, 2014, p.169). A multi-decade measure of competitiveness is more effective for evaluating a shift in electoral competitiveness that may not emerge in short-term studies; in the long-term, commissions will shift the political landscape to enable more competitive, and thus fair, elections.

Beyond arguing that they are ineffective, some, like Torchinsky (2022), charge that independent commissions are less democratic than traditional state legislature-led districting. Specifically, unlike legislatures, commissioners are unelected and have almost no accountability to the public, taking action once a decade without additional community engagement (Torchinsky, 2022). Community detachment risks developing a bureaucratic electoral state detached from the very people it aims to represent (Torchinsky, 2022). This line of reasoning, however, is flawed. The notion that legislatures are more likely to face electoral reprimand is highly dubious: incumbents at the state level win their re-election 97 percent of the time (Ballotpedia, 2023). In fact, given the lack of competition most state legislators face in their general election, many legislators are functionally chosen in the primaries—which often select for the most extreme candidates (Handan-Nadar, Myers, and Hall, 2024, p.14). This means that if anything, the legislatures contain more partisan politicians who are likely to toe the line on gerrymandering, particularly as Trump threatens to support primary challenges against politicians who refuse to redistrict (Wren, 2025). The technocratic nature of the commissions can, in cases such as California, serve as a backstop against the danger of electing ideologically extreme legislators prone to gerrymandering.

Conclusion: A Warning and Two Ways Forward

Independent redistricting offers a promising remedy to the unjust political distortion of partisan districting. The practice, however, is now threatened by widespread efforts by state legislatures to claw back control. While the dangers of partisan redistricting are clear in the abstract, concrete political incentive tends towards gerrymandering in three ways. First, there is the clear political advantage partisans gain by drawing maps favourable for both their party and their own re-election. Second, given the rapid polarisation in the US, redistricting battles act as litmus tests of party loyalty for state officials, thereby incentivising aggressive gerrymandering as seen with Governor Abbott's partisan remapping in Texas. Finally, redistricting creates a race to the bottom in which states compete to out-gerrymander one another, as demonstrated by Governor Newsom's response in California. With little chance of federal judicial intervention in light of the Supreme Court's abstention from questions of gerrymandering in the *Rucho v. Common Cause* (2019) decision, recent redistricting efforts risk igniting a gerrymandering arms race in which states redraw maps *en masse* to manufacture political advantage (Mason et al., 2025).

Evading this without judicial intervention will require legislative intervention, either at the state or federal level. On the former, individual legislatures could form an interstate compact, a formal agreement between states, pledging nonpartisan redistricting (Leroy, 2024). However, given current intrastate animosity, this seems fantastical. More effectively, Congress could utilise its authority to either mandate independent commissions in each state, or create unified nonpartisan guidelines for drawing districts, as was attempted in the ill-fated Redistricting Reform Act of 2024 (Senate 3750, 118th Congress). This federal intervention would heavily restrict the power of state legislators nationwide, addressing much of the injustice in the electoral system. Ultimately, as American voters and politicians examine the prospect of a redistricting nuclear option, in which states across the nation abandon independence for political advantage, they must remember the old idiom: an eye for an eye leaves the whole world blind.

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GOVERNANCE BEYOND POWER

by Zofia Jastrun

Illustration by Oleksandra Zhyhalkina

Sortition as the Solution to Political Polarisation

The current model of liberal representative democracy is in need of radical reform. While trust in non-elected institutions like the civil service has been stable or rising, trust in elected representatives has been steadily declining over the last two decades (Valgardsson et al., 2025, p.2). Two implications of this disparity raise cause for concern for democracy at large: people are dissatisfied with electoral politics and modern liberal democracy is not delivering on its promise to rule for the People.

The lack of trust in traditional electoral politics is manifested in the increasing popularity of right-wing populist leaders and parties (Cox, 2018, p.13). While these events are often seen as outliers and antithetical to democracy, the rise of populism is arguably facilitated by some of the largest deficits in representative democracy: careerism, corruption, and propensity toward polarisation—all of which, as this article argues, are byproducts of elections.

It is undeniable that the idea of democracy has become inextricably linked with elections. The *Universal Declaration of Human Rights* presents voting as a fundamental human right (1948, Article 21); however, this is a relatively new development. For more than 2,000 years, democracy was associated with random selection while elections were seen as an oligarchic practice, leading to aristocratic rule (Malleson, 2018, p.402). Thus, this article decouples the notion of democracy from that of elections; envisioning alternative forms of democracy as a necessary step in solving the systemic issues of the electoral process.

Subsequently, this article evaluates the extent to which, in a UK context, sortition—a system in which 'a legislative body [is] made up of randomly selected citizens' (Gastil and Wright, 2018, p.304)—upholds the core principles of democracy: political equality, political participation, respect for and protection of human rights, and responsiveness (Guerrero 2024, p.311). The article argues that sortition minimises political polarisation by removing elections, consequently eliminating political parties and campaigning incentives. The depolarising effects of sortition can, in turn, facilitate deliberation and thus lead to better policymaking and a more harmonious civic society, understood as one less divided based on political ideology.

Modelling Sortition

The model of sortition discussed here builds on the idea of Gastil and Wright (2018), given its comprehensiveness: it consolidates older sortition models to ensure, firstly, the main principles of democracy, namely inclusion, control, and equality, and secondly, the deliberative quality of a legislature (Gastil and Wrights, 2018, p.308). To ensure that the sample truly represents the people, they proposed a sortition chamber drawn randomly from the adult population of a state, stratified along demographic lines, like 'gender, age, socioeconomic status, and race/ethnicity/indigeneity, as well as geography' (Gastil and Wright, 2018, p.312).

While their model is based on the American constitution, it will be adjusted and applied to the UK parliamentary context. In such a case, the lack of a separate executive branch, like in the US, and parliament's overarching power, amplifies the potential benefits of sortition. Furthermore, despite Gastil and Wright (2018) proposing a semi-sortitional system in which a sortition chamber exists alongside an elected one, this article proposes a sortition-only system to address political polarisation and resolve the issues of modern-day democracies outlined in the introduction (Guerrero, 2024, p.140). The existence of an elected chamber would minimise the impacts this article sets out to achieve through retaining elections and party competition.

Similar to the unicameral Scottish Parliament, a robust net of committees would provide a scrutiny mechanism by '[holding] the Scottish Government to account, hold[ing] inquiries, and examin[ing] bills (proposed laws) and decid[ing] on amendments' (Scottish Parliament, 2025). There would be five-year terms with one fifth of members replaced each year to prevent stagnation and factionalisation while ensuring accumulation of experience. The assembly would be able to vote to expel a member if they fail to govern based on the recommendation of an oversight committee (Gastil and Wright, 2018). Additionally, they suggest a 'mechanism of accountability' (Gastil and Wright, 2018, p.311) for constitutional infractions like accepting bribes, which would likely be punishment by the courts.

The participants would receive financial compensation equivalent to that of current elected representatives, and would be protected from retaliation by their previous employer to ensure financial security. The system would also include training and staff support based on existing programs: mandatory training that is open to public viewing and addresses the practicalities of working with colleagues in Parliament, interacting with other branches of government and the media, as well as discussing policy issues with experts. Following the training, members would enter a lottery, in the hopes of being allocated to their preferred Parliamentary Committees (Gastil and Wright, 2018).

Sortition in Practice

Sortition can be criticised as undermining certain democratic principles. Yet, to fully understand the system, we need to understand the founding principles of democracy. The original Aristotelian understanding of elections as oligarchic, and random selection as democratic, was based on the equality of opportunity provided by sortition (Giuliani, 2025, p.320). Everyone has an equal chance of being selected and thus people are equal not just in law, but also in their access to power.

However, in electoral democracies including the UK, citizens are not given equality of opportunity to be selected. Instead, the 'elites' tend to be more successful since time, money, and connections are often necessary to run a successful campaign (Guerrero, 2024, p.104). In modern democracies, even those claiming to represent the interest of the people tend to come from elite backgrounds. For example, in the United Kingdom, 20 percent of Members of Parliament (MPs) attended Oxford or Cambridge at the undergraduate level, while 34 percent went to another Russell group institution (Holt-White, 2024). Additionally, only one percent of Conservative and thirteen percent of Labour MPs had prior 'working-class' occupations (Quilter-Pinner et al., 2022, p.11). Electoral democracy in the UK, therefore, despite theoretically providing an equal opportunity to vote and stand in elections, falls short of the democratic principle of equality and participation. On the other hand, sortition offers ordinary people better and more opportunities to actively participate in political life.

This correlation between the elite backgrounds of elected officials and electoral success, in turn, has implications for the responsiveness criterion. Overrepresentation of specific life experience, and underrepresentation of others can lead to epistemic gaps: legislators' experiences, priorities, and understandings of the world often diverge greatly from those of the general public. Leaders tend to have little first-hand knowledge of or interest in the issues faced by the non-elite (Guerrero, 2024, p.13). Sortition has the potential to close this epistemic gap and make governance more responsive to the interests of the public. Intrinsically, increasing representation is a responsiveness mechanism. Put simply from a voter's perspective, if there are legislators who are in many respects 'like me,' they are

more likely to make decisions that support 'me' (Malleson, 2018, p.407). However, research using deliberative polling, in which participants are surveyed before and after structured discussions, suggests that randomly selected assemblies do more than simply mirror existing public opinions. Instead, they reflect what citizens might conclude if given the chance to think carefully about an issue with access to reliable information and opportunities for discussion (Fishkin, 2018, p.374). In 2016, Ireland randomly selected a deliberative body of 100 citizens, who recommended the repeal of the constitutional amendment criminalising abortion. In this case where 23 percent of the population supported the change before campaigning (Loscher, 2017), this figure grew to 66.4 percent in the 2018 referendum (Farrell, Suiter and Harris, 2018). This illustrates the fact that randomly selected bodies do not only reflect the will of the public more effectively, but exposure to wider perspectives, the opportunity to deliberate, and exploration of data potentially leads to more progressive conclusions.

Lastly, in the context of respect for human rights, criticisms have been raised that sortition interferes with the right to have a say in political life through elections and the right to respect for private and family life of those chosen to serve. While representative democracy selects candidates from a limited pool, sortition gives citizens an equal chance of seating in the legislature on a regular basis. When it comes to personal freedom, the position in the legislature is limited to five years and allows representatives to retain freedom in their personal lives and return to their previous occupations following the end of their term. Furthermore, the current political framework seats citizens on juries under principles of egalitarianism (Schwartzberg, 2018). Citizens are seemingly equal to judges in local contextual knowledge, and common-sense decision making. Sortition, in relying upon these same principles of random selection and trust, can lead to more effective policymaking, and should therefore be understood not as an infringement, but as a civic duty.

Eliminating Polarisation

Polarisation is defined as 'the growing ideological divide between political groups, where individuals increasingly align with extreme positions rather than moderate viewpoints' (Churcher, 2025), and can lead citizens to become more 'entrenched in their party identities, [...] often prioritiz[ing] party loyalty over individual beliefs' (Churcher, 2025). These strong party ties result in affective polarisation, defined as 'strong favoritism toward members of one's own political party and strong aversion toward members of opposing political parties' (Piazza, 2023, p.476). As a result, social divisions and ineffective policymaking occur, which ultimately undermine the democratic values of political equality, participation, protection of human rights, and responsiveness.

Arguably, polarisation does not just weaken electoral democracy, but is an inherent feature of it. The incentive of winning elections leads to an 'us' versus 'them' dynamic, creating hostile camps in society. This is exacerbated by the growing moralisation of politics - linking political beliefs to moral convictions. In representative democracies, candidates, and parties compete with each other for power, often prioritising discrediting their opponents when campaigning. This mechanism combined with the increased moralisation means that parties tend to characterise the beliefs of their opponents not just as 'wrong', but 'bad and immoral' (Wang, 2025, p.1). In recent years, there has been a surge of both negative campaigning, and tactical voting which emphasises keeping somebody out of power, as opposed to enacting specific policy goals (Garzia and Ferreira, 2024, p.2). This leads to increased polarisation, which is larger between parties that adopt a negative tone in their campaigns (Martin and Nai, 2024).

Sortition offers an opportunity to move beyond the limitations of electoral democracy by removing the structural incentives that drive polarisation.

Modern media ecosystems, characterised by an inundation of information, amplify this by pushing consumers to, in the face of an overwhelming amount of information of unknown accuracy, favour information closest to their beliefs, sharpening pre-existing divisions (Allon, Drakopoulos, and Manshadi, 2021). Further, modern media rewards outrage, given how the more controversial and scandalous titles are likely to generate more engagement (McLoughlin et al., 2024). A recent example in the *Daily Mail*, a British tabloid, compared the UK under Labour to East Germany, saying that 'the economy's moribund. Socialism rules. Police come knocking if you say or think the wrong thing' (Groves, 2025). Polarisation is even further amplified through social media, where politicians try to create an exclusive group-identity in opposition to other political groups. Even the more established parties like Labour have adopted a communications strategy which includes posting videos inspired by popular *TikTok* trends aiming to ridicule the opposition (UK Labour, 2025). This illustrates how the electoral logic of constant campaigning, coupled with new media forms, encourages reinforcing partisan identities by vilifying the other side, thus deepening divisions between people with different party affiliations.

Affective polarisation can lead to decline in trust, respect, and social connection, culminating in the weakening of family ties based on ideological divides. Research has shown that 'Thanksgiving dinners in which the hosts and guests lived in oppositely voting precincts were up to 50 minutes shorter than same-party-precinct dinners' (Chen and Rohla, 2018, p.1020), implying that in order to avoid politically contentious topics family members talked less. In the British context, the issue of Brexit has led to increased affective polarisation and degrading family relations with just half of the population willing to talk about politics with supporters of the opposite side, and only around one in three stating they would be happy with their child marrying someone who voted differently (Duffy, 2020, p.23). Polarisation poses more direct dangers as well, as partisan polarisation and the resulting animosity can be linked to prejudice and discrimination against marginalised groups (Hartman et al., 2022). A cross-national study showed that 'democracies characterized by higher levels of affective partisan political polarization are 34% more likely to experience frequent political violence' (Piazza, 2023, p.479). It is clear that political polarisation poses a real threat to the healthy functioning of societies and should be minimised.

Sortition offers a solution, as the selection process would no longer be subject to human influence, via the removal of elections and campaigning. Furthermore, elimination of campaigning from politics subsequently eliminates the incentive to create hostile political camps which form through the 'dehumanization of opposing partisans [... and] a moralistic and zero-sum nature to political life' (Piazza, 2023, p.476), all mechanisms used for the sake of winning elections.

Eliminating Polarisation to Improve Policymaking

Polarisation rooted in electoral competition and party politics can distort policymaking, by decreasing potential for open-minded deliberation and impartiality. Thus, by eliminating such incentives, sortition offers the potential for more harmonious and long-term oriented policymaking.

In an electoral system with a growing number of career politicians, re-election is typically the proximate goal (Mayhew, 1974). This inherently harms parliamentary deliberation, as the logic of electoral competition is opposite to that of good deliberation, understood as one that prioritises the good of the people, and allows for compromise and being persuaded by the other side. Firstly, elections provide a continual incentive to figuratively score points with voters at the expense of the opposition, never recognising their opponent's successes, even when doing so would be beneficial to the electorate. Secondly, elections and party-discipline discourage lawmakers from changing their minds, based on deliberation out of fear of repercussions from the party, rather than prioritising what would be best for the electorate (Malleson, 2018, pp.408–409). Lastly, the prospect of elections encourages law-makers to favour short-term solutions that will benefit them in the next elections but will not necessarily be good for the country in the long-term (Ogami, 2024).

This is demonstrable in the Warsaw City Council, whereby a law banning the sale of alcohol between 10PM and 6AM failed to pass, despite overwhelming support from citizens and recommendations from the police and doctors. This move was largely interpreted as a way to punish Rafał Trzaskowski, the city's president for his recent loss in the 2025 national presidential elections, as well as a lack of willingness to support a law advocated for by the New Left party and local non-partisan activists (Halicki, 2025). This example illustrates an epistemic gap between policymakers and citizens whose favoured policies do not get implemented, and demonstrates the impacts of party politics on policymaking. Sortitions work to alleviate this problem by eliminating elections. While there are studies which show a decrease in productivity in legislative behaviour where there is no potential for re-election (Fouirnaies and Hall, 2021), such shortcomings are outweighed by the removal of career politics; employing individuals with careers not based on politics would likely motivate unselfish, productive change.

By eliminating political parties, randomly selected legislatures increase deliberative potential, avoiding the possibility of using partisan identification as mental shortcuts when voting. Productive deliberation is crucial to 'help people make better judgements, to improve the quality of public justifications and reasoning and, consequently, to make better and more legitimate public decisions' (Setälä and O'Flynn, 2024, p.792). Dryzek (2016) argues that the key to successful deliberation is the ability to listen to, and be persuaded by the arguments of the other side. Party politics increasingly prevent politicians from doing this. However, Fishkin's (2018) deliberative polling experiments show that such thoughtful deliberation is not a lost form. He shows how people, who are not party politicians, become more moderate and empathetic after exposure to structured deliberation. Fishkin's (2018) research provided a random sample with a balanced briefing on a specific topic, before polling them to gauge their initial attitudes, and ensure their representativeness. The sample is then encouraged to engage in small group discussions, and engage with experts for between one and three days. After this deliberation process, participants completed the same questionnaire to evaluate changes in attitudes and opinions. Attitudes generally changed and evolved with deliberation (Fishkin, 2011, p.26). In a poll about policies towards the Roma population in Sofia, Bulgaria, initially, 43 percent of participants agreed with the statement that 'The Roma should live in separate Roma neighbourhoods'; following deliberations, the number fell to 21 percent (Fishkin, 2011, pp.164–166).

These case studies show how exposure to competing points of view in an environment without partisan loyalties leads to what Dryzek would characterise as 'fruitful deliberation', one that includes both justification and reflection, understood as the ability to listen to an be persuaded by the arguments of the other side (Dryzek, 2016). The diverse and representative nature of the sortition legislature would further improve deliberation, as 'group composition, especially diversity of viewpoints, is crucial for both enhancing critical thinking and avoiding group thinking' (Setälä and O'Flynn, 2024, p.792). Thus, sortition could lead to better deliberation and consequently more efficient policymaking, without derailment via political calculations.

Conclusion

Sortition offers an opportunity to move beyond the limitations of electoral democracy by removing the structural incentives that drive polarisation. By eliminating campaigning, party competition, and the pursuit of personal power, politics can re-centre deliberation, compromise, and the common good. A legislature selected by lot would reflect the diversity of the population, allowing for a wider range of experiences and perspectives to be represented in policymaking, enhancing efficient deliberation.

This article encourages the reader to broaden their perspectives in understanding that there are legitimate alternative models of democracy with the potential to fulfill the aims of democracy more meaningfully than the electoral systems we currently know. While the specificities of implementation are beyond the scope of this discussion, the practical potential of sortion must be considered. To mitigate the initial shock of replacing representative democracy with sortition, it could be gradually introduced through citizen's assemblies deliberating on specific issues and providing recommendations for the elected legislature, as has already been happening around the world. While fully replacing elected chambers may not be realistic in the short term, introducing sortition into existing systems could begin to rebuild trust and reduce hostility in public life. In the long run, it could help reimagine politics not as a struggle for power, but as a shared civic responsibility.

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THE PRIVATISATION OF STATE POWER AND THE EROSION OF THE DEMOCRATIC SOCIAL CONTRACT

by Leo Rosenthal

Illustration by Oleksandra Zhyhalkina

At the Libertopia conference of 2010, Peter Thiel, co-founder of Paypal and Palantir claimed: 'We could never win an election on getting certain things because we were in such a small minority, but maybe could unilaterally change the world without having to constantly convince people' (Thiel, 2021, 04:10). Fifteen years later, Thiel's statement represents the gradual and indirect erosion of state power, where technology is perceived as an 'incredible alternative to politics' (Thiel, 2021, 04:38). This article argues that corporate-controlled technological expansion into personal data and Artificial Intelligence (AI) erodes traditional state power and challenges the legitimacy of democratic social contract theory. The control by Big Tech entities, in other words, large technology companies, over fundamental aspects of life, through emerging technology, decreases the legitimacy of state power achieved through elections. Thus, the power of corporate entities is becoming increasingly incompatible with Democratic Social Contract Theory. This article focuses primarily on Rousseau's conception of the Social Contract because it asserts that legitimate state authority is contingent on its ability to represent the general will of citizens (Rosseau, 1762).

The decline of state authority built on democratic legitimacy as a consequence of the rise of Big Tech in turn represents an erosion of democratic decision making (Lowy Institute and Lowy Institute, 2025). Corporate entities have taken on responsibilities traditionally adopted by the state, undermining the safeguarding measures of democratic accountability and facilitating democratic erosion whereby the power of democratic states gradually diminishes. The former occurs when corporate actors take on quasi-state elements of control in areas that were never previously under direct state control. Direct erosion, conversely, occurs when corporations increasingly take on responsibilities in the public sphere that were previously duties of the state. This article argues that Big Tech exploits the increasing importance of digital personal data and governments' reliance on such technology to become entrenched into state institutions of power. This article first analyses the role of Google in the indirect erosion of democratic states' power through its control over personal data as a form of biopolitics. Subsequently, this article assesses the role of Palantir in the direct erosion of the conventional powers of states through its position in state surveillance, predictive policing and military affairs. Google and Palantir were not chosen because they are unique in their role of eroding state power, rather they represent the unique role that Big Tech has taken in doing this. Ultimately, this erosion of state power in democratic systems proves problematic as corporations gain state-like power through illegitimate means, lacking electoral and democratic accountability.

Social Contract Theory and State Power

This article utilises Rousseau's (1762) social contract theory, which emerged from the Enlightenment as a way to explain and legitimise state authority. Rosseau's theory stipulates that citizens consent to the state's rule over them in return for the state owing the responsibilities to represent the interests or general will of the population. Applying Rousseau's theory to the modern era reveals that the rise of Big Tech has enabled corporations to accumulate 'state-like' levels of power without being subjected to the same constraints of democratic accountability faced by existing. Historically, in line with this traditional conception of the social contract, the modern state has been able to control corporations irrespective of how powerful they are (Othering and Belonging Institute, 2025). While it is true that corporate entities have been able to influence state actions, the State has, until the rise of Big Tech, consistently been in a position where it maintains the final say (Glass, 2018). For example in the case of *Standard Oil Co. of New Jersey v. United States* 1911, the US broke up the immensely powerful Standard Oil into 37 separate companies (Glass, 2018). In this historical context, the state existed as the most powerful entity ruling over citizens and communities. According to Rousseau, the continued existence of the state and its power depended on legitimacy gained by prioritising the interests of its citizens. The U.S.'s breakup of such a large and powerful oil company protected the interests of individuals at the expense of corporations. However, the state's command over public corporations is being challenged by the rise of Big Tech as corporations subsume responsibilities of the traditional state without democratic legitimacy.

Additionally, Varoufakis' concept of 'Technofeudalism' explores how the shift to cloud capital through the introduction of the internet has transformed the economy to the extent where free markets have diminished into 'cloud fiefdoms' and the general population into 'cloud serfs' (Varoufakis, 2023, p.38). Varoufakis' work provides a useful understanding of the erosion of the social contract by comparing the expansion and dominance of Big Tech to feudal power structures. He asserts that because capital is generated on the cloud rather than through traditional industry, the state lacks the power to regulate or restrain technofeudalism. This article argues that based on Varoufakis' framework, this alienation of the state from production of capital has undermined its ability to fulfil its contract function. Together, Rousseau's social contract and its focus on the general will of the population and Varoufakis' theory of Technofeudalism reframe our understanding of social contract theory in the twenty-first century, challenging traditional assumptions of the state's monopoly on power. By focusing on how the state has lost this monopoly to Big Tech and the resulting lack of democratic accountability, this article analyses how the ability of the state to represent the interests of the population has consequently diminished. Rosseau's social contract theory and Varoufakis' framework highlight how this process of corporate accumulation of state power effectively alienates the voters from political authority taken on by Big Tech thereby eroding Democracy through limiting the ability of citizens to influence the entities which have political authority over them through Democratic accountability.

Indirect Erosion

State power has been indirectly weakened by its willingness to outsource elements of its own powers, responsibilities and, consequently, mechanisms of democratic accountability. Importantly, the privatisation of digital spaces and data precipitated this erosion of the social contract. Zuboff (2019) characterises Google as the first tech conglomerate to create a business model built off the personal data of users. Crucially, this demonstrates that the erosion of state power is, in large part, enabled by non-state, corporate entities possessing a plethora of information concerning citizens' behaviour. Google's scale of data ownership has allowed the company to gain such a substantial market advantage such that 'surveillance capitalism rapidly became the default model of information capitalism on the web' (Zuboff, 2019, p.49). Although individuals readily accept the 'terms and conditions' to use these platforms, modern reliance on the Internet and social media to facilitate both social lives and careers means that to most individuals in Western democracies, use of these platforms, and therefore their accompanying terms and conditions, is necessary (Firth, 2024).

The Foucauldian concept of biopolitics (Foucault, 1976, p.245), wherein a large regulatory entity—such as the state—gains power by surveilling and determining the quality of life of a given population (Vitales, 2020, p.162), reveals a greater reduction of state power. As corporate entities play a central role in obtaining the personal information of populations, the state loses its monopoly on disciplinary and therefore regulatory power, as Varoufaki's argues. The increased biopolitical role of Big Tech in regulating behaviour is different to other institutions because these traditional institutions cannot challenge state authority in the same way. While it is true that Foucault notes that this form of biopolitics and regulation is not limited to state institutions alone (Foucault, 1977, p.176), for example in factories or schools, online spaces such as *Meta* or *X*, which increasingly regulate behaviour based on the personal data produced by 'cloud serfs', are not so easily shut down or disciplined by the state (Varoufakis, 2023). This decline in biopolitical power as a consequence of Big Tech undermines the premise of the social contract and the theory's assumption that the state has a monopoly on power.

Consenting to share personal data with Big Tech operates similarly to acquiescing consent to the state as a necessary element of the social contract, exemplifying how state power has inherently declined. In short, the state is no longer unique in its ability to enforce consent on such a large scale. Through the coercion of consent from users, corporations can obtain significantly more information about individuals than states were able to through consent. Even in cases such as the National Security Agency's PRISM programme which surveilled the US population from 2007 as a part of the War on Terror relied on data gathering infrastructures built by Big Tech (Foreign Intelligence Surveillance Court, 2006). This was achieved partially through the assistance and collaboration of Big Tech, notably, for example, Google complying with existing state laws (Greenwald and MacAskill, 2013). This suggests that while Big Tech can and has empowered states to enhance their own surveillance capacities, states' ability to perform their existing roles is now becoming increasingly dependent on cooperation and compliance with Big Tech. More recently, Prime Minister Keir Starmer's administration faced backlash after attempting to implement digital ID cards (UK Government and Parliament, 2025). This case is further evidence of the decline of state power relative to Big Tech. Legitimate state power is conventionally understood as requiring public trust (Weber, 1946; Rousseau, 1762); populations are increasingly surrendering their personal data to Big Tech often out of coercive consent. The population thereby acquiesces to Big Tech playing increasingly important roles in regulating their lives from a biopolitical point of view in contrast to the state. This signals a decline in trust for the state and thus a decline in their power, challenging both Rousseau's and Weber's conception of the state's monopoly on power in the social contract. Crucially, Big Tech has historically enjoyed higher levels of trust and popularity among the public

State power has been indirectly weakened by its willingness to outsource elements of its own powers, responsibilities and, consequently, mechanisms of democratic accountability.

(Khanal, Zhang, and Taelihagh, 2024). This indicates a relative decline in state authority as corporations are able to acquire state-like power without having its actions subjected to the same accountability.

Direct Erosion

Where companies like Google erode state power through data, creating new forms of coerced consent that subsume state authority, Palantir does so through governance itself.
The CEO of Palantir, Alex Karp, describes himself as someone who is motivated by an ideological ideal of private enterprises performing state functions as a matter of national security (Karp, 2024, p.XIV). He suggests that Silicon Valley today has focused too much on consumer products; he instead advocates for Silicon Valley 'to participate in the defense of the nation and the articulation of a national project' (Karp, 2024, p.XIV). To Karp, it is impossible for Western democracies to fulfill their social contract obligation of preserving national security on their own. Instead, a fusion with Big Tech is required. Where the accumulation of state power through data collection and coercive consent enables Big Tech to encroach on state power more subtly, Karp blatantly argues for an increase in the power of Big Tech at the expense of state authority. While it is true that Karp believes that Palantir should play a role in expanding the power of the U.S. State, this power is contingent on the U.S. State and Palantir having mutually aligned interests and goals. Increasing Palantir's role in expanding U.S. power increases U.S. dependency on Palantir to fulfil its political functions thereby eroding the power it gains through democratic legitimacy.

Palantir's primary products, Gotham and Foundry, are AI software systems which use 'autonomous tasking of sensors from drones to satellites, based on AI driven rules or manual inputs for humans in the loop-control', to advance Palantir's ideological goals (Palantir Technologies, 2025a). The data in question is provided by governments who outsource elements of their responsibilities such as healthcare or policing to the company. Governments outsource these responsibilities to cut bureaucracy, under the neoliberal belief that private solutions are more efficient at fulfilling government responsibilities because they are driven by market incentives (Minow, 2003 p.1242–1243). States which take advantage of the shortcuts offered by Palantir's products actively outsource their authority to Big Tech and consequently surrender their own power in the critical areas at the root of the social contract: security.

Although Palantir's products, methods, and aims represent direct erosion of state power, the collection of personal data remains a crucial component of their products. Palantir has thus progressively increased its own power at the expense of the state through claiming ownership of personal data involved in government outsourcing. A notable example was in 2017 when the New York Police Department (NYPD) attempted to cancel its contract with Palantir, requesting copies of its data which had previously been analysed by the company (Price and Hockett, 2017). Palantir claimed this data as its own intellectual property and refused to return it, thereby undermining the ability of the NYPD to fulfill its primary law enforcement function. While the data is simply being transferred from one entity to another, states, in line with Rousseau's social contract theory, are held accountable by the public by acting in the interest of citizens—something that

Palantir and similar entities are exempt from. Though Palantir advertises its products as assisting states in maintaining law and social order, the direct erosion of the social contract undermines these conventional functions of the state.

Implications

The powerlessness of the state over Big Tech corporations is a result of the importance of data in this digital age (Gu, 2024, p.593). Governments rely upon data to run the state (Gu, 2024, p.594); this allows corporations such as Palantir to entrench themselves into structures of power. This entrenchment can be witnessed through its indispensable relations with the U.S. government. After the 11 September attacks, Palantir aimed to become the 'default operating system for data across the US government' by developing counterterrorism tools (Acker and Iliadis, 2024, p.2345). Recently, Immigration and Customs Enforcement (ICE) gave Palantir a 30 million U.S. dollar contract to develop ImmigrationOS: a software that uses data collection and pattern detection to flag certain individuals (Hubbard, 2025). The interests and successes of the state thus become dependent upon the capacity of these corporations; it can be argued that the U.S.' desire to reduce immigration has made Palantir's capacity for data collection indispensable. The outsourcing of core state functions, like national security and border control, illuminate the drastic erosion of state power over its own affairs. If the state needs Palantir to fulfil this function and its enhanced powers come from external cooperation rather than internal development, then Palantir and other entities maintain the ability to erode democratically accountable state powers.

As corporations gain further influence within the U.S. government, the erosion of state power affects the health of democracy. Sociologist Charles Wright Mills (2000, p.240) argued that professional politicians were in decline under a 'weakened and formal democratic system' with a 'power elite' made up of 'political, economic and military men'. His analysis of the U.S. following World War II can be applied today as governments are increasingly dependent on Big Tech to achieve their goals, sometimes going as far as to concede official positions of authority within the state. The implications of this expand further and can be seen when considering the role of leading figures within Big Tech as technopolitical actors influencing U.S. policy without Democratic accountability (Bank, 2025). This threatens Rousseau's (1762) notion of the state as maintaining power to represent public interests. This threatens the social contract as it removes the agreement between the people and the state to empower the state to represent these interests. Consequently, the state's interest may become that of Big Tech, rather than aligning with the interests of its citizens. Historically, the obligations of the social contract have relied on democratic accountability to be truly legitimate; the self-interested motivations of companies like Google and Palantir threaten this relationship between the state and its people.

Conclusion

Big Tech has established vast levels of power through indirect and direct erosion of state power, challenging Rousseau's social contract and traditional conceptions of the relationship between the state and its citizens. The democratic social contract, in theory, requires that the state maintain a monopoly on power in order to represent the interests of the population; however, as this article has argued, this conception no longer reflects the relationship between individual and state. The rise of Big Tech has fundamentally challenged this monopoly; one could even say that Big Tech has inserted itself into this monopoly and relationship. In the age of mass data collection and reliance on the Internet, the state is no longer the sole regulator of populations, nor can it adequately represent their interests while outsourcing its conventional responsibilities to Big Tech. Given that such corporations are able to obtain state-like levels of power without the traditional drawbacks of accountability or consent, it is evident that they have encroached on the conventional role of the state within society. While the state maintains its prominence in our lives, the competition it faces towards its monopoly on power and therefore its capacity for performing its contract function has been severely disrupted.

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DIGITALISING DISSENT TO RECLAIM POWER

by Samsara Chakkara

Illustration by Lydia Kempton

Nepal's government came face to face with Generation Z (Gen Z) in August of 2025. What began as a digital rights movement in response to a media ban, escalated in just 48 hours to shape nationwide anti-corruption protests and riots (Parajuli, 2025). Since its formation in 2008, the federal republic has been teetering on a cliff of instability, with fourteen different governments taking place over the last seventeen years (Parajuli, 2025). These uprisings, orchestrated primarily by Gen Z, were indicative of institutionally defined power being seized and redefined beyond its formal foundations. They have thus shed light on an evolving concept of political power and the question of what constitutes legitimate authority. Whilst the revolts led to a change in officeholders, they disclosed a deeper truth about generational reimagining of politics. Youth-led mobilisation, particularly through digital terms, has picked up across Southeast Asia and demonstrated that legitimate authority and political order are not just about who rules, but also about discourse and cultural legibility. This article reflects on how the protests in Nepal are situated within a broader shift towards networked power that has rippled through other nations, as seen in Bangladesh and Indonesia in 2024 and 2025 respectively. This movement has seen social media platforms such as *TikTok, Discord,* and *Instagram* become sites of protest coordination and arenas of decision-making. Gen Z in Nepal, and globally, are demonstrating a reimagined form of power and legitimacy through responsibility and accountability.

Foundations for Political Dissent

Max Weber (1946, p.4) justifies his classical conception of political authority through the rightful exercise of authority via legal and institutional means, which are bound by the use of physical force within a given territory. Rousseau (2003) centred his notion of political legitimacy on the consent of the governed. In doing so, he described the government as merely an agent of the people's own sovereignty (Rousseau, 2003). John Locke's (1689) construction of the social contract conceptualises government legitimacy as emerging from the consent of the governed—thus, when rulers fail to uphold their responsibilities to protect people's rights, citizens are entitled to withdraw consent. Weber's traditional conception of political legitimacy is increasingly challenged by the continuing rise of digital activism which decentralises political influence and makes Rousseau's theory more applicable. The will of the governed is communicated and legitimised through online networking, giving rise to a more modern concept of power. Enlightened by Castells' (2015) theory of networked power, positioning authority as relational rather than simply institutional, influences certain actors and their will over other actors within a social network that operates on a plane distinct from traditional establishments. Both power and counterpower, which he posits arise hand-in-hand (Castells, 2011, p.776), circulate within these interconnected networks, often found in online platforms. *TikTok, Discord,* and *X* (formerly known as Twitter) serve as spaces of mobilisation, allowing citizens to organise and challenge power structures beyond the customary political avenues that have long existed (Castells, 2015, p.777). Power now becomes performative, validated by visible acts beyond simply the electoral mandate.

Habermas (2022) accordingly asserts that the contemporary survival of democracy depends on an inclusive public sphere and a deliberative process within the digital media system. It is within these spaces that public opinion and consensus can be formed (Habermas, 2022). This echoes Rousseau's belief that legitimacy rests on mass consent. Digital spaces are also indicative of a tension arising between digitally networked forms of activism, and the need for structured, participatory deliberation to sustain a legitimate democratic authority. This is not the only level of complexity that developing networked dynamics bring to the political sphere. Further scholarship on digital activism across Asia seeks to address such evolving apprehensions. Ethnographically-informed studies caution that, despite the promotion of transparency and democracy within online platforms, they can also act as digital tools to empower both dissent and control (Barendregt and Schneider, 2020, p.15). In 2015, political opponents in Malaysia deliberately manipulated social media activism to counter the 'hashtag' campaigns led by Bersih 4 protesters (Azlan, 2020, p.71). Furthermore, scholars warn that the ease of digital activism can divert attention away from the harder task of sustaining networked communities and movements over the long term (Barendregt and Schneider 2020, p.14). These scholarly investigations caution that shifting forms of networked interaction carry risks, and that their potential consequences must be recognised.

Such concerns are legitimated by the Arab uprisings of 2011, where protest coordination was enabled by social media, yet a lack of time and organisational structures led the protests to falter in sustaining political transformation (Castells, 2015). Tufekci (2017, p.xii) notes how the internet allows movements to scale up 'dramatically and rapidly' but concurrently struggle to sustain momentum once initial demands are met. This demonstrates that while social media is a powerful tool for organising movements, it is not enough to sustain these new power structures.

Nepal Case Study

Placing these ideas of digitalised action into the current context, the August 2025 protests in Nepal show the impact of digital media in aiding the younger generation's ability to redefine their nation's political power (Parajuli, 2025). Within just 48 hours of the social media ban being in place, protestors breached parliament grounds, forcing the resignation of the sitting government. This evidenced the annulment of political legitimacy as it was no longer deemed in the interest of the people. The protests were accompanied by demands from the protestors for greater transparency, accountability in government, and a credible anti-corruption roadmap (Parajuli, 2025).

The role of social media and digital activism in this dramatic political rupture was pivotal in demonstrating networked power, becoming sites of decision-making and coordination of the masses. Nepal's digitally native youth, who make up approximately half of their population (Komireddi, 2025), undermined the monopoly of the state's authority. Having grown up in a digital culture heavily shaped by the internet and social media platforms, their political voices are gathered and amplified via new avenues, while traditional media is increasingly perceived as biased towards certain political interests (Subedi, 2025). This became evident when protestors took to *Instagram* and *TikTok* to create videos that revealed the stark comparison between the sumptuous lifestyles of politicians' families and the bleak realities faced by young people (Daha, Atkinson and Khan, 2025). Such content quickly became viral as it amassed support from the wider public, frustrated with deepening inequality occurring at the hands of the government. The apex of the media's role was revealed when an online poll held on *Discord* nominated former Chief Justice Sushila Karki as the interim leader after she garnered thousands of votes (Parajuli, 2025). This illustrates how legitimacy can be obtained beyond the bounds of formal procedure, and is therefore fundamentally defined by the will of the public, mobilised through digital means.

Such decentralisation continues beyond the appointment of governance, with young protestors quick to engage in civic acts that redefine political performance and responsibility. Between cleaning the streets during curfew breaks, visiting the injured in hospitals, and holding candlelight vigils for the more than 70 killed (Khandekar, 2025), the youths' gestures of care symbolically reclaim politics as service. New values of

responsibility and transparency taking the forefront in shaping legitimate authority. These actions reveal the values of political responsibility being reclaimed by the people to affirm their sovereign authority. Rousseau's (2003) conception that true sovereignty lies with the people themselves is clearly demonstrated here. Where the Nepalese government is accused of corruption and failing to hold themselves accountable to the standards of those governed, the population is accordingly taking matters into their own hands.

Repositioning the Social Contract

Nepal's protests serve as a demonstration of John Locke's social contract theory unfolding in real time. Locke's (1689) emphasis on the function of consent in constituting political authority develops to stress the bilateral nature of the relationship between government and governed that can involve withdrawal from either party. Gen Z's mobilisation reflects such a withdrawal, but not through the traditionally interpreted formal revolt. Instead, legitimacy is redefined within an adapted social contract to reflect their standards of moral accountability and civic responsibility. Their generational redefinition of power reveals that legitimacy relies strongly upon responsiveness, public trust and care. Political authority for this generation is thus not simply limited to who gets elected, but who steps up when needed and can transparently uphold the needs of the people. This redefinition resonates globally. Democracies across the world, from the US to those in South Asia, are part of a wider debate over the erosion of trust in institutions, failures to perform the moral authority expected, and thus, concerns over legitimacy. Nepal's Gen Z movement responsively foregrounds a new social contract that is rooted in ethical visibility over institutional power.

Comparative Framing

Nepal's youth led mobilisation further resonates with recent movements that have taken place across South and Southeast Asia, where unresponsive and corrupt governance finds itself confronted by the digitally native population. The 2024 student protests in Bangladesh against the reinstatement of a civil service employment quota system, and 2025 student protests in Indonesia demanding bureaucratic transparency and accountability, are pertinent examples.

Frustration in Bangladesh stemmed from a seemingly authoritarian, corrupt, and economically exclusionary reinstatement of an employment quota which reserved 30 percent of Civil Service jobs for descendants of those who fought in the Liberation War (Huq and Miller, 2024). Faced with violent suppression by security forces, protests then escalated across the nation, aided by social media in transforming the outrage into action, ultimately ousting Prime Minister Sheikh Hasina after 15 years in power. Mirroring Nepal's rejection of entrenched elites, the escalated policy dispute evolved into a moral challenge to authority that demanded responsive governance.

Indonesia's protests followed a similar pattern of intensification at the hands of digital media. After a wave of student protests

Political authority for this generation is thus not simply limited to who gets elected, but who steps up when needed and can transparently uphold the needs of the people.

against unpopular government policies in early 2025, the killing of a 21-year-old rideshare driver by police in August became the spark that ignited widespread frustration with corruption and state opacity (Al Jazeera, 2025). The banner *#IndonesiaGelap* (Dark Indonesia) framed the mass demonstrations by students and labour unions across campuses and cities, demanding a transparent and accountable bureaucracy (Khozen, 2025). The movement's speed and online coordination anticipated Nepal's digital-native activism and reclamation of political legitimacy that would occur just a month later.

Indonesia's case also serves to identify another crucial dimension of these movements that takes form in the state's tactical retaliation through internet censorship. In recognising the ability of media platforms to reshape power amidst anti-regime activity, Indonesia's government orchestrated power outages in key protest areas, such as Jakarta and Bandung, to obstruct public access to information (SAFEnet, 2025). This case of censorship's counteractive force, working against networked movements, is not unique or uncommon. During 2022 protests in Iran, following the death of Mahsa Amini, the state noted the reliance of anti-regime demonstrations on cyberspace, and thus imposed internet outages in parts of Tehran and Kurdistan in order to suppress mobilisation and censor the circulating evidence of police brutality (Strzyżyńska, 2022). Whilst these examples bring into question the strength of these movements, the cases of Bangladesh, Indonesia, and now Nepal prove the resilience of protesters in ensuring the domination of their networked mobilisations. In Bangladesh, the government orchestrated an internet outage and shut down universities to disrupt protestor's ability to organise and communicate (Chugtai and Ali, 2024). Instead, protestors were able to improvise and reconfigure networks overnight, turning to the use of VPNs, satellite communications, and local intranets such as the Bangladesh Internet Exchange (BDIX) to maintain their networks (Karim et al., 2025). In Nepal, the government's attempt to restrict online expressions of discontent through a social media ban unintentionally provoked the very backlash it sought to limit. While the ban disconnected most major media platforms and communication channels, protesters quickly identified viable alternatives through which to mobilise, such as *Discord* (Parajuli, 2025). This allowed them to transform digital protests into physical demonstrations. These examples demonstrate both the persistence of state censorship as a retaliation to networked mobilisations and the resilience of digitally native generations in reconfiguring spaces to sustain their protests and circulate the popular will – reflecting a distinctly Habermasian invigoration of democratic action. Such counteractive forces at the hands of states also legitimise the power of networked communications within political protests.

Across these cases, the shared generational traits of high digital literacy and impatience with elite impunity distinguish themselves. Networked power allowed mobilisation to erupt with a new, unprecedented, and impatient speed. However, the novelty of these circumstances also invites concern as to where they lead next. Reflecting on the Arab Spring as a key historical moment where networked media intersected with state power and questions of legitimacy, is essential for understanding these emerging youth-led and digitally-led movements. Countries such as Tunisia, Egypt, Libya, and beyond were overtaken by their young and digitally literate populations, who used social networks to mobilise themselves against entrenched regimes (Castells, 2015). The digital sphere thus became a space where popular consensus could gain visibility, producing some of the first political upheavals whose legitimacy was mediated through online networks. Habermas' construction of the revitalisation of democracy through digital spaces becomes evident in the popular will amassed in these movements.

However, the strength of rapid digital coordination can quickly become a weakness. The potential trait of impatience amidst the younger generation can lead to vulnerability, leaving the movements in fragile states of post-revolutionary transition that lack organisation structures and unified leadership (Tufekci, 2017). Where regimes such as in Tunisia responded with accommodation, the movements only briefly channelled into reform. Where repression dominated, as seen in Egypt and Syria, mobilisation collapsed or turned violent (Tufekci, 2017). The Arab Spring evidenced the speed at which digital networks could destabilise authoritarian control, and yet exemplified the limits in developing institutional resilience to sustain post-crisis reform. Therefore, concerns over the direction and longevity of Nepal's protest aftermath are rife.

Conclusion

Nepal may represent a distinct case in which legitimacy is explicitly reimagined and reconstructed, as evidenced by the civic performance of its youth. It currently remains a laboratory for reimagining political legitimacy in the networked age. Generation Z's mobilisation indicates the power of digital networks in providing a communicative space to reimagine and redefine political power and legitimacy. Both continuity and evolution are illustrated, inheriting the networked form and moral energy of earlier uprisings, while seeking to transform legitimacy itself from a matter of rule to one of responsibility. Though the long-term outcome remains uncertain, action in Nepal reveals a shift in the architecture of power. Vertical institutions are losing power to horizontal networks, and legitimacy increasingly depends on those who actively step forward to govern, not only within formal institutions but also online and in the streets. Echoing Rousseau's (2003) concept of popular sovereignty and Habermas' (2022) deliberative legitimacy, Nepal demonstrates a successful withdrawal of consent from an unresponsive state to reassert the people's will. The social contract has been redefined by the population to indicate that political authority will only be legitimised if it stems from ethical responsiveness and transparency.

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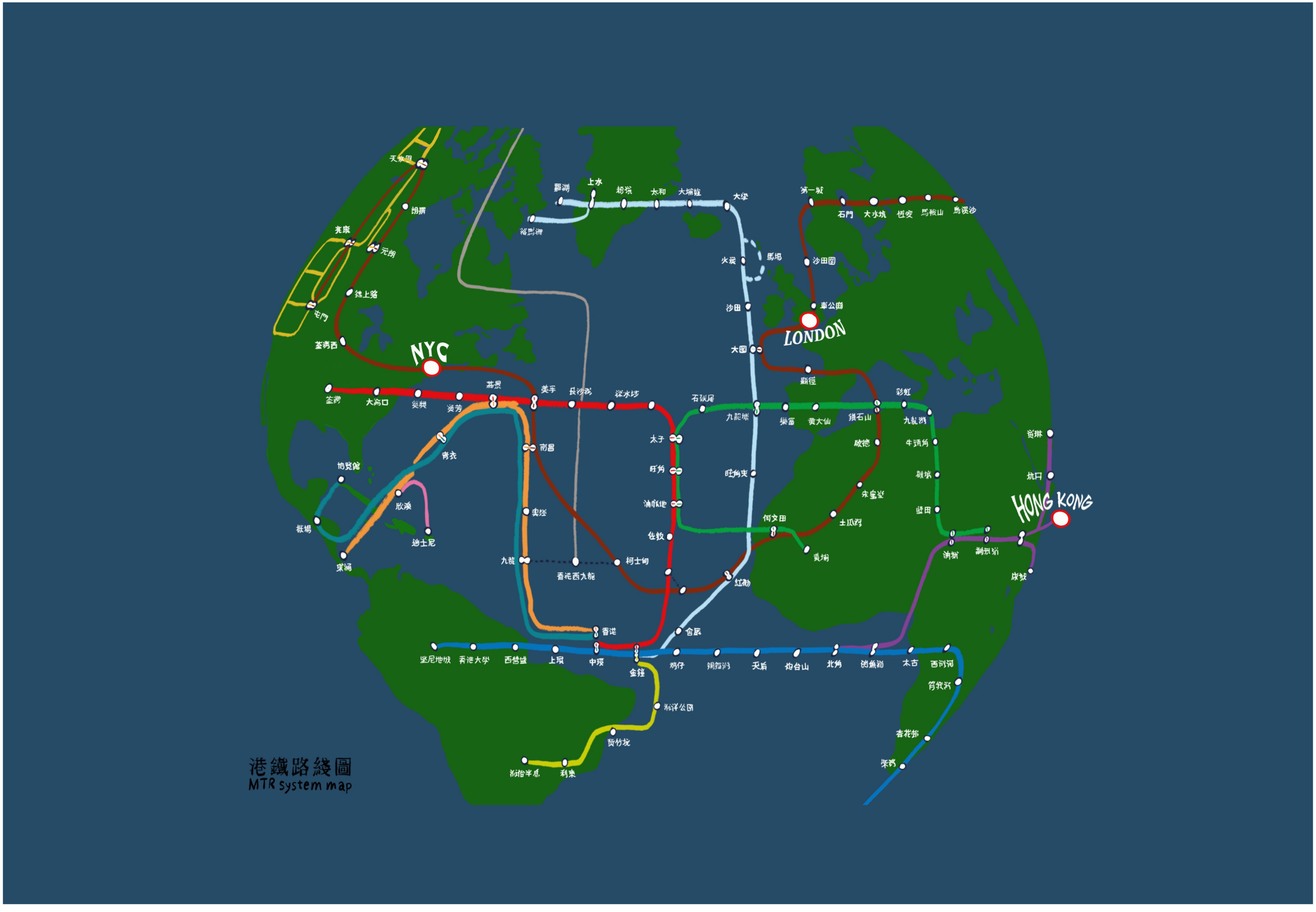
港鐵路綫圖
MTR system map
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LONDON
HONG KONG
天水圍
朗屏
兆康
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屯門
荃灣西
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大窩口
葵興
葵芳
荔景
美孚
長沙灣
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大水坑
恆安
馬鞍山
烏溪沙
沙田圍
車公廟
資琳
坑口
成城

Tian Yun Cheung

A Case for Public-Private Partnerships in Metro Infrastructure

In the era of Big Tech and Big Pharma, consumers have grown increasingly concerned about the singular control of multimillion private companies. In 2024, Google and Apple were both fined billions in antitrust lawsuits and, as of 2025, Nvidia is under scrutiny by multiple regulators at the state and international level for its potential to form an anticompetitive artificial intelligence market (Reuters, 2024). Despite overwhelmingly negative perceptions of monopolies, this article argues that there should be an exception in the world of public infrastructure. Public-private partnerships (PPPs) are contractual agreements between governments and private sector companies aiming to leverage private sector capital and expertise, as well as engage in risk sharing (Custos and Reitz, 2010, p.558). PPPs are mostly utilised in infrastructure projects: sectors that are deemed natural monopolies, in markets where a single firm can supply demand at a lower cost than multiple firms, providing widespread benefit to users (Sadka, 2007). This article focuses on a case study of Hong Kong's Mass Transit Railway (MTR) system, before proceeding to a comparison of the MTR with the London Underground, which was operated by competitive PPPs from 2003–2010, and the New York City Subway, a fully government-owned railway system. As an alternative to the reflexive negative response to monopolies, this article examines how political dynamics like ownership and management in infrastructure affect their effectiveness, which will be measured by the quality of service and the metro's financial stability. On the basis of existing acceptance and praise for the Hong Kong MTR system as a successful monopolistic PPP, this article argues that the implementation of monopoly PPPs in metro systems are not only beneficial, but should be preferred to other forms of ownership.

Two Models: 'Public' and 'Private'

In a PPP, monopoly capitalism is countered by public oversight and government regulation, as evidenced in the Hong Kong MTR case. As collaborative agreements, PPPs allow governments, who are responsible for providing public services, to outsource the financing, designing, implementing, and operating of public sector facilities and services to the private sector, who are oftentimes more equipped to deliver efficient and effective solutions (Custos and Reitz, 2010, p.555). First integrated into law and government policy in the 1990s, they were increasingly valued as a policy preference in governmental dealings in the twenty-first century (Smith, 1999). As the name suggests, PPPs combine two models of project oversight: public regulation and private management. Public transportation is a classic case of a natural monopoly; it provides a single amenity that can service a whole locality. The industry has high fixed initial costs, for example designing routes and building railroads, but low marginal costs for serving each additional customer (Mosca, 2008, p.331), making it more practical for a single firm to service the entire market than for firms to compete. To prevent market power abuse, governments impose price caps, quality standards, and use a competitive bidding process to determine the company best suited for competent cooperation. Contracts help ensure collaboration on equal footing without domination from either the government or the private company, and involve both sides in decision making (Healey, 2017, p.124).

In the case of the Hong Kong MTR, the government provides the company with essential business support, but also exercises significant control over it. Initially a fully government owned corporation, the MTR was privatised, posting its initial public offering on the Hong Kong stock exchange in 2000 (HKEX, 2000, p.7). The Hong Kong government remains its largest shareholder, owning around 75 percent of its stock, ensuring government regulation (MTR Corporation, 2025). The MTR is also subject to a fare adjustment mechanism that keeps fare increases lower than inflation and is reviewed every five years. The MTR also makes an effort to offer different fare concessions and promotions, with approximately 70 percent of passengers benefitting from them in 2019 (Transport and Logistics Bureau, 2022). Furthermore, though the MTR is Hong Kong's sole train operator, it still faces competition from other forms of public transport, such as buses, minibuses, trams, ferries, and taxis, which are widely used across Hong Kong (MTR Corporation, 2024a, p.22).

Private management adheres to commercial principles, which encourages efficiency and cost-effectiveness. This market driven approach creates incentives for innovation. MTR's lucrative 'Rail Plus Property' (R+P) business model allows it to purchase subsidised land from the Hong Kong government, build routes, and rent the land it owns to commercial and residential projects, giving rise to extensive shopping malls and housing complexes directly connected to MTR stations, a masterful feat of urban planning (MTR Corporation Limited, 2024b). Revenue from property generates double that of transport services, making up the majority of the MTR's profit (MTR Corporation Limited, 2025). This revenue stream, as opposed to train fees, grants the MTR the finances needed to fund new railway projects and undertake continual maintenance without relying on government subsidies or loans, creating an operationally self-sustaining model for company growth. This independence affords the MTR the ability to keep fares low without sacrificing growth, thus avoiding monopolistic exploitation. The MTR remains one of the only profitable metro systems in the world (Keegan, 2019), and this is directly attributed to its success in combining public accountability with responsible private management principles.

Partnership

In PPPs, the private and public sector combine their strengths to realise practical solutions for public needs. As Healey (2017, p.124) argues, 'In a true partnership, there is not the presumption of government action and monopoly of government legitimacy', and the reverse follows regarding private sector involvement. The MTR possesses private capital required for railroad investment, technological capability, and operational expertise, leading to advances in sustainable transport and integrated land development. Instead of direct subsidies, the Hong Kong government grants land development rights to the MTR at a discounted value, meaning the value of the land before rail development. After building the rail, the opportunity is given to private property developers, following the R+P model. This both decreases government spending on construction, and increases their profit as majority shareholder. The MTR's contractual link with the government also ensures that future railway lines and associated properties develop in line with government public policy and urban planning, as seen in the Tseung Kwan O line and LOHAS project. As the only rail service operator in Hong Kong, it services 5.6 million passengers daily (MTR Corporation Limited, 2024a), in a resident population of 7.5 million people (The Government of Hong Kong SAR, 2025). Its substantial ridership stems from its efficiency and convenience, low fare cost, cleanliness, and safety. It has maintained a consistent 99.9 percent punctuality rate on both its train service delivery and passenger journeys since 2007 (Legislative Council Panel on Transport, 2025), a metric far outmatching all other train systems in the world except the Japanese Shinkansen. Transit oriented development increases land value, and the impact of R+P is such that '[a]bout 42% of households, 43% of the employed population and 75% of commercial and office floor areas are located within a 500-metre radius from a station', making it easily accessible to millions (Xue and Sun, 2018). In Hong Kong's geographic context—limited land mass, densely populated, and mountainous—the heavily public owned MTR Corporation has managed to build and maintain efficient, sustainable operations using its standardised R+P strategy, a privately managed business model.

London's and New York's Systems in Comparison

Regarding natural monopolies, as is the case in metro networks, monopoly PPPs are more financially viable than government operations when done right, and are held to a higher standard of corporate responsibility than private competitors. The effectiveness of monopoly PPPs in the rail transport sector is demonstrated by comparing the MTR with the London and New York City metro systems, as well as with MTR subsidiaries operating overseas. Similar to Hong Kong, London and New York are also big financial hubs with comparable urban populations (World Population Review, 2025). The London Underground was operated by competitive PPPs from 2003 to 2010. Multiple private rail companies signed contracts with the government each agreeing to operate specific lines, but was functionally inefficient and costly compared to the Hong Kong MTR (Gannon, 2011). From the start, the decision to use competitive PPPs was a political choice backed by the Labour government rather than a purely economic decision (Gannon, 2011). Multiple reports published by both public and private investigators showed that there was high uncertainty whether value for money could be delivered by the competitive PPPs (Gannon, 2011; House of Commons Committee of Public Accounts, 2005, p.5). One case study on the implementation of London Underground PPPs attributed the failure to the lack of transparency, foresight, and poor contractual management on both sides (Porcher, 2022). Ultimately, the absence of a centralised planning authority led to delays and cost overruns, symptomatic of the financial troubles competitive PPPs present when balancing expectations and outcomes.

Despite management changes, there is little suggestion of an improved user experience in its initial years. In response to the cost overruns, the UK government decided to minimise their losses in 2010, buying out the remaining private partners and handing control to Transport for London (TfL), a statutory body (Gannon, 2011). The London Underground is the world's oldest railway system, which can explain the root of its liabilities (Edwards, 2024). However, its current management system has failed to improve the basic quality of operations and customer experience, such as timeliness, safety, and hygiene. To this day, it faces challenges such as overcrowding, high maintenance and operating costs, and aging infrastructure leads to issues with station and train performance, resulting in delays and closures (London Assembly, 2020). Though public transport does not necessarily need to turn a profit as an essential public service, financial stability is crucial for upkeep. TfL relies heavily on fares, which make up 60 percent of its income (Transport for London, 2025), compared to 37 percent for the MTR. When ridership fluctuates, so does TfL's capacity, creating a vicious cycle which inhibits the recreation of a monopoly PPPs' success.

> *In a PPP, monopoly capitalism is countered by public oversight and government regulation, as evidenced in the Hong Kong MTR case.*

Similar to the London Underground, the Metropolitan Transportation Authority (MTA), which operates the New York City Subway, also relies on federal aid and fluctuating ridership for revenue, leading to frequent fare changes and inconsistent quality of service. Despite being fully public owned, taxpayer funding has proven insufficient. Fourteen percent of MTA's revenue goes towards servicing debt (Jain, 2025, p.10), which detracts from funds that go into reinvestments for the railroad. Frequent train delays and signs of decline in outdated infrastructure such as signals, switches, cars, and power systems, are apparent throughout the subway system, leading to unsatisfied riders who find it unclean, unsafe, and expensive (DiNapoli, 2025). In a survey conducted by the NYC comptroller in 2017, 73 percent of riders graded the NYC Subway a 'C' or below (Stringer, 2017). Industrial action and other causes of delays affected riders' daily lives, compromising their job security, family life, and personal health. On average, around 50 'major incidents'—meaning those involving people on the tracks, mechanical issues with signals, stations, the subway car, and tracks—occurred per month in 2024 (MTA, 2025).

This paper recognises that the Hong Kong MTR has the advantage of much newer infrastructure when compared to the London and New York City metro systems. The Hong Kong MTR developed its lines in the 1970s in anticipation of future population growth and continues to build new stations and lines, the most recent opening in 2022, while the numerous London and New York city lines are already well-established. However, MTR subsidiaries overseas, which also use the R+P model, are not able to perform as well as the Hong Kong branch either when operating as PPPs with foreign governments. When faced with the competition of other private rail operators, the MTR has seen contracts end early and is sometimes outbid, losing contracts in Sweden and the UK (Newton, 2024). These instances were due to financial difficulties and lack of sustainability when operating without larger government support. For example, MTR UK was contracted by the UK government from 2015 to 2025, and worked to unify parts of TfL rail into the Elizabeth line, starting operations in 2022 (Railnews, 2024). It also used the R+P strategy in the UK for financing, but faced challenges operating in a foreign regulatory framework, leading to complaints about its operational performance. In a competitive environment, it was outbid amidst growing UK-China geopolitical tensions and national security concerns (Simpson, 2024).

Regarding funding, operational performance, and integration, this article finds that in comparison to competitive PPPs and state enterprises, PPP monopolies are thus the most effective in transport infrastructure.

Conclusion

Though it is often appropriate to criticise monopolies, not all monopolies are characterised by greed. From an economic and pragmatic standpoint, it is possible to implement and regulate certain beneficial monopolies via contractual agreements between governments and private sector companies. In natural monopolies, PPPs are recommended as a system of management, as demonstrated by the Hong Kong MTR's consistent success. When compared with the London Underground, New York City Subway, and MTRs overseas subsidiaries, it becomes apparent that political dynamics in urban infrastructure management affect their societal value significantly. Management by competing PPPs lack long term support from the government, and sole government ownership does not facilitate the private capital necessary for large scale projects. Unstable funding inhibits sustainable improvement and expansion of metro infrastructure. In conclusion, this article finds monopolistic PPPs the best method of providing public metro systems in large cities where populations rely on it daily. The case of Hong Kong's MTR makes a strong argument for countries to utilise monopolistic PPPs, which can be used positively in the provision of public goods. By utilising the advantages of converging approaches, it can provide a cost-effective, efficient, and reliable service for users of urban metro systems.

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GUERILLA DIPLOMACY

by Amber Khlat

Illustration by Sara Paruta

Hezbollah's Evolution of Authority

Once hailed as a melting pot of religious diversity and cosmopolitan life, Lebanon is now a nation in turmoil, ruined by years of political paralysis, chronic economic meltdown, and entrenched corruption (Human Rights Watch, 2023). This turmoil can be attributed to the failure of consociationalism: a form of democratic power-sharing in which the elites of different subcultural or identity groups cooperate to collectively govern and maintain stability in deeply divided societies (Andeweg, 2015, p.692). Consociationalism serves as the foundation of the Lebanese political system, formalised by the 1943 National Pact. While the sectarian distribution of power initially reflected the demographic and political realities of the mid-twentieth century, it no longer aligns with Lebanon's contemporary dynamics. The significant growth of the Shia community has intensified divisions, emerging as a flashpoint for conflict (Early, 2006, p.116). Crucially, Lebanon's experience exposes a central flaw in Lijphart's (1969, p.216) consociational model: it assumes a cooperative spirit among sectarian elites and a state capable of mediating their interests. In Lebanon, neither condition has ever been present. This results not in the stabilisation but institutionalisation of sectarian fragmentation. Hezbollah today stands as a powerful symbol of Lebanon's flawed model, evolving from a resistance movement into a parallel authority that rivals the state itself. Hezbollah has entrenched itself within the growing Shia sect of Lebanese society through the deliverance of social services, acting as a superior provider to the government and amassing support. However, this dependence on Hezbollah is unsustainable, as its power rests on external patronage and domestic dysfunction, rather than genuine sovereignty. By acting as a quasi-state, Hezbollah has hollowed Lebanon out, leaving the country weaker, more divided, and incapable of reform.

Historical Foundations: Sectarianism and the Legacy of the Civil War

Consociational arrangements have historically entrenched communal boundaries, transforming sects into fixed boundary markers within Lebanon's social and political stratification (Fakhoury, 2014, p.231). The system's quota-based logic produces institutional rigidity and renders political structures unresponsive to demographic transitions, exacerbating sectarian grievances and inhibiting adaptive governance (Fakhoury, 2014, p.241). The absence of robust institutional arbitration mechanisms exacerbates elite fragmentation and incentivises reliance on external patrons, enabling sectarian leaders to consolidate influence beyond the state's formal powers (Fakhoury, 2014, p.242). These conditions collectively produce an environment in which non-state actors, most prominently Hezbollah, are not only enabled, but also structurally advantaged.

The 1943 National Pact sought to balance representation and mitigate sectarian tensions, distributing power among Lebanon's seventeen acknowledged sectarian groups (Norton, 2018, p.11). While designed to promote stability, this arrangement strengthened sectarian hierarchies, with Sunni Muslims and Maronite Christians achieving the most constitutional-empowered positions. Lebanon's fifteen-year civil war dismantled its central institutions and redistributed power along sectarian lines, while the post-war Taif Agreement failed to rebuild a strong central authority as it formulated a troika framework whereby power went to individuals instead of institutions, contradicting Taif's stated goals of strengthening institutional life (Harb, 2024). This ensured that no actor held the authority or incentive to pursue genuine reform. Decades of policy inertia followed, entrenching a state of crisis within the nation. Inertia undermined governmental institutions and their capacity to provide basic services, leaving citizens in a state of profound vulnerability.

It is in the resulting vacuum that Hezbollah has been able to rise to power. Beginning as a resistance movement, Hezbollah has evolved into a political force through its alternative form of governance. Hezbollah's political trajectory shifted abruptly in 1992 when it won eight of the 128 seats in the Lebanese parliament (Early, 2006, p.121). In addition to officially establishing it as a valid political organisation, this election result provided them with the golden opportunity to spearhead their newfound public platform from which they could influence national politics, often surpassing the Lebanese state's capacity to govern, implement policy, and enforce authority nationwide as the primary locus of political power.

The Rise of Hezbollah: Resistance, Representation, and Iranian Support

For decades, Hezbollah's strength grew from its deep roots in the country's long-marginalised Shia community, which has occupied the lowest rung of the sectarian ladder for much of Lebanon's modern history (Hazran, 2009, p2). Internal grievances and external forces fuelled Hezbollah's initial rise to power, positioning itself as a force for resisting Israeli actions and broader imperialist policies (Norton, 2018, p.38). Hezbollah's formation and success were significantly shaped by Iran, providing both substantial financial and logistical support alongside the revolutionary ideology of Ayatollah Khomeini (Love, 2010, p.3). Initially presenting itself as an autonomous and independent resistance force, Hezbollah gradually expanded to include social and welfare initiatives. These initiatives filled gaps left by the Lebanese state's failure to aid the Shia community, a failure closely tied to the distributive and representational shortcomings of the consociational arrangement, and solidified Hezbollah's bases of support in neglected Shia southern and rural regions like Nabatieh and the Beqqa Valley (Iban, 2025).

Iran is instrumental in bolstering Hezbollah's capacity to implement social-welfare programs, including the construction of schools, hospitals, and charitable relief centres (Khatib, 2021, p.29). External backing has not only enhanced the organisation's capacity to deliver these services, but further diminished the government's control over its own territory and governance structures. The ability to divert resources from the state has contributed to the weakening of Lebanon's central authority, as Hezbollah's parallel institutions shift power dynamics.

Governance in the Shadows: Hezbollah as a State Within a State

By delivering services that the state was unable to provide, Hezbollah increasingly consolidated its influence and gave the Shia community a sense of belonging. Thus, they were championed as a provider of welfare and a challenger to the traditional political elites who dominated Lebanon's sectarian power-sharing system. This dynamic is central to the weakness of the consociational system, as it demonstrates how it incentivises political competition through sectarian service provision rather than through universal, state-led welfare. Social services have become a battleground for political influence, with sectarian leaders and groups competing for allegiance, support, and power in their own communities. As a result, Lebanon's political system remains highly decentralised and prone to clientelism, with political loyalty and resource allocation deeply tied to sectarian affiliation rather than a broader sense of national citizenship or true altruism (El-Masri, 2023, p.35). Sectarianism has created the fertile ground in which clientelism has taken root, primarily benefiting the sectarian service-provision networks, as they attract public funding in addition to the financial and political backing of their respective leaders. Consequently, civic associations have been compelled to operate within this sectarian framework, cultivating ties with sectarian patrons in order to secure state resources, implement their programmes, or simply navigate the state's bureaucratic obstacles (El-Masri, 2023, p.41).

Hezbollah's governance mechanisms now function as a parallel form of statehood, strengthening its hold while eroding the legitimacy of the central government. This

status is not merely a symptom of state weakness, but a structural outcome of consociational governance, which fragments authority across sectarian actors instead of consolidating it within national institutions. Many of the fundamental requirements of the Lebanese people have not been met by the government, which remains ineffectual decades after the civil war, from which the country never really recovered (Yee, 2024). In this vacuum, Hezbollah has become one of the most important, highly visible, and capable service suppliers, providing several localities with better services. Their comprehensive and successful social welfare initiatives continue to be unmatched (Dal Bello, 2021). More than half of Hezbollah's institutions are located in communities that are more than 98 percent Shia (Cammett, 2014, p.105), illustrating how consociationalism encourages inward-looking, sectarian governance rather than inclusive national integration. Hezbollah's institutions constitute a cohesive, unified, and well-coordinated intrusion into Lebanese civil society, which help to facilitate its integration into the political landscape and particularly the Shia community. This illustrates how the consociational system enables sectarian actors to embed themselves as de facto governing authorities within their own communities, thereby fragmenting state authority.

Hezbollah's extensive welfare programs, encompassing healthcare, education, and reconstruction, play a crucial role in its self-perception as the protector of the Shia community in Lebanon. These programs serve not only humanitarian purposes but also function as instruments of political legitimacy. The use of the al-Sajjad 'discount cards' is a scheme intended to reduce financial strains while strengthening communal relationships (Yassine, 2024). Recipients must earn a salary of less than 1.5 million Lebanese Lira per month to qualify, and holders of the al-Sajjad card receive discounts of up to 70 percent on food products at Hezbollah cooperative stores (Yassine, 2024). This program directly helps Shia households by lowering the expense of everyday living. It also stimulates economic activity in local companies, many of which have direct or indirect ties to Hezbollah. An estimated 8,000 people held these cards in 2024 (Yassine, 2024), demonstrating the program's broad influence. The scheme exemplifies how welfare provision becomes politicised under consociationalism, transforming social assistance into a mechanism for cultivating loyalty and electoral support. The card is widely perceived as a political weapon and electoral tool that supports the idea that Hezbollah's parallel 'mini-state' is gradually growing while the Lebanese state continues to deteriorate (Yassine, 2024).

Hezbollah has created a massive financial relief scheme to support war-affected families following a disastrous conflict with Israel in 2024. All 233,500 registered families received payments of 8,000 U.S. dollars for families whose primary homes were destroyed, along with rental assistance of 6,000 dollars for those in Beirut and its suburbs, and 4,000 dollars for residents in other areas (Azhari and Gebeily, 2024). Naim Qassem, Hezbollah's new secretary general, stated in a speech that more than 50 million dollars in cash gifts have already been distributed with plans to extend the total disbursement to over 77 million dollars (Azhari and Gebeily, 2024). By stepping into a role traditionally associated with state institutions, Hezbollah continues to position itself as a formidable alternative to Lebanon's central government. In addition to meeting urgent and practical necessities, these initiatives display Hezbollah's tenacity and self-governance. Hezbollah's assertion of authority over the areas they serve was cemented by the redevelopment of Dahyeh, a predominantly Shia area of Beirut (Gunter, 2024).

Hezbollah's governance mechanisms now function as a parallel form of statehood, strengthening its hold while eroding the legitimacy of the central government.

Taken together, Hezbollah's welfare provision and parallel governance illustrate the broader failure of Lebanon's consociational system to foster cohesive state authority. Rather than mitigating sectarianism, consociationalism has enabled actors like Hezbollah to entrench themselves as indispensable providers within their communities, further fragmenting sovereignty and undermining prospects for effective national governance

Crossroads of Crisis: Foreign Pressure, and the Question of Disarmament

For Beirut, the new reality presents a precarious balancing act. The government is under pressure from the United States to dismantle Hezbollah's arsenal, while the group itself refuses to disarm as long as Israeli troops remain on Lebanese soil (Blanford, 2025). Following the recent conflict, Hezbollah's regional standing has deteriorated faster than at any time in its history. Once seen as a disciplined military and political actor capable of shaping events beyond Lebanon's borders, it is now facing unprecedented scrutiny from Washington and its regional allies. The Lebanese government's endorsement of a U.S.-backed plan to disarm Hezbollah (Al Jazeera, 2025b) marks a potentially historic moment for the state's sovereignty. The latest ceasefire agreement marked a sharp shift; Hezbollah agreed to withdraw north of the Litani River as the Lebanese Armed Forces (LAF) attempt to become the sole armed presence in the south (Al Jazeera, 2025a), where Hezbollah has the support of the large Shia community (Iban, 2025). The government also pledged to curb arms trafficking and reassert dominant state control, steps that directly challenge Hezbollah's long-guarded autonomy (Al Jazeera, 2025b).

Hezbollah's rise as a quasi-state hinders and undermines the Lebanese government (Khatib, 2021). Hezbollah's military capacity rivals or exceeds that of the Lebanese state (Bachega, 2025), and its deep-rooted support entrenches it within Lebanese society. The government now cannot erase it from these areas, nor does it have the capacity to replace Hezbollah's social services. It therefore presents no alternative option to the Shia community, who will continue to support Hezbollah in the areas the government seeks to control. The challenge is to disarm an unwilling militia without igniting another civil war and to do so fast enough to keep Western powers onside and Israel's invasion at bay. Yet, demonstrating genuine effectiveness would allow the Lebanese army to secure greater military support and reconstruction assistance from the United States and the international community (World Bank Group, 2025). The United States sees the current moment as an opportunity to reshape Lebanon's political order. In early August 2025, U.S. envoy Thomas Barrack unveiled a plan to solidify the ceasefire and phase out all non-state armed groups (Karam, 2025). Leaders in Washington and the Gulf have made their position clear: no disarmament, no money. Lebanon's leadership, aware that foreign aid hinges on progress toward disarmament, has opted for pragmatism with gradual compromise over open confrontation. Disarmament has thus become both a sovereignty test and a precondition for economic recovery. To the Lebanese state, it is not only Hezbollah that deters the opportunity of foreign aid, but also its Shia supporters.

While Hezbollah has long prided itself on financial independence, its domestic and foreign funding streams are under pressure. Maintaining its welfare apparatus such as schools, clinics, and payments to fighters' families is increasingly unsustainable. Cuts to these services would not only hurt its constituents but also erode the social contract that has bound much of Lebanon's Shia population to the movement for decades (Blanford, 2025). Meanwhile, Hezbollah's traditional backers are in no position to bail it out. The fall of Bashar al-Assad has severed critical supply lines from Iran through Syria, while Tehran's economic strain (Zerrouky and Golshiri, 2025) and shifting regional strategy have sharply reduced its ability, and perhaps its willingness, to fund Hezbollah's military ambitions (Kleiman, 2025). The group is prioritising military sustainability over governance, with fewer resources going to civilian networks. Hezbollah has suspended tuition support for the children of fallen fighters and restricted access to its welfare and healthcare networks (Kataeb, 2025). This signals a reallocation of scarce resources toward sustaining the military apparatus at the expense of the civilian and welfare arms that once underpinned Hezbollah's legitimacy among its base. Its erosion therefore opens a space for state reassertion. Still deeply entrenched in Lebanon's political fabric, Hezbollah is too embedded to disappear but too constrained to operate as it once did. While Hezbollah's reduced welfare provision may diminish its social legitimacy, the state lacks the institutional coherence, fiscal capacity, and cross-sectarian legitimacy required to fill the resulting gap. Absent structural reform, any retreat by Hezbollah risks producing further fragmentation rather than consolidation of sovereignty.

Conclusion: Between Resistance and Reform - Hezbollah's Uncertain Future

For now, Hezbollah remains defiant with its rhetoric unchanged even as resources dwindle; yet, the ground beneath it is shifting. A movement built on resistance now finds itself resisting change, relying on its chosen Shia sect for public support. For decades, Hezbollah's strength has rested not only on its military power but on a far-reaching patronage network that has embedded it deeply within Lebanese—and primarily Shia—society through welfare institutions, schools, and cultural organisations (Levitt, 2023). This system has enabled the group to act as both provider and protector, diverting authority from the state and embodying a state-in-society dynamic in which non-state actors assume state-like roles. Hezbollah's consistent undermining of the Lebanese government has entrenched its societal backing; but as Hezbollah weakens, the beneficiaries of its social support system are being left behind. Hezbollah's uncooperative nature has exacerbated the sectarian divide of Lebanese society, exposing a fault line as the Lebanese government attempts to reassert sovereignty.

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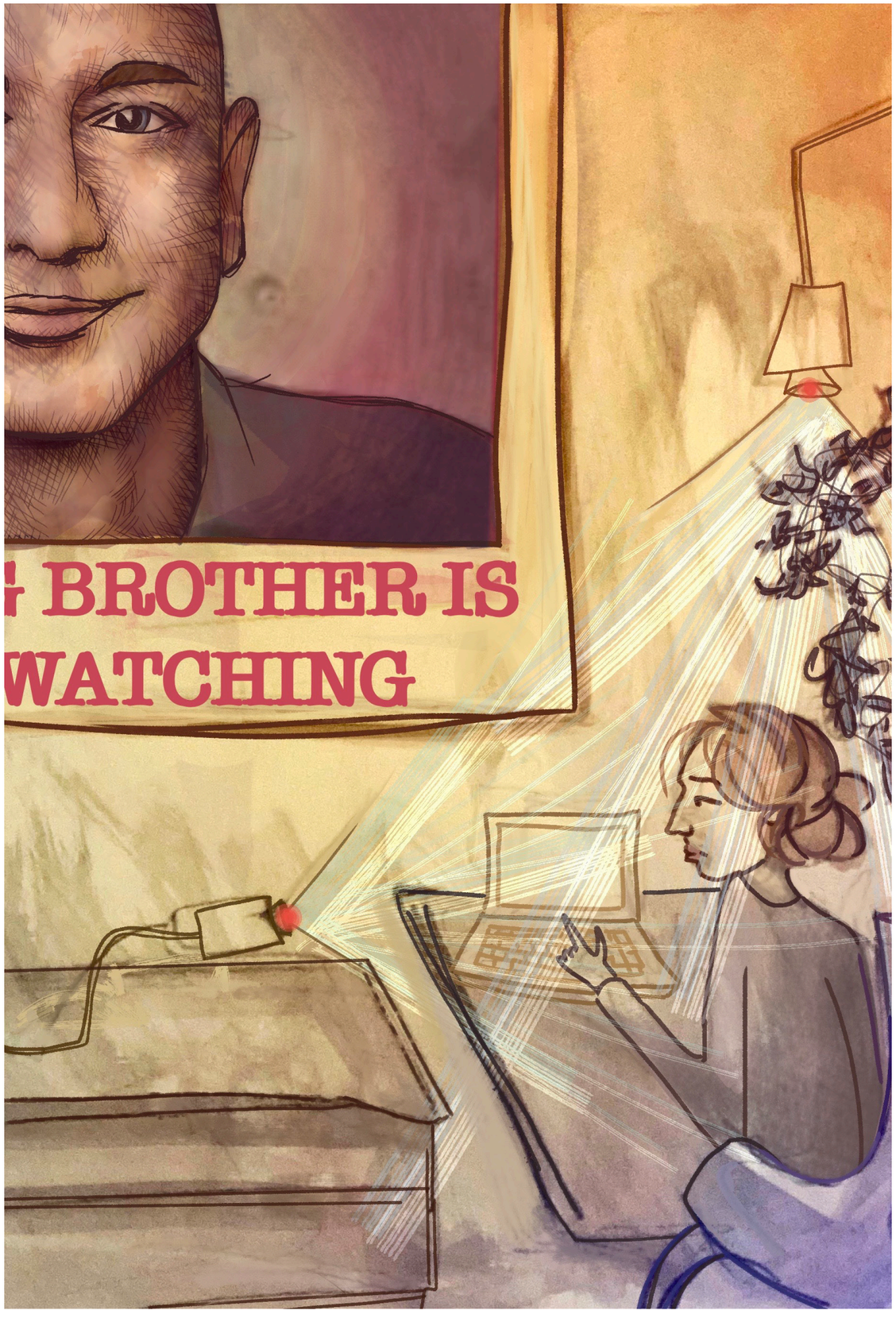

INVISIBLE POWER

Amazon Web Services and the Technopolitics of Sovereignty

by Georgia Folsom

Illustration by Ruby Gordon

Traditionally, sovereignty has been theorised as the prerogative of states to legislate, command, and enforce collective norms within a territorially bounded domain. Political theory has historically equated authority with legal sanction (Bodin, 1992, pp.11–19), coercive capacity (Weber, 2019, pp.134–139), and mutual recognition by other sovereigns (Krasner, 1999). However, this state-centric framing obscures the emergent architectures of authority that define governance in the twenty-first century. In an era of digital interdependence, sovereignty increasingly operates through control over the infrastructures that sustain the everyday operations of states and societies—known as infrastructural sovereignty. As Babalola and colleagues (2024) and Teuguia (2025) suggest, accountability in the digital age must be conceived relationally rather than territorially, attuned to the transnational, privately governed networks of dependence that sustain authority. Unlike traditional sovereign power, which is constrained by checks and balances, these technical networks are isolated, highly concentrated in infrastructural control, and largely opaque. In this configuration, sovereignty develops and endures through authorities' dependence on an infrastructure that lies beyond state ownership but remains essential to public function.

This article develops this concept of infrastructural sovereignty—operationalised by state reliance on cloud infrastructures, corporate control over data flows, and the legitimacy of technical expertise—to capture how authority in the digital age arises from systemic dependence. Using Amazon Web Services (AWS), the world's dominant cloud service provider (Borra, 2024), and its deep integration into the European Union's (EU) digital infrastructure, this article examines how corporate infrastructures acquire quasi-sovereign power through indispensability, legitimise that power through appeals to technical neutrality, and how states navigate the paradox of autonomy within dependence. This argument evolves across three dimensions: a constitutive grounding in infrastructural indispensability rather than territorial command, a changing modality of power grounded in systemic dependence rather than coercion, and a legitimacy sustained through technocratic expertise.

Power Through Indispensability

Understanding infrastructural sovereignty requires a departure from the traditional juridical notion of power as territorial dominion. In the digital age, sovereignty's essence is instead anchored in its indispensability to states, societies, and markets, whose functioning depends on privately operated digital infrastructures. Following Susan Strange's (1988) notion of 'structural power', understood as the capacity to shape the global economic and political frameworks within which others operate, corporate digital infrastructures have actualised a mode of power that is both systemic and constitutive. Strange (1988) distinguishes coercive power that relies on the ability of one actor to compel another, from structural power that operates by defining the conditions of possibility that govern the system itself without direct pressure. In this way, when a digital infrastructure becomes indispensable to the operation of everyday life, its proprietors develop an authority that is distinct from both state sovereignty and market competition.

EU cloud governance remains structurally reliant on American-headquartered hyperscalers, particularly on AWS, Microsoft Azure, and Google Cloud, whose combined market shares exceed 70 percent of the EU cloud service market (Blancato 2023, p.17). This epitomises the fundamental shift in how power is conceived. Over the past two decades, these firms have invested heavily in innovation, research, and infrastructure, developing proprietary chip architectures, data centers, and global fiber-optic backbones that underpin the efficiency and resilience of their services (Michels, Millard, and Walden, 2023; Organisation for Economic Cooperation and Development, 2024). Such long-term investment has not only cemented their dominance but also set technical and operational benchmarks that competitors must adapt to, rather than redefine. Through setting up these protocols and infrastructural standards, cloud providers shape who bears risk, retains access, and remains visible within networks.

As governmental data processing, decision-making, and communication are mediated through AWS architectures, the state's capacity to act is partially reconstituted within private systems of coordination. Controlling roughly one-third of the global cloud computing market, AWS hosts critical computational systems that support sectors ranging from finance and healthcare, to defence and public administration (Kadaskar and Kamthe, 2024, p.22). Across Europe, national administrations of major EU powers operate core services through AWS-hosted or AWS-compliant environments that enable secure data storage, real-time analytics, and regulatory conformity with General Data Protection Regulation (GDPR) directives (European Union, 2016). Italy's National Electronic Health Record network for instance, relies on AWS cloud infrastructure to host patient records, manage cross-regional data exchanges, and provide healthcare professionals with access to diagnostic and treatment information (Bauer et al., 2025, p.19). Additionally, the European Commission's Public Procurement Data Space project, which intends to integrate procurement data across all EU countries, has designated AWS as the sole cloud service provider, building a centralized system to collect and organize public procurement information (Daniell, Barbon and Souissi, 2024).

This setup ensures data integrity, real-time interoperability, or communication between computer systems, and compliance with GDPR data protection standards. Ultimately, this arrangement illustrates the indispensable role of hyperscale cloud providers in

sustaining critical public-sector operations as it forms part of the material substrate of EU governance (De Spiegelaere, 2021). Sovereignty thus persists not in opposition to dependence but through it; through a structural reliance on privately governed digital infrastructures that now underwrite the capacities of the state. Its continuity is sustained by an infrastructure that exceeds public ownership but upholds public function. Indispensability thus becomes the new foundational logic of power, the silent condition under which sovereignty endures within the infrastructure of digital life.

Modalities of Systemic Dependence

The modality of infrastructural sovereignty is shifting to one of systemic dependence. Power within cloud infrastructures like AWS resides in the capacity to sustain or suspend the technical continuities upon which political and economic life depend. Through its technical architecture and contractual frameworks, AWS delineates the operational boundaries of an emerging digital state: a state no longer bounded by physical territory but defined by technological assemblages. Service-level agreements, latency thresholds, in other words limits on how long data and signals can be delayed before performance or reliability is affected, and data localisation terms do not just regulate performance but temporalise governance itself (Blancato and Carr, 2024). This phenomenon embeds infrastructural contingencies into the procedures that condition how governments deliver welfare, process data, or respond to crises (Blancato and Carr, 2024).

The December 2021 AWS outage—which temporarily paralysed education platforms, logistics networks, and public services across Europe (Thousand Eyes, 2021)—made this dependency visible. What began as a technical malfunction in Northern Virginia disrupted access to cloud-hosted systems that underpin governmental functions, banking transactions, vaccine scheduling portals, and emergency communication networks within EU states. The event showcased not only the fragility of digital continuity but also how deeply political authority is embedded in these infrastructures: when cloud services fail, the resulting disruption can functionally resemble a suspension of state governance. As a result, dependence is not a supplemental condition of digital sovereignty, but its defining feature.

Yet, to withdraw AWS's infrastructure from EU operations would entail technical, economic, and political consequences, exposing the structural dependence of core public functions on hyperscale cloud infrastructures. Government data architectures are deeply entangled with AWS frameworks (Bauer et al., 2025). Migration from AWS to an alternative provider would require reconfiguration of cloud-native applications, renegotiation of data compliance standards, and the redevelopment of cybersecurity protocols (European Commission, 2021, p.13). Crucially, this entanglement produces a form of infrastructural lock-in that does not merely disadvantage market competitors, but also constrains the regulatory autonomy of states themselves. When critical public-sector processes, like tax systems, health records, and even defence analytics, depend on AWS's proprietary architecture, the cost of enforcing

When cloud services fail, the resulting disruption can resemble a suspension of state governance.

stricter competition, procurement, or data localisation policies becomes politically and administratively unreasonable. Even when states may recognise the risk of reliance on a single global provider, the embeddedness of AWS in state operations and infrastructure means that exit becomes almost impossible without jeopardising continued operation. Once state systems are built within AWS, migration risks, not preference, locks organisations into dependence.

In addition, AWS's monopoly within the EU's cloud ecosystem emerges from structural advantages, not solely because of market forces or technical superiority. These include early market entry, planetary-scale data centre reach, in other words,a global network of interconnected data centres enabling seamless deployment, storage, and processing across regions, automated scaling systems, and a tightly integrated suite of interoperable development and security tools. Cloud markets naturally tend to concentrate because the technical and financial thresholds required to operate at their scale are extremely high (Barwise and Watkins, 2017). This is true for AWS, which is not necessarily the best provider in every respect, but the completeness and maturity of its ecosystem make it exceedingly difficult for new entrants to challenge its dominance.

Importantly, this is not an indictment of AWS itself, as any provider capable of delivering the same level of global services would generate comparable dependencies. The issue lies in the structural dynamics of infrastructural consolidation: as the technological sophistication required to sustain planetary-scale cloud services increases, the number of actors capable of doing so decreases (Blancato, 2023; DeNardis, 2020). As a result of its operational superiority and infrastructural dominance, AWS consolidates systemic power as the continuity of governance, commerce, and communication across Europe is materially contingent upon an infrastructure operated beyond state jurisdiction.

This systemic entrapment constitutes a new modality of authority in which power progresses through logistical networks rather than legal hierarchies. Where codified checks and balances allow for transparency, accountability, and corrective intervention, AWS's monopolised logistical networks concentrate decision-making and operational control in the hands of private actors, creating zones of power that are largely insulated from public scrutiny (Khan, 2018). Its monopolistic position and guarantee of system efficiency, continuity, and reliability thus become instruments of power as governments are prevented from easily substituting providers or enforcing meaningful oversight without jeopardising their own operational stability, thus rendering resistance impractical. It subsequently reveals a form of unregulated authority, where sovereignty lies in the hands of those maintaining the operations of systems whose failure would suspend normality itself.

Technocratic Legitimacy and the Rhetoric of Neutrality

Infrastructural sovereignty depends on a discursive legitimacy that naturalises its authority through claims of technical neutrality. Through certifications like ISO 27001, an international standard for managing information security and protecting data, and adherence to GDPR-compliant processing standards, AWS legitimises its authority by presenting its infrastructure as an impartial instrument of efficiency rather than a site of political decision-making (DeNardis 2020, Musiani 2024). Regulatory compliance replaces political accountability, meaning that questions of control, risk, and responsibility are reframed as matters of technical optimization and operational reliability. By translating governance into a language of performance metrics and uptime guarantees, political choices are embedded and obscured in an infrastructural design deemed apolitical.

The ideological foundation of technical neutrality traces back to the 'California Ideology' (Barbrook and Cameron, 1996), a worldview that fuses libertarian individualism with techno-utopian progressivism in which technology is imagined as an impartial mediator of human creativity, not a structure of power. This ideology envisions digital technology as inherently liberating and self-regulating, emphasising the empowerment of individuals while downplaying the role of state regulation or social power structures. By naturalising the separation of digital platforms from government and portraying technical systems as inherently benevolent, the California Ideology creates a discursive environment in which users, institutions, and regulators are encouraged to treat infrastructures like AWS as apolitical utilities. However, these systems shape access, visibility, and operational risk. This ideological lens is foundational to the performative neutrality that DeNardis (2020) and Amoore (2020) identify: by cloaking governance in technical rationality, platforms are enabled to exercise significant authority while enjoying exemptions from conventional political and legal accountability. As a result, political deliberation occurring through AWS infrastructural networks is similarly subordinated to procedural efficiency as decisions about replication priorities or latency thresholds actively manufacture political and economic hierarchies (Blancato and Carr, 2024). The procedural logic of infrastructure thus substitutes for the institutional logic of checks and balances as accountability becomes internal to technical systems rather than external to political ones. What appears as technical fine-tuning is, in practice, the distribution of political consequence.

This depoliticising narrative becomes more consequential within the European context, where discourse of digital sovereignty collides with the material realities of infrastructural dependence. Despite initiatives like GAIA-X—the European Union's most ambitious attempt to operationalise a federated cloud framework and advance interoperable, secure, and transparent infrastructures governed by shared EU standards of openness, data protection, and reversibility (Blancato 2023)—European cloud governance remains structurally reliant on American cloud providers. As a result, even the European Union's most sovereignty-oriented regulatory mechanisms, like the GDPR or the NIS2 Directive, operate through infrastructures governed by foreign corporations. Neutrality becomes the mechanism through which infrastructural power sustains legitimacy without accountability. In doing so, it completes the triad of infrastructural authority discussed above,each reinforcing the other to make certain that power prevails precisely where it appears to be absent.

Normative and Regulatory Implications

The rise of infrastructural sovereignty unsettles the normative foundations of democratic governance due to its inherent dissonance with legitimacy. Traditional regulatory frameworks, like corporate law, competition policy, and data protection, were designed to constrain market power and safeguard rights, not to govern infrastructures of governance themselves (DeNardis, 2020; Musiani, 2024).

The pursuit of digital sovereignty has been a central pillar of the EU's policy discourse for over a decade, aiming to reconcile technological independence with participation in global networks. Nonetheless, since infrastructural dependence was established, intervention has become politically costly and technically disruptive. This raises a profound constitutional question: how can governments' legitimacy be sustained when authority operates through infrastructures that are privately owned, transnationally governed, and immune to public scrutiny? Ethical considerations must complement technical and legal mechanisms, ensuring that decisions about infrastructure reflect societal priorities and mitigate disproportionate risks to democratic oversight, including the concentration of decision-making power within private actors, reduced public visibility into infrastructural governance, and the marginalisation of communities affected by those decisions. (Babalola et al., 2024; Teuguia, 2025).

In practice, recent proposals by the EU to address this asymmetry—focused on transparency, mandatory disclosure of systemic dependencies, and independent audits— represent a crucial but limited first step (Blancato and Carr, 2024; Michels, Millard, and Walden, 2023). These measures address the symptoms of dependence while leaving the underlying transformation of power unacknowledged. A more comprehensive response must integrate legal reform, infrastructural oversight, and normative reflection. The GAIA-X initiative serves as the EU's most aggressive attempt to operationalise such a response. Its architects explicitly sought to institutionalise the European Union's digital values into the design of data infrastructures themselves, thus positioning GAIA-X not only as a competitor to AWS, but as a digital ecosystem that allows European firms to collaborate within a trusted infrastructure.

Regardless, this initiative reveals the structural paradox of infrastructural sovereignty. To achieve technical viability and global interoperability, GAIA-X has relied upon partnerships with AWS, whose infrastructure it was intended to offset (Blancato 2023). This dependence reinforces the broader reality that hyperscalers have achieved an extraordinary combination of scale, technical sophistication, and ecosystem integration such that they have effectively monopolised the cloud market. In contrast, European initiatives like GAIA-X face structural disadvantages in limited economies of scale, fragmented regulatory frameworks, and an absence of comparable capital intensity (Organisation for Economic Cooperation and Development, 2024). This tethers Europe to the infrastructure and technical standards of the very provider it seeks to counterbalance, even as GAIA-X attempts to embody European values of openness, transparency, and sovereignty. The result is an autonomy materially constrained by the infrastructures that enable governance, not simply by policy or legal frameworks. Europe's experience is emblematic of how the pursuit of autonomy, while simultaneously dependent upon infrastructural sovereignty, necessitates submission to the systems that make autonomy possible. The challenge then, is not to restore a lost territorial sovereignty but to democratise the infrastructure through which sovereignty now operates. In this sense, the politics of the twenty-first century begins not with the question of who governs, but with the deeper question of who maintains the infrastructure that makes such a rule possible.

Conclusion

The rise of infrastructural sovereignty demands a fundamental reassessment of political sovereignty in the digital age. No longer bound to territorial command or juridical sanction, sovereignty now circulates through digital infrastructures whose indispensability, systemic integration, and technocratic legitimacy render them the governors of ordinary life. Cloud architectures like Amazon Web Services go beyond simply facilitating governmental operations and now constitute part of the state's operational fabric, embedding private infrastructures of control within public authority within private infrastructures. Authority now derives from the capacity to sustain continuity, manage dependence, and stabilise complexity across interlinked systems. The fundamental basis of power lies in the indispensability of digital infrastructure, its modality in systemic dependence, and its legitimacy in the rhetoric of neutrality. Together, these dimensions generate a new constitutional order where authority is exercised through the digital infrastructures that make governance possible. Confronting this reality requires not only regulatory innovation, like transparency regimes, contingency planning, and accountability mechanisms, but also normative reflection on legitimacy and democratic authority in an era where governance is increasingly coded into private cloud architectures, operating beyond meaningful public oversight. The task for policymakers and scholars alike is to ensure that this new sovereignty is rendered visible, contestable, and accountable to ensure that authority remains subject to democratic scrutiny and collective will. Only then can sovereignty, reconstituted through dependence on technically indispensable digital infrastructures rather than autonomy, retain its legitimacy in the digital age.

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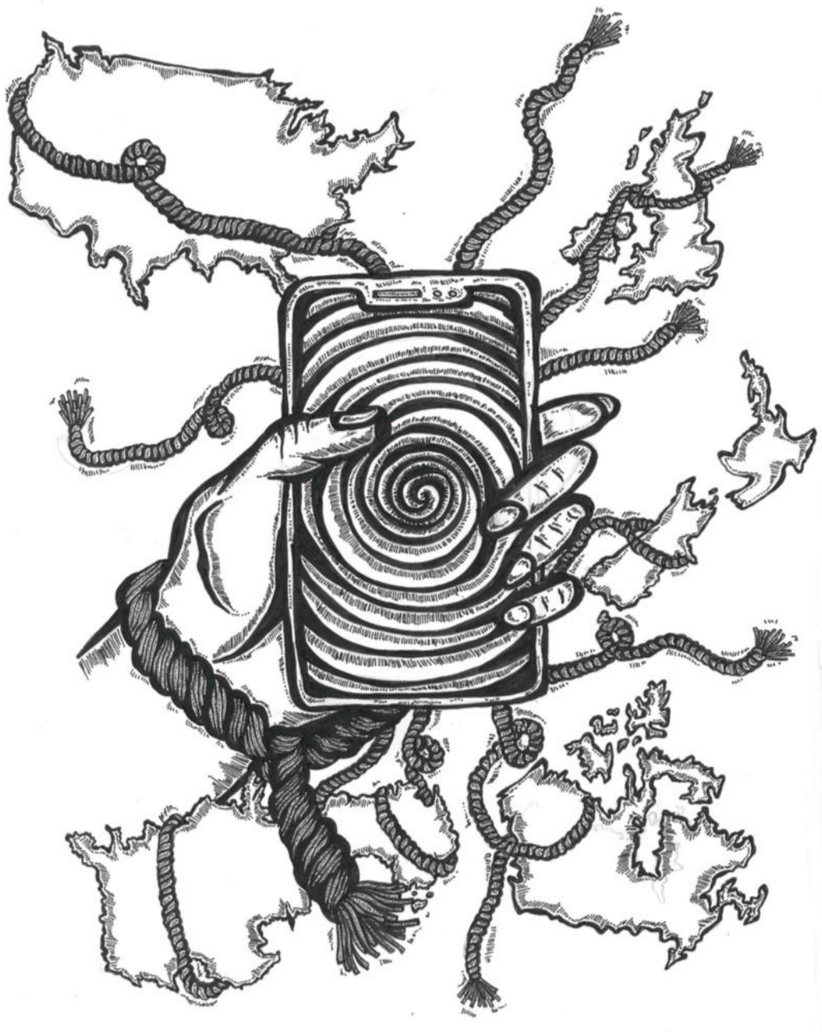
PERSPECTIVES ON DIGITAL AUTHORITARIANISM

by Hannah Walsh

Illustration by Agatha Wren



Corporate Power and the Erosion of Western Liberalism

The contemporary Western world emerged from the devastation of the post-war era in the early 1950s, characterised by unprecedented collaboration and the creation of supranational organisations such as the United Nations (UN) and the World Bank (Thierry, 2012). These institutions signified a collective commitment to peace and prosperity, establishing a new liberal international order that appeared stable and uncompromisable (Henderson, 2002). Yet, this stability is eroding as core Western values such as freedom and respect for human rights come under more frequent scrutiny and threat (Thomassen, 2009; Norris, 2017). The degradation of liberalism through increased surveillance, a rise in propaganda, and censorship, mirror traditional examples of authoritarian dictatorships, such as Hitler's Germany or Stalin's Russia. However, contemporary authoritarianism differs as it is influenced by advances in technology and media and perpetrated mainly by private corporations rather than the state. This paper argues that digital authoritarianism is a new form of control that is harder to detect but equally corrosive. Examining surveillance, propaganda, and censorship contextualises and helps explain this shift towards authoritarianism in the West.

For some, the development and reliance on collective values that uphold freedom in the West, inhibit the political climate from shift towards authoritarianism. Spector (2020, p.69) argues that although history repeats itself, this repetition is never identical. He is sceptical of the notion that authoritarianism is rising in the West, positing that there has always been an element of support for fascist authoritarian policies in the U.S. (Spector, 2020, p.71), and there will eventually be a move back to the centre (Fiorina, Abrams, and Pope, 2005). However, examining Western perceptions, Glasius (2018, p.516) argues that perspectives such as Spector's rely on a prescriptive understanding of what authoritarianism entails, overlooking the subtleties that characterise authoritarianism in the West. Owing to this distorted perspective, the West is unable to identify the ways that a new authoritarianism is rising, informed by the digital age, leaving it vulnerable to a more subtle, but equally dangerous, power shift (Glausis, 2018, p.516).

Surveillance

Surveillance under traditional authoritarian governments is a more physically intrusive process than that currently rising in the West, which relies on passive collection of data through corporations on the internet (Weller, 2012). Surveillance in Soviet Russia entailed the tracking of citizens, deployment of the KGB secret police, and widespread monitoring of mail and telephone communications (Weiner and Rahi-Tamm, 2012). These active forms of surveillance, which are enforced through the government, do not rely on the consent of the individuals involved. Comparatively, modern styles of monitoring rely on this voluntary provision of information for their operation. This is evident in the prominence of social media use in the West, which requires users to allow corporations to collect information about them from their profiles and internet usage (Brown, 2014). Mortier et al. (2015, p.2) contest the relationship drawn between surveillance and the collection of data through social media, arguing that users are given the illusion of volunteering this information based on rules and checkboxes but are not fully aware of what they are committing to. Social media and digital surveillance are now deeply embedded within the structures of everyday life.

While disengagement is not impossible, meaningful participation in society is increasingly constrained for those unwilling or unable to engage with these platforms (Volinz, 2025; Marwick, 2022). Now, there are also numerous voluntary systems that have effectively become elements of the contemporary social contract, including CCTV monitoring, digital banking, and biometric identification (Pallitto, 2020). These systems were introduced in the name of efficiency and security but consequently created a footprint of individuals' actions and movements. Following this, there is no longer an imperative to conduct the same kind of pervasive monitoring seen in traditional forms of authoritarianism, as this information is freely given to the state (Roger, 2022; Santanen, 2020). Rudschies (2022, pp.280–287) examines the power structures associated with the modern 'surveillance society' and how it is used as a tool of social control embedded within both government and corporate structures, with the power ultimately falling with the large corporations. They maintain that it is a reciprocally supportive system, as companies portray surveillance as a vital tool for security without having to justify all their actions, arguing that there are benefits for both the governments and the corporations (Rudschies, 2022, pp.283–286). However, data collection has expanded to a point where corporations have more information than necessary (Rudschies, 2022, pp.283–286). Lindorfer (2023, pp.593–597) discusses that companies frame data collection as essential for threat detection, crime prevention, and public safety, but that this can be good if the collection of information is aligned with the principles of digital humanism. Importantly, this has yet to happen, highlighting the ethical concerns of these companies gathering such large volumes of data on people. The lack of transparency surrounding the data willingly provided further enables exploitation of consumers and their information. This oblivion, coupled with the passive collection of data employed by corporations, highlights the fact that surveillance under digital authoritarianism is not only ignored by Western society but is also actively fuelled by the consumers subject to its scrutiny.

Propaganda

Under the continuing evolution of media and technology, the use of political propaganda has changed dramatically. In traditional forms of authoritarianism, propaganda openly pushes forth certain viewpoints, promoting the perspectives of the government above all others. However, it has now shifted to increasingly involve the proliferation of subtly tailored content that is designed to exploit individual vulnerabilities (Hristakieva et al., 2022). In Nazi Germany, the government controlled all forms of media and daily radio transmissions were broadcast to the Reich; all newspapers were state-controlled, and large-scale marches and rallies were held (Narayanaswami, 2011). These measures were highly visible, with the intention of reaching and consequently influencing as many people as possible. The current shift means that propaganda distributed through social media can be targeted to specific demographics and be conveyed more subtly. Moreover, consumers today predominantly interact with content that affirms their worldviews, thus creating an echo-chamber effect whereby consumers are presented with information that interests them, rather than a broad range of perspectives (Cinelli et al., 2021; Sunstein 2009). Furthermore, the public nature of social media and the ability for users to organically generate content create the impression that it provides a platform for a wide range of perspectives. Although this differs from traditional forms of propaganda, it allows for the dissemination and entrenchment of

selective opinions, predominantly those that align with the corporations that own these platforms. Bradshaw and Howard (2019) discuss this phenomenon in their research, stating that despite the organic presentation of social media content, many campaigns are formally organised and targeted at suppressing dissent. A case study for this new age of propaganda is the Cambridge Analytica scandal. The companies' use of micro-targeted political campaigns based on data mining conducted for international political authorities demonstrated the extent to which digital technologies can be weaponised to influence political decision-making (Pavlíková, Šenkýřová and Drmola, 2021). Widely reported as large-scale transnational data misuse, many corporations colluded for political gain. The problem lies in its exploitation of personal data without consent and its facilitation of misinformation allowing for this covert form of propaganda (Heawood, 2018).

Sunstein (2017) argues that social media platforms promote free speech, which is core to liberal values, and that the responsibility lies with consumers to decide whether to engage with content. However, this argument understates the significance of the social control that is exercised through tactics of distraction, evidenced today in the overwhelming volume of content produced and consumed daily (Herman and Chomsky, 1988). The content does not need to be distinctly political to have an impact on society. This can be seen in current discourse around the attention economy, summarised by Simon's (1971) conclusion that an abundance of information leads to a scarcity of human attention. This piece was written before the invention of social media and online content; many academics argue that today, with the increase in content and its tailoring, most people cannot resist targeted content and are thus consumed (Schaap and Hendriks Vettehen, 2023; Bruineberg, 2025). The distraction created through this influx of media allows for important information to be overlooked and makes it more difficult to distinguish between fact and propaganda. Following this, the propaganda that exists in new forms of authoritarianism in the West is more covert and it is more difficult to identify the motivations behind its dissemination. Rather than looking to openly promote certain viewpoints, propaganda is more focused on obscuring others and removing the ability for open discussion; yet, its impact remains significant. It creates an illusion of free expression which is more damaging than the more obvious forms of propaganda as it normalizes manipulation while fostering a false perception of autonomy and freedom (Masferrer, 2023).

Censorship

A core part of the Western liberal identity is personal autonomy, a large part of which is exercised through the promotion of free speech mentioned above (Fukuyama, 2022; Alvarez and Kemmelmeier, 2018). Censorship, the suppression or control of information and expression deemed objectionable by an authority, is a central feature of traditional authoritarian regimes (Guriev and Treisman, 2020). Alongside

> *...the West is unable to identify the ways that a new authoritarianism is rising, informed by the digital age, leaving it vulnerable to a more subtle, but equally dangerous, power shift.*

Nazi Germany, the Chinese government exemplifies this practice through its state-controlled media (Jiaqui, 2019). Although the Chinese government states that citizens have the right to free speech, it consistently redacts or blocks articles discussing or criticising the government regime and has recently tightened its laws surrounding the free flow of information (Xu, 2014). This is evident in the Chinese government's suppression of information surrounding the COVID-19 pandemic in 2019 (Moynihan and Patel, 2021). In the digital age, censorship is not enforced as frequently through governments but through the control of the media by corporations. Media consolidation is a growing concern regarding both propaganda and censorship (Proffitt, 2007). Three of the four largest social media platforms—Instagram, WhatsApp, Facebook—are owned and operated by Meta, allowing disproportionate power over moderation policies and the content consumers receive. Under Mark Zuckerberg's leadership, Meta has been criticized for enabling or directing content moderation and algorithmic priorities that align with specific political or economic agendas (Thorson et al., 2019). Internal reviews have found that despite the company presenting as unbiased with its establishment of an independent review board, all decisions on content are still closely linked to the company's internal priorities (Wong and Floridi, 2022). Corporations having power over the media give them control over public perception and influence over politicians, therefore having the ability to shape the political sphere (Cox, 2012). Importantly, these elites are not constrained by the need to cultivate public approval or participate in electoral cycles; moreover, they do not fall under the traditional system of governmental checks and balances, which renders their influence particularly concerning (Barkan, 2013).This narrative power concentrated among a small group of elites further highlights a shift in power from the government to large companies and demonstrates a concentration of control similar to that seen under traditional authoritarian regimes.

Conclusion

While Fukuyama (2022) saw liberal democracy as the final stage of political development, the markers of authoritarianism appearing and rising in the West suggest that it is in decline. Evidenced by historical memories and the anticipation of the replication of past events, rather than an appreciation of developments and shifts in society, the markers of authoritarianism are now different. Extensive surveillance, along with propaganda and censorship measures in the modern West, have expanded alongside the digital revolution, embedding themselves into everyday life. Each technological development introduces new mechanisms for monitoring and constraining the individual, eroding the boundaries of personal autonomy. While Western societies still claim adherence to democratic values, the normalisation of these practices reveals a deeper paradox: liberalism itself is degrading, leaving civic freedoms increasingly hollow. As surveillance becomes both pervasive and accepted, the infrastructure of control is already in place. A development presented as a safeguard of efficiency and order has in fact, provided the framework for authoritarianism; a framework that only requires a change in political will to go from democracy to complete oppressive oversight.

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DIGITAL THIRD PLACES AND THE RISE OF POPULISM IN THE UNITED KINGDOM

by Aurora Bortolin

Illustration by Ruby Gordon

Over the last decade, populist parties have been rising across Europe and the United Kingdom (UK), fundamentally changing the nature of politics across the continent and heightening polarisation and radicalism (Scheiring et al., 2024). Populism is a 'thin-centered ideology' that lacks a comprehensive policy framework and instead attaches itself to other ideologies, promoting a worldview which rejects pluralism and sees 'the people' as a homogenous group pitted against an antagonistic elite (Mudde, 2004, pp.543–544). This article challenges existing explanations for the rise of populism in the UK, instead focusing on how neoliberal individualism and post-2008 austerity have driven the closure of third places. This decline has eroded social cohesion and pushed socially isolated individuals towards social media as alternative community spaces. However, engagement-maximising algorithms amplify populist content for ad revenue, thus making pre-existing economic and sociocultural grievances politically salient in a manner exploitable by populist parties. This article argues that populist parties exploit the decline of third spaces to frame pre-existing grievances as existential threats and accumulate power through nontraditional structures. Regardless of which local issues populists use to gather support, digital third places offer a common denominator.

Conceptualisation of Grievances

Due to populism's ubiquity, contradictory explanations for its growth exist. In this context, grievances denote the economic and sociocultural frustrations and perceived injustices individuals experience regarding their social environment. These grievances form the base for populist support as the shift from traditional to digital third places made them politically salient in the 2010s. Although the literature broadly recognises these grievances, scholars dispute which types are most consequential for the emergence of populism. Some scholars, such as Gidron and Hall (2019), promote economic or sociocultural demand-side causes, while supply-side scholars, like Valentim (2024), identify inefficient political institutions as the cause. However, both overlook how these grievances become politicised. For example, economic explanations for the growth in populism point to the rise of globalisation-driven insecurity since the 1980s, arguing that labour market threats and austerity have pushed disaffected voters to support populist parties to voice their concerns (Hopkin and Blyth, 2019). These explanations highlight some grievances but fail to explain why these have become politically salient now, and not during previous economic crises. Indeed, they overlook the fact that populist support is linked to perceived economic decline rather than objective measurements (Scheiring et al., 2024). Focusing on grievances and overlooking how they became salient ignores the key process of the growth of populism. Instead, this article develops Wolton and colleagues' (2025) analysis on the dynamic between the decline of third places and the rise of the UK Independence Party (UKIP), as well as Gerbaudo's (2018) argument for the elective affinities between social media and populist parties. This article connects these assertions by arguing that the decline of traditional third spaces, and their subsequent replacement by digital third spaces on social media platforms, is the mechanism through which populist parties have found a willing audience. In effect, those harbouring pre-existing grievances have had their voices amplified, and populists politicise these grievances to build their support (Gerbaudo, 2018).

Sociocultural concerns are an alternative source of grievances; Inglehart and Norris (2017) argue that cultural backlash from rejection of post-material norms, such as environmentalism and gender equality, in contrast to more traditional notions of economic security, law and order (De Witte, 2004), politicises economic insecurity. Gidron and Hall (2019) corroborate this, finding that the economic and cultural changes have fostered a feeling of marginalisation, pushing people towards populist parties. The growth of social media has exacerbated these grievances due to its purpose as a gathering place; users can form bonds based on shared grievances which in turn has increased their perception of said grievances. Indeed, this sense of dissatisfaction is not new. What is new and explains the growth of populism is how social media has become a vehicle through which populists persuade voters to buy into their arguments.

The Decline of Third Places

Third places refer to spaces beyond home and work, where people socialise across social divides, fostering community bonds and social norms (Oldenburg and Brissett, 1982). These have been declining across the UK as neoliberal hyperindividualism—a philosophy which implies that socio-economic problems are merely the responsibility of an individual—has pushed people to step away from community-based interactions in favour of individualist activities (Dragutinovic and Pottgiesser, 2025). Furthermore, the 2008 financial crisis accelerated the decline of third places: the recession forced the closure of a number of small and independent businesses, including 35 percent of live music venues (Rahman-Jones, 2018). Austerity has also reduced community centre provisions, such as cutting the provisions of Sure Start—community centres which support families with children under the age of five with advice and childcare—by two thirds (Johnson, 2024), meaning that individuals have limited opportunities to socialise with their community.

The decline of third places across the UK has ultimately weakened community bonds by reducing opportunities for social interaction, thereby undermining social cohesion and increasing social alienation. The significance of this erosion is underscored by Wolton and colleagues (2025) who found a notable statistical relationship between the 23 percent decline of pubs in England since 2008 and higher support for UKIP (Office for National Statistics, 2018), consistent with the view that the closure of third places diminishes social capital, defined as interpersonal relationships and social obligations (Bhandari and Yasunobu, 2009). In sparser communities such as rural areas, this phenomenon also takes on a new manifestation in which already-limited third spaces decline more steeply, while participation in populist politics has correspondingly increased (Besson, 2018).

Wolton and colleagues (2025) and Davoine et al. (2020) agree that the decline in third places explicitly facilitates populism, as individuals seek an alternative method to fulfil their need for community. Populist movements are particularly successful due to their method of purposely gearing communication towards the common man, therefore promoting the sense of community people have lost where third spaces have declined. Such a communication style moves away from the perceived elitism of mainstream parties, whose rhetoric reproduces the feeling of alienation which populist parties criticise. Bolet (2021) corroborates this, finding a correlation between pub closures and rising UKIP vote, explaining that the perception of local socio-cultural degradation contributes to status anxiety, whereby people feel their socioeconomic position is being threatened (Gidron and Hall, 2019). In Bolet's case, local material decline makes white working-class men feel ostracised from society, as they can no longer develop a bond with their local community through socialisation in third places. This alienation is politicised by

messaging from UKIP that blames the local decline on immigrants and the London elite.

While illuminating, these broad explanations do not explain why populist parties have been able to exploit the decline of third places, which started in the 1980s, not only in the 2010s. This delayed success is explained by the growth of social media, which has allowed populist parties to create digital third spaces, where those seeking a digital alternative are able to find new community spaces in which to air their grievances. The transition from physical to digital third places is a crucial paradigm through which the decline of community spaces has translated into increased support for populist parties.

Digital Third Places

Social media has become a digital third place where people seek alternatives for previous local community spaces. The socialisation that used to happen in person was instrumental in people's basic self-fulfilment (Oldenburg and Brissett, 1982). However, unlike these physical third places where societal expectations encourage civil interaction across social divides, digital platforms create 'filter bubbles', which hides users behind a veil of ignominity (Gerbaudo, 2018).

These filter bubbles, created by social media algorithms, are conducive to populist audience cultivation (Hopster, 2020), driven in large part by companies' interest in maximising their revenue and therefore keeping users on their platforms. For example, Meta and X (Formerly known as *Twitter*) use micro-targeting algorithms to keep users engaged by showing them content that resonates with their viewpoint, resulting in people only seeing content that confirms their views (França and de Abreu, 2023, pp.242–243). This was evident in the Brexit referendum, where users received hyper-targeted 'Leave' posts based on their demographic data (Bastos and Mercea, 2018). Social media demands simple and short communication, a format which benefits populists, as their messaging relies on simplistic and reductionist arguments (Bakare, 2019). Simultaneously, this sensationalist communication style benefits platforms, as it creates a strong emotional response that can easily gather engagement. In turn, users are kept on the platform for longer, thus satisfying advertisers and providing social media companies revenue and views (Neubert and Reich, 2018).

Through this process, social media fosters a mindset in users which steers them away from mainstream parties. Populist simplifications of complex issues perform better, therefore incentivising the algorithms to keep pushing this content to more people (Lacatus and Meibauer, 2022). As a result of this continuous exposure, extreme beliefs are normalised (Valentim, 2024), particularly in conjunction with social media platforms' weak fact-checking (Dias and Sippitt, 2020). While media has always been used by politicians to spread messages, this degree of distortion of information is only possible in the social media age, as previous false information would have been filtered by more attentive human oversight (Hopster, 2020). Indeed, bypassing traditional gatekeepers,

...social media's particular strength is its ability to form a sense of community by creating homogenous groups: echo-chambers where people see their beliefs reflected back to them.

and by facilitating the creation of polarised communities, social media platforms further strengthens populists' anti-establishment messaging, as they can pose themselves as fighting against the elite's censorship of the truth (Maly, 2020).

Finally, social media's particular strength is its ability to form a sense of community by creating homogenous groups: echo-chambers where people see their beliefs reflected back to them. Populist leaders can engage directly with their audience through sharing unscripted videos, replying to members' comments, or commenting on events in real-time (Gerbaudo, 2018), thus providing a sense of belonging for their viewers. Therefore, when people join social media seeking to replace the physical third places they have lost, social media's algorithms capitalise on alienation and dissatisfaction with the status quo, pushing them towards populist content.

Conclusion

While sociocultural and economic grievances are causes of populist support, social media algorithms have catalysed their political salience, a process unfolding in three stages. Firstly, neoliberal individualism and post-2008 austerity drive the closure of third places across the UK, eroding the social cohesion that once integrated people into their communities. Secondly, individuals turned to social media to find replacements for the third places that used to contribute to their self-fulfilment and sense of belonging. Thirdly, social media algorithms pushed these users towards radical populist messaging, as sensationalist and simplistic communication styles perform better in engagement-driven platforms. The framework proposed by this article overcomes the shortcoming present in the literature, as it explains why populism surged in the 2010s: the convergence between declining community spaces as a result of the 2008 Financial Crisis and the rise of algorithm-driven social media created the perfect conditions for populist mobilisation of long-standing grievances. Understanding this mechanism is key to addressing the threat of populism, as it suggests that it is necessary to rebuild social cohesion and infrastructure to successfully challenge populist parties.

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THE ILLIBERAL RIGHT BEYOND EUROPE'S RULES

From an Illiberal Government in Hungary to Neofascist Parties in Italy and Germany

by Tommaso Prever

Illustration by Hugh Thackway

Article 2 of the *Treaty on European Union* (2012) (TEU) states that:

'The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail'.

This article argues that the European Union's (EU) legal and political enforcement mechanisms are structurally incapable of constraining illiberal governments, as demonstrated through the case of Hungary's rise of illiberalism. This institutional weakness has broader implications for the rise of neofascist parties in Italy and Germany, as the EU's inaction is aiding the rise of these parties. In fact, these values are shifting globally with nationalist and populist radical right parties becoming partners in governments since 2015 in almost one third of European states (Bichai, 2025) and outside Europe in countries like the United States, Turkey, and Brazil. However, this is particularly relevant in the EU context given its values—and its geopolitical identity—are inherently incompatible with illiberalism.
In light of this phenomenon, the EU is facing more contradictions in its choices and policies, with the rise of illiberal governments that frame EU rule of law as *ultra vires*. These contradictions are facilitated in the legal sense by the EU's failing to enforce its own treaty rules, and in an ideological sense by its tolerance of parties openly opposed to its core values. This article argues that this trend is enabled on the one hand, by not sanctioning a state like Hungary and, on the other, by allowing emerging illiberalism to flourish in other EU states like Germany and Italy even though,due to their institutional background, they currently remain safer.

The Legal and Ideological Basis

Despite challenging the EU's legal and ideological values, illiberal governments are becoming more common in the Union (Freedom House, 2024). An illiberal democracy is a democratically elected government that undermines or disregards constitutional limits and basic human rights such as freedom of speech, press, and assembly (Zakaria, 1997, p.22; Smilova, 2025). The democratic feature of elections is maintained, but the rule of law and civil liberties are weakened through populist rhetoric, or messages which pit the morally good against the evil immoral elite (Bos, 2025), enacted in law and policy. Under the rule of Prime Minister Viktor Orbán, Hungary fits this description (Wilkin, 2018), as its government undermines judicial independence, consolidates exclusively pro-government media, and restricts minority rights and the freedom to protest (Sargentini, 2018). Judicial independence is weakened by replacing senior judges and forcing them into early retirement while the National Judiciary Office Power, run by Orbán's wife, continues to grow (Krekó and Zsolt, 2018). By imposing fines on critical broadcasters, Orbán has created a single government-controlled media (Krekó and Zsolt, 2018). Finally, through the populist rhetoric, he marginalises LGBTQ+ groups, minorities, and asylum seekers (Krekó and Zsolt, 2018). As analysed later, Orbán rose to power in a legitimate manner; while his administration formally upholds the law, it has in practice continuously subverted it, creating a clear contradiction with the liberal values and ideas on which the EU is founded.

The EU, born after the end of the Second World War with the goal of promoting democratic values and peace, was unable to prevent this discrepancy between its ideological foundation and member states' actions due to the lack of legally enforceable political rights and effective accountability mechanisms within the EU's member states. The major weapons the EU has in its arsenal to hold member states accountable and to tackle these problems are Articles 2 and 7 of the *TEU*, which entered into force in 2009. Article 2 states the core values of the EU, and Article 7 allows the suspension of voting rights for states that breach these values. Article 7 is divided into three subsections: 7(1) allows for a soft declaratory power in case there is a risk of breaching Article 2 since it requires a majority of four-fifths of the Council to proceed. Subsections 7(2) and 7(3) correspond to an enforcement of the values of Article 2 via suspension of voting rights in the European Council, affecting a state's ability to take part in EU's budgetary decisions and foreign policy actions. However, as outlined before, these mechanisms have not curbed Hungary's illiberal rise.

What has enabled the persistence of Orbán's government is that the EU has few and ineffective practical instruments for punishing a backsliding nation: Article 7 of the TEU needs unanimity, a threshold that is difficult to reach. Sanctions based on Article 2 are rarely implemented regardless of the severity of the situation (Kochenov and Pech, 2015, p.519). Article 2 sanctions are further weakened by the lack of political accountability mechanisms in other governing charters such as Article 12 and Article 22 of the *Charter of Fundamental Rights of the European Union* (2016) (CRFEU) on freedom of assembly and cultural, religious, and linguistic diversity. What is missing, therefore, is real institutional entrenchment as a single state easily manages to bypass both Article 2 and 7.

The persistence of Orbán's government signals the EU's inability to enforce fundamental legal norms, leaving it to operate beyond its own rules. This weakness allows the insurgence of a single authoritarian government, thereby undermining the EU's own liberal values. In fact, the inaction towards an illiberal government like Hungary, whose Prime Minister openly declared his own state an illiberal state (Orbán, 2014), cannot go hand in hand with EU principles. Article 2 of the Union calls for a model that combines individual rights, democratic legitimacy, peace, and stability with unity towards integration or, as Habermas (2012, p.336) describes, a democratic political order in which rule of law and popular sovereignty are realised through shared institutions and collaboration. Hungary, in this context, has established itself as the 'EU's troublemaker' (Végh, 2016, p.72) by undermining efforts to protect democratic regimes and refusing to participate in EU-wide policies.

A second problem across the EU is that the spread of illiberalism is not an isolated phenomenon since parties with illiberal ideas are gaining more power in other EU states, specifically Italy and Germany (Galston, 2018, p.6). These parties threaten both civil rights and the broader European project via weak political enforcement mechanisms. The EU has failed to oppose Hungary when pursuing this path and the attempts to stop it have been unsuccessful. Therefore, this phenomenon could happen again in Italy and Germany, where, given the weakness of the opposition parties—with the Social Democratic Party (SPD) and Partito Democratico (PD) averaging between 15 and 20 percent support, respectively (YouTrend, 2025; PolitPro, 2025)—the moderate alternative to right wing parties does not seem plausible. This demonstrates how the EU aims for a stringent and effective rule of law without actually having the binding political mechanisms to enforce it.

The Hungarian Case

This analysis of Hungary will be divided in four parts: how Orbán rose to power, how the EU has reacted to these actions, why this response proved inadequate. The first attempted actions against Hungary were launched in 2015 by the Greens, Liberals, Social Democrats, and the European populist left group GUE. Even if numerically successful, these groups failed to bring any practical change (Meijers and van der Veer, 2019). Due to Hungary's proposal of reintroducing the death penalty that same year, the European Parliament voted to evaluate the emergence of a systemic threat in Hungary and a possible breach of Article 7, but it was unsuccessful (Closa, 2020, p.507). Then, in 2017, a left-liberal coalition tabled a motion for a resolution expressing risk of breaching the values of Article 2 due to Hungary's minority treatment and limitation of press in an effort to support a launch of Article 7 provisions (Hanelt, 2024, p.8). This resolution passed with more than 60 percent of the vote, but in the absence of a proposal for a solution and inaction of the European Commission demonstrates that Article 7 has not yet been utilised to its full potential (Hanelt, 2024, p.17). So, a significant problem emerges that the EU has formally recognised the illiberal threat of Hungary, but did not change anything, leaving an illiberal government and its leader in a threatening position for the rest of the Union's member states. This situation highlights how the EU is powerless towards an authoritarian, extremist, and illiberal government that has easily escaped political accountability. This inefficiency and democratic backsliding on the rule of law in a state like Hungary is fundamentally inconsistent with the Union's values and legal framework.

> *Once states become EU members, the ability of the Union to influence their internal political practices is paradoxically negatively impacted due to the Union losing its threatening power.*

Once states become EU members, the ability of the Union to influence their internal political practices is paradoxically negatively impacted due to the Union losing its threatening power (Sedelmeier, 2012, p.21). Furthermore, the third reason for the EU's weak response to illiberal governments is the existence of economic barriers and strict relations that make it difficult to block the collaboration between the EU and Hungary, especially given that eventual sanctions would negatively affect all the other countries (Hayes, 2021). One idea to strengthen the EU's accountability mechanisms is for the EU to implement regular evaluations of member states' compliance to values and norms. In 2023, the Commission released 10.2 billion euros in EU funding to Hungary in 2023 (Csaky, 2024) to avoid a veto in key Council decisions. This is evident in Hungary's criticism of the EU's approach to Russia's aggression in Ukraine and its ongoing undermining of EU cohesion and unity through eurosceptic party discourse, despite taking advantage of EU benefits in the form of 68 billion euros between 2004 and 2023 (Gulácsi and Kerényi, 2025, p.6), highlighting the contradictions between the EU and Hungary's give-and-take. Though Hungary has received billions of euros from the Union, such economic measures do not persuade the nation to conform to EU policy lines. The continued funding given to Hungary despite these contradicts how the EU prioritises the functioning of the system over its values. In this way the EU can be constrained by an illiberal state, like Hungary. Currently, these spaces of weak oversight are perfect for authoritarian leaders like Orbán since the smallest legal caveat can be exploited to entrench illiberal policies that exceed the limits of EU law.

Neofascist Trajectories in Germany and Italy

The situation in Hungary is not an isolated case, with other EU member states also showing signs of an illiberal turn. In particular, the rise of neofascist parties in Italy and Germany threatens to weaken the rule of law and democratic norms across the Union. This trajectory could cause significant challenges if these parties remain in power for an extended period, implementing nationalist and illiberal measures, potentially following the Hungarian path. In recent years there has been a normalisation of the populist radical right and of the extreme right (Mudde, 2007, p.24). These parties are characterised by aspects of nativism, authoritarianism, and populism (Mudde, 2007, p.22), but their most consequential feature in regard to the EU is the rejection of pluralism which, as in the Hungarian case, threatens the EU's cooperative framework and shared normative values. This rising threat is best exemplified through the right-wing political environments of Germany and Italy.

In Germany, AfD has risen from 10.4 percent to 20.8 percent in the last four years becoming the second major party (Duggal, 2025). Despite having clear Nazi roots, with deputies calling themselves the 'friendly face of the Nazis' (Connolly, 2025), the party is not banned from the EU. A first contradiction is related to the EU Framework Decision 2008/913, which is intended to provide a framework with which member states may criminalise Holocaust denial (EU Council, 2008). Furthermore, section 86 of the *Strafgesetzbuch* (German Criminal Code, 2026) outlaws the use of symbols and propaganda of unconstitutional organisations. The AfD's official program and leadership statements acknowledge the Holocaust, but some key figures of the party have denied it or criticised its memory. For example, Bjorn Hocke, Thuringia leader in 2017, disparaged Berlin's Holocaust Memorial, calling it 'a monument of shame' (Robins-Early, 2017). Furthermore, Alice Weidel, AfD co-leader, said that she wishes her party could 'follow the path of Hungary, [a] great role model' (Le Monde, 2025). By tolerating Holocaust relativism within its system through its failure to expand upon anti-racism precedent or adopt a model like Germany, the EU violates its own legal commitments under Article 2, amounting to an *ultra vires* act. If the AfD were to come to power, it could implement measures similar to those of Fidesz, posing additional risks to the EU's political unity and ideological basis.

A comparable dynamic is unfolding in Italy, where Giorgia Meloni's Fratelli d'Italia Party (FdI) surged from around 4 percent in 2018 to 26 percent in the general elections of 2022 (Senato della Repubblica, 2022), with current polls placing it near 30 percent (Youtrend, 2025). The FdI is well known for its neo-fascist basis (Ignazi, 2023). Indeed, its youth organisation, *Gioventù Nazionale*, was recorded performing the *saluto romano*, as well as using antisemitic sentences alongside open praise to fascism (Fanpage.it, 2024). The EU's reaction was absent. By contrast, the Italian Constitution provides safeguards against illiberal trends. The Scelba Law formally prohibits the re-establishment of the fascist party built upon the use of violence and the suppression of freedom (*Act No. III of 1952 on Civil Procedures*). Unlike Hungary, Italy has several different constitutional safeguards that help prevent an illiberal turn (Baraggia, 2023, p.209). These include multiple reading rounds of legislation and mandatory intervention time periods in which the opposition has time to respond. Furthermore, Italy has a bicameralist system that ensures an institutional mechanism of double oversight, whereas Hungary's unicameral structure and a compartmentalised electoral system facilitates disproportional representation. Meloni's political positions have often been associated with Orbán (Bottoni, 2024), yet the fear that Italy will follow Hungary's path is, at least for the moment, incorrect. The Italian government continues to respect EU institutions and its common political direction. Nevertheless, by accepting a party with openly neo-fascist roots into mainstream EU politics without consequence, the Union undermines Article 2 of the TEU, and places at risk not only democratic values, but also its institutions and the values of citizens.

The Risks Ahead

The debate on whether Germany and Italy are heading towards a trajectory similar to Hungary is not yet urgent since there are strong legal assurances and oppositions to contrast these governments. The AfD is, for now, considered as a 'suspected case' (*Junge Alternative für Deutschland v Bundesamt für Verfassungsschutz*, 2022) of anti-constitutional activity, while the FdI, despite its direct lineage from neo-fascism, remains legally permissible in Italy because it has not formally attempted to recreate the fascist party.

The Hungarian model is well appreciated by both far-right environments (Le Monde, 2025; Bottoni, 2024), and the risk of an illiberal turn fuelled by the rise of populism across the EU remains significant. Italy's constitutional framework would likely limit the emergence of an illiberal government like in Hungary, and Germany possesses similar capabilities with section 86 of *Strafgesetzbuch*. However, despite these constitutional checks on authoritarianism in Germany and Italy, Orbán's rise to power was swift and democratic, and his constitutional takeover conformed to the law. Thus, the risk remains that constitutional systems can be exploited by rising illiberal leaders to entrench their authoritarian aims.

At the EU level, however, the central problem is the lack of effective governance mechanisms to oppose neo-fascist movements. Thus, if the EU institutions failed in Hungary, it is entirely possible that they will also fail in Italy and Germany if the path is normalised. This weakness of legal power and of political accountability to the EU values at the super-national level is a clear failure of the EU's initial project. As a consequence, it is necessary for the EU to develop a stricter policy line based on economic sanctions and limitations towards countries like Hungary not willing to respect its values. By not managing to stop this in one country, the Union has revealed its weaknesses.

Conclusion

In conclusion, this article has examined the EU's failure in asserting political and legal accountability at the supranational and national levels in both a peripheral state like Hungary, and two key states like Italy and Germany. Through the analysis of illiberalism in Hungary, the article has illustrated how the EU does not create restrictions on illiberal political activities once states have joined the Union, thereby enabling illiberal governments to challenge, and even reshape, the Union's legal order. While Italy and Germany currently appear safeguarded by stronger constitutional and legislative frameworks, the EU's inability to act decisively in the Hungarian case suggests that these protections cannot be assumed to hold in the long-term. To address these vulnerabilities, it is necessary for the EU to return to its foundational commitments by developing coordinated, rule-of-law based responses and establishing credible mechanisms of political accountability for member states that threaten the project of the EU.

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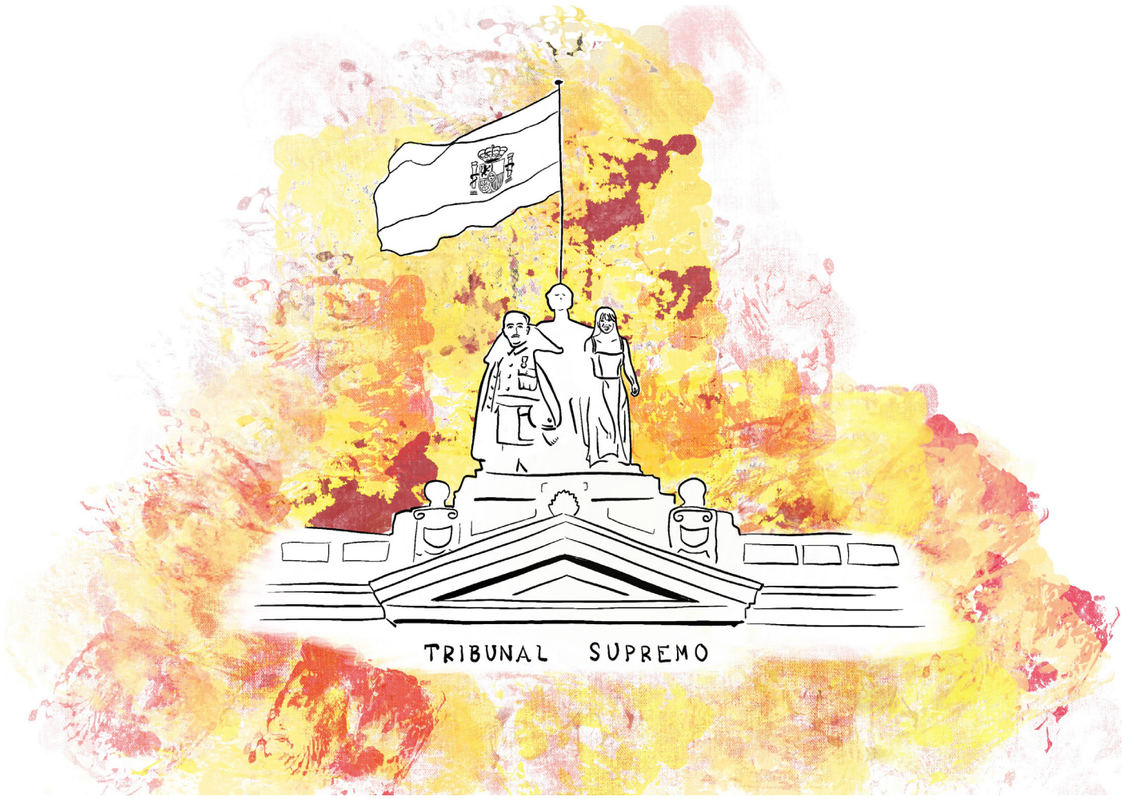
FRANCO'S JUDICIAL 'HANGOVER'

by Daniel Cook

Illustration by Sara Paruta



The Politicisation of the Spanish Judiciary and the use of Lawfare in the Begoña Gómez Case

In recent years, the term 'lawfare' has widened from its original use of describing the application of law to achieve military goals (Dunlap, 2001, p.4), to encompass a broader notion of the strategic use of legal systems and judicial processes to achieve political goals (Weis, 2022, p.917). While accusations of lawfare may seem like a recent phenomenon in many countries, the structural biases embedded in the transition from Franco's dictatorship to a liberal democratic system left the judicial branch largely intact, never purging the institution of the structural and cultural legacies of Francoism (Aguilar, 2001, p.93). This continuity has preserved strong conservative influence within the judiciary, enabling unelected actors to retain disproportionate power over the Spanish democratic process.

These structural legacies continue to shape judicial behaviour through the strategic, selective use of legal mechanisms—what Monedero (2019) terms 'strategic selectivity'—to favour entrenched institutional interests. As judicial actors can frustrate elected governments' mandates, this creates a sense of tyranny of the minority (Levitsky and Ziblatt, 2023, pp.63–64). The stakes extend beyond partisan conflict, as the judicial system becomes an arena in which political outcomes are determined without electoral accountability.

This misuse of the judiciary is most starkly illustrated in the case against Begoña Gómez, the wife of Spanish Prime Minister Pedro Sánchez. Accused of influence peddling and corruption in relation to a university course she directed and the 2020 Air Europa government bailout, the prosecution has been sustained by Judge Juan Carlos Peinado in defiance of repeated recommendations for dismissal (Jones, 2024). Other high-profile cases, such as the Catalan separatist amnesty law pursued under Sánchez's government, demonstrate that the patterns revealed in the Gómez case extend beyond a single instance, showing a broader systemic problem in the Spanish judiciary. Together, these cases reveal a structural imbalance that weakens governments' capacity to implement their legislative agenda and gradually erodes public confidence that political disputes can be resolved through democratic institutions. They illustrate how Spain's judiciary, still marked by Francoist legacies and entrenched conservative partisanship, has been manipulated as a tool of lawfare and amplified by political and media actors operating within Spain's 'polarised pluralist' media system (Hallin and Mancini, 2004).

The Enduring Institutional Legacy of Francoism

Spain's judiciary is widely recognised as highly politicised and conservative, with just 45 percent of the population reporting high or moderately high trust in the institution, nine points less than the Organisation for Economic Co-operation and Development (OECD) average of 54 percent (OECD, 2024). The European Union's (EU) 2025 Justice Scoreboard similarly ranks Spain 21st out of the 27 countries ranked on perceived independence of courts and judges, with interference or pressure from government and politicians identified as the main reason for this perception (European Commission, 2025, p.45). These statistics show more than just discontent, they demonstrate the long-lasting imprint of a transition that has prioritised stability over democratic reform, leaving the judiciary wide open to politicisation and lawfare. Low trust is not simply a perception issue: when citizens believe courts are politically captured, compliance with rulings can decline, societal polarisation intensifies, and the legitimacy of the democratic system as a whole weakens (Buhlmann and Kunz, 2011).

In a bid to prioritise stability after Spain's move from dictatorship to democracy, the transition relied on consensus and negotiation between both the Francoist reformists and the opposition (Aguilar, 2001, p.95). The process was heavily influenced by a necessity for risk aversion, leading to a policy of national reconciliation which 'entailed an amnesty for anti-Franco forces and amnesia for pro-Francoists' (Aguilar, 2001, pp.95–96). This had a direct impact on the judiciary, as there was no removal of the numerous Francoist appointees. Personnel from highly repressive bodies, such as the Tribunals of Public Order, once tasked with prosecuting political dissent, were simply reassigned within the new system (Aguilar, 2001, p.109). This structural continuity supported a political formula designed to maintain stability and gradual reform, reflecting a combination of institutional resilience and change rather than a complete break with the authoritarian past (Villena-Oliver and Romero-Reche, 2024, p.241).

Max Weber's concept of a 'legal-rational authority', in which legitimacy is grounded in laws and formal institutions rather than personal loyalty (Weber, 1978, p.215), exemplifies the enduring influence of Franco. The ongoing reproduction of a legal and economic bureaucratic elite helped the democratic system maintain this rule-based authority (Villena-Oliver and Romero-Reche, 2024, p.250), ensuring that democratic institutions retained structural ties to their Francoist predecessor. These continuities would, over time, shape the political incentives and constraints within which judges, prosecutors, and political actors continue to operate.

A 1985 reform sought to address this imbalance by enabling parliament to appoint members of the General Council of the Judiciary (CGPJ), which governs the Spanish judiciary, with the aim of reducing the influence of entrenched Francoist judges (Tercan, 2024, p.62). However, what was once intended to be a system to increase impartiality and fairness has since evolved into a source of major conflict between the Socialist Workers Party (PSOE) and the People's Party (PP), each seeking to control judicial appointments. This has led to the public labelling of judges as either 'conservative' or 'progressive' depending on their political affiliations (Tercan, 2024, p.61), creating an environment in which no judge can appear as truly impartial, because they will always be seen as having an implicit bias.

Lawfare and Politicisation in Judicial Institutions

One of the features that most clearly blurs the line between the judicial and the political in Spain is the continued use of '*acción popular*' (popular action), a procedural tool originally meant to provide a counterbalance to possible inaction by the Fiscalía (Public Prosecutor's Office) (Cardona, 2024, p.333). This nineteenth century mechanism, recognised as a constitutional right, allows for any citizen to initiate criminal proceedings, even when they have not been directly affected. Nowadays, a distorted use of this tool has been increasingly weaponised by political actors (Arochena, 2024, p.101). This aligns with what Hirschl (2011, p.254) describes as the 'judicialisation of politics', a growing global trend where lawmakers will transfer politically charged issues to the courts to avoid taking direct responsibility for controversial decisions. This practice perfectly epitomises how lawfare operates in Spain, as legal institutions are no longer just neutral instruments, but the very arena in which partisan forces can pursue political objectives through a façade of legal justification.

The Spanish legislature has even considered restricting the use of '*acción popular*' to prevent its abuse from partisan actors, including proposals to ban political parties and private associations from initiating such criminal proceedings (Cardona, 2024, p.345). *Manos Limpias* (Clean Hands), an ultra-conservative group with a history of filing politically charged complaints (Escudero, 2014, p.124), has frequently relied on '*acción popular*' to pursue cases aligned with its ideological agenda. Such proposals reveal a fundamental tension: 'acción popular' is constitutionally enshrined as a democratic mechanism of citizen oversight, designed to prevent the state from ignoring wrongdoing. Yet, in practice, its openness makes it highly vulnerable to exploitation by partisan or ideologically motivated actors, leaving it as one of the biggest unresolved challenges in Spain's post-Franco judicial system. This quirk of the Spanish judicial system gives anyone, including political parties or pressure groups with an agenda, the ability to create a 'dripping coup' (*golpe por goteo* in Spanish). As Weis (2022, p.920) describes, 'A dripping coup does not require particularly solid accusations but is instead based on the trickle of smaller charges that may even consist of frivolous accusations, without evidence, presented in the courts and the media, despite the legal impossibility of those accusations advancing toward prosecution'. Through the continuous accumulation of such legal complaints, the opponent's legitimacy can slowly be eroded, creating an increasing perception that at least one complaint must hold some truth (Weis, 2022, p.920).

This vulnerability is further compounded by the protracted crisis over the General Council for the Judiciary (CGPJ). Between 2018 and 2024, PSOE and PP failed to agree on its renewal, allowing members appointed by PP more than a decade earlier (originally for a five-year term), to remain in office for over twice their intended tenure, continuing to appoint judges and issue rulings even after their mandate ended. This paralysis stalled judicial appointments and cemented a disproportionate conservative majority at the upper levels of the judiciary (Arochena, 2024, pp.101–102). Although the European Court of Human Rights condemned Spain's failure to comply with its constitutional mandate to renew the CGPJ on time (*Lorenzo Bragado and Others v. Spain*, 2023), and required that Congress and the Senate initiate the formal CGPJ renewal process, this was not carried out.

Under mounting pressure and supervision from the European Commission to end the institutional stalemate (European Commission, 2023, p.1), PSOE and PP ultimately reached a private agreement in 2024, a political negotiation outside the institutional mechanisms required by law, only justified by the urgent need to renew the council after six years of deadlock (Arochena, 2024, pp.101–102). The deal divided appointments evenly between the two parties, granting each the power to name ten of its twenty members and excluding all others from the process (Jopson, 2025). Arochena (2024, p.101) argues that such politicisation extends beyond the CGPJ to other institutions like the Constitutional Court (TC) and the Fiscalía (Public Prosecutor's Office), where appointments are also openly determined by partisan negotiation. In the case of the TC, for instance, its president is effectively chosen

> *This deeply entrenched politicisation provides fertile ground for lawfare, as it embeds political conflict within the very structure of the Spanish judiciary.*

by party leaders, rather than their peers as intended, once more undermining judicial independence (Arochena, 2024, pp.100–101). These events come together to entrench a system in which judicial authority is shaped less by impartial legal reasoning than by partisan competition for institutional power. The result is a judiciary which is structurally predisposed towards the interests of those who already hold influence, creating a fertile environment for political actors to use legal mechanisms to achieve outcomes they cannot secure electorally.

This deeply entrenched politicisation provides fertile ground for lawfare, as it embeds political conflict within the very structure of the Spanish judiciary (Monedero, 2019, p.155). Juan Carlos Monedero (2019, p.144), one of the founders of the Spanish left-wing alliance Podemos, conceptualises this through the idea of '*selectividad estratégica*' (strategic selectivity): an ingrained structural bias which favours historical victors and makes it more difficult for alternative policies or reforms to be carried out. While Monedero's framing is based on a left-wing critique of institutional power, his theory still helps to explain why Spain's judicial mechanisms disproportionately serve entrenched interests. This bias is not neutral: it systematically advantages conservative institutional actors, who can leverage institutional tools that favour them, whether they are in government or in opposition. Solanes Mullor (2019, p.576) develops this idea through the concept of 'path dependency', in which institutions tend to perpetuate historical biases, showing how Spain's judiciary has evolved within a rigid institutional framework that reproduces the same structural biases over time. He argues that the chronic politicisation of the CGPJ has entrenched partisan influence to the point where its independence is largely performative (Solanes Mullor, 2019, p.582). In this sense, the structure ensures continuity with the post-Franco constitutional order, where legal mechanisms often shield the state and its institutions from criticism rather than guarantee impartial justice (Solanes Mullor, 2019, p.584). This continuity between the authoritarian and democratic eras has opened the door to political disputes being resolved with a growing reliance on judicial intervention rather than democratic deliberation, paving the way for lawfare as a routine instrument of partisan conflict.

Lawfare in Practice: The Begoña Gómez Case

The case against Begoña Gómez, the wife of Prime Minister Pedro Sánchez, who was summoned for jury trial in September 2025 (Van Gaal 2025), exemplifies the politicisation of the Spanish judiciary. The investigation began in April 2024, following a complaint filed under '*acción popular*' by *Manos Limpias* (Jopson, 2025). Crucially, the group acknowledged that its complaint relied entirely on reports from media outlets described by Sánchez as 'overtly rightwing and far right' (Jones, 2024). Although Manos Limpias originally argued that it was simply acting out of a sense of public duty by making the courts aware of these reports, it did admit that it could not vouch for their veracity (Latona, 2024).

Despite the Fiscalía consistently recommending the dismissal of the case, three times regarding Air Europa and once concerning the alleged misuse of public funds, the investigating judge, Juan Carlos Peinado, refused to close the investigation. While the Spanish Constitution states that the Fiscalía acts independently and impartially, it also subjects it to a principle of 'hierarchical subordination' and places the appointment

of the Attorney General in the hands of the government (*Spanish Constitution*, 1978, section 124(2)). This contradictory design means its autonomy is routinely disputed in high-profile cases.

The government maintained that no legitimate case existed, a position it said was supported by the Fiscalía, the Audiencia Nacional (Spain's high court for major national cases), and the Office of Conflicts of Interests (the body responsible for overseeing ethical compliance amongst public officials) (Kirby, 2024). Yet, Judge Peinado not only rejected these appeals, but also publicly reproached the Fiscalía for 'allegedly prioritising Gómez's defence over its institutional duty' (Jiménez, 2025). The government interpreted the judge's determination as a clear case of political persecution (Jiménez, 2025). The repeated filings and sensationalised media coverage create a presumption of guilt by accumulation. Such a perception is consistent with Weis's (2022, p.920) aforementioned 'dripping coup' logic as political evaluation shifts away from democratic means towards judicial processes whose impartiality is increasingly contested. This judicial persistence, even when facing internal legal opposition and lacking any substantial factual basis, therefore reflects the way partisan actors can weaponise judicial mechanisms to undermine democratic legitimacy. Furthermore, Judge Peinado has sustained the investigation despite being firmly rebuked by the 'Audiencia Provincial de Madrid', the body responsible for judicial oversight, which has annulled several of his inquiries for lacking foundation and repeatedly ordered that the Air Europa bailout enquiry be removed from the case due to lack of evidence (Galvez, 2025). He has also faced accusations of procedural overreach, such as ignoring defence appeals and deliberately timing his judicial decisions and rulings to coincide with government press conferences to ensure maximum media coverage (Jiménez, 2025). The Gómez affair therefore illustrates how Spain's legal processes and institutions can be exploited as instruments of legal and political warfare, blurring the line between judicial independence and partisan influence.

Similar patterns of judicial and institutional bias can be seen in other recent cases, such as the intense judicial scrutiny surrounding Spanish Prime Minister Pedro Sánchez's government's amnesty law for Catalan separatists (Tercan, 2024, pp.62–63). Although the government insisted that the bill fully complied with all legal standards, the Association of Professional Magistrates, Spain's largest association of judges, widely recognised for its conservative orientation (Jopson, 2025), issued a statement, claiming the law undermined the rule of law and the stability of the state (Tercan, 2024, p.62). This confrontation illustrates the recurring nature of strategic selectivity, as entrenched judicial actors continue to contest or reshape government policies, highlighting how partisan interests remain embedded within ostensibly neutral legal institutions.

Opposition parties, such as the PP and Vox, vehemently supported the continuation of the Gómez investigation and called for Sánchez's resignation (Kirby, 2024). Following the court's decision to open the probe, Sánchez condemned what he viewed as a politically motivated campaign of harassment, accusing right-wing and far-right online media outlets of orchestrating a smear campaign built on disinformation (Sánchez, 2024). This does not imply that all judicial investigations involving the Sánchez government lack legal merit; rather, the Gómez case reveals how existing structural vulnerabilities can be exploited when political actors mobilise the courts for partisan aims. These conditions reflect Hallin and Mancini's (2004, pp.103–106) description of Spain's 'polarised pluralist' media system, in which news outlets are closely aligned with political factions and media discourse frequently mirrors partisan divisions. That alignment is evident from the very roots of the case, as the initial complaint was based on unverified reports from ideologically driven outlets (Jones, 2024), which helped to sustain a level of debate, and therefore controversy, in public conversation. This combination of judicial persistence and media amplification reflects Monedero's 'strategic selectivity', as there has been a targeted use of legal and media mechanisms to systematically discredit Begoña Gómez.

Conclusion

Overall, the Begoña Gómez case demonstrates how the legacy of Francoism still lives on in Spanish institutions. The enduring politicisation of the judiciary, the exploitation of legal mechanisms such as 'acción popular', and the influence of partisan media together reveal how lawfare has become embedded within the state's political fabric. What began as a system designed to uphold democratic accountability has, over time, become a way through which entrenched interests can pursue political ends under the guise of both legality and morality.

Although this analysis focuses primarily on how Spain's judicial and institutional structures have historically advantaged conservative forces, it is important to note that lawfare is not an exclusively right-wing phenomenon. The very structural weaknesses that enable conservative actors to pursue partisan objectives could, in theory, be used by any political faction seeking to instrumentalise the judiciary.

To move forward, Spain must confront the structural weaknesses that enable ongoing politicisation. Genuine judicial reform should prioritise a revised CGPJ appointment process that limits direct parliamentary control, by both allowing judges themselves to nominate a majority of its members (in line with European standards) and by establishing stricter transparency requirements for party negotiations over appointments. In addition, Spain must reassess whether acción popular in its current form remains compatible with its democratic system. Originally conceived to counter the impunity of the Francoist state, its persistence without clear safeguards now enables the very politicisation it once sought to prevent.

Unless this structural vulnerability is addressed, Spain risks entering a cycle where the judiciary becomes a permanent arena of partisan confrontation, undermining electoral mandates and enabling minority vetoes over public policy. The longer lawfare persists as a political strategy to weaponise judicial mechanisms for partisan gain, the more it normalises a system where accountability is reversed: elected actors are scrutinised without being permitted to govern, while those wielding judicial and media power face no democratic checks. One potential solution would be to create an independent oversight body, separate from both judicial and political actors, to review politically sensitive complaints, preserving the democratic intent of acción popular while limiting opportunities for partisan, agenda-driven lawfare. Addressing this contradiction would not only require procedural reform, but also the kind of genuine democratic renewal that Spain's transition left incomplete. Without such reforms, lawfare will remain a persistent feature of Spanish politics, undermining both the credibility of its institutions and the democratic principles they were intended to protect.

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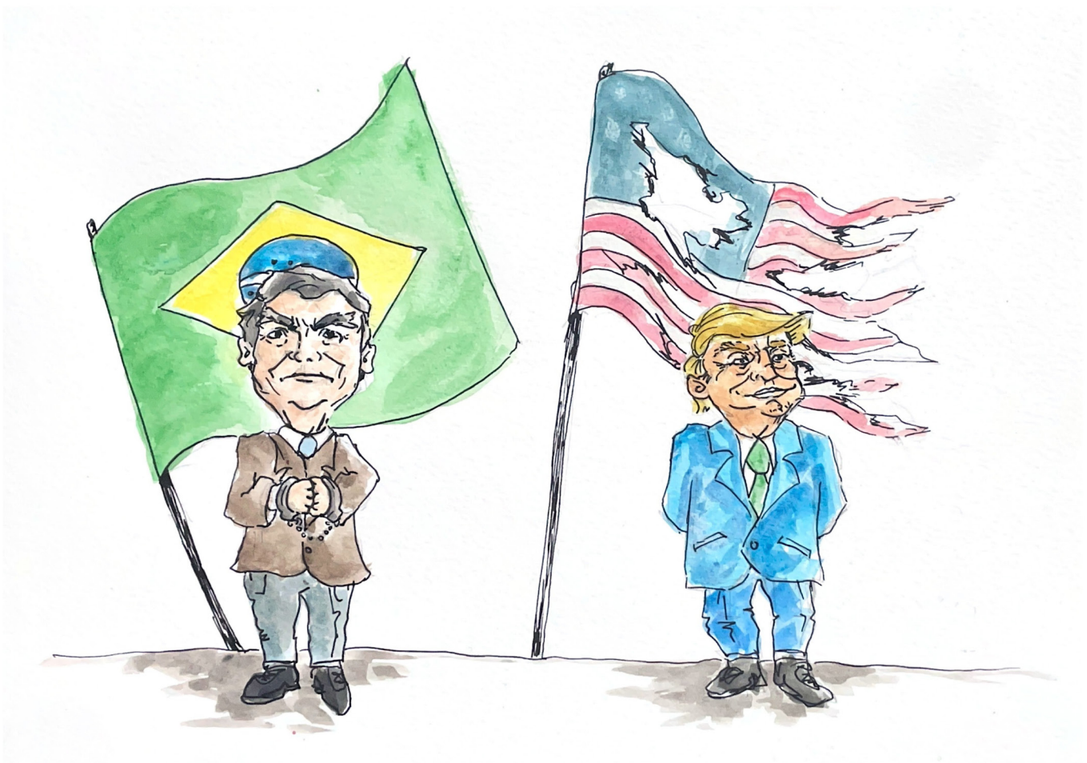
THE BOLSONARO TRIAL

by Cerys Jones

Illustration by Cerys Jones



Why Brazil Succeeded Where America Failed

Brazilian President Jair Bolsonaro and American President Donald Trump strike a resemblance rooted in their populist rhetoric (Dieckhoff, Jaffrelot and Massicard, 2022, p.7, p.12). The two leaders engaged in similar acts of executive aggrandisement and attempted self-coups in 2021 and 2023 respectively, yet faced vastly different consequences (Hill, 2021; Ionova and Nicas, 2025b). While Trump was still permitted to run for office, where he eventually returned in 2024, Bolsonaro is currently facing 27 years in prison (Ionova and Nicas, 2025b). A comparison of these cases demonstrates that the cause of the differing outcomes lies not in the leaders' actions, but in the nature of their respective judiciaries. Brazil's history and collective memory of authoritarianism and impunity compelled its judiciary to identify Bolsonaro's actions as a substantial threat and thus respond to them with decisive, and at times controversial, action. Conversely, the United States (U.S.) judiciary, drawing on a legacy of American exceptionalism and stability, enacted a slow, procedural response. By conducting a comparative analysis of the impact of history on each judicial response, this article argues that the Brazilian judiciary perceived Bolsonaro as a threat of democratic backsliding because of the nation's and ruling Supreme Court Justices' memory of dictatorship. Alternatively, the U.S. judiciary perceived Trump's threat differently because the country's democratic history encourages faith in the capacity of the checks and balances system to defend itself against undemocratic actors without direct interference. Ultimately, these cases illustrate that democracies are not self-sustaining, but must be actively defended: an understanding often rooted in a history of authoritarian rule, rather than democracy and stability.

Defining the Threat

To understand why the Brazilian and U.S. judiciaries reacted differently to the threat of democratic backsliding, one must first understand their shared challenge: the emergence of populist leaders who openly contested constitutional limits. Only after establishing the nature of the common threat does it become possible to examine how collective memory, specifically the experience of a history of dictatorship or long-term democratic stability, shapes how judges perceive risk and decide on a course of action. This approach demonstrates how historical legacies guide contemporary judicial behaviour, ultimately revealing why some democracies mobilise assertive institutional defenses while others rely on the inherent resilience and self-correcting capacity of their constitutional systems.

Levitsky and Ziblatt's *How Democracies Die* (2018) provides a foundation for this study by arguing that contemporary democracies fail not through sudden coups d'état, but rather through the incremental and deliberate erosion of civil liberties and political checks by those in power. This aligns with Nancy Bermeo's (2016, p.5) definition of democratic backsliding as the 'elimination of any of the political institutions that sustain an existing democracy'. Like Levitsky and Ziblatt, she argues that traditional, sudden forms of democratic collapse are being replaced by more subtle methods of institutional erosion, often legitimised through democratic processes, such as elections and legislative majorities. Crucially, this scholarship reframes the threat as an internal and subtle attack, highlighting the importance of an institution's capacity to recognise such erosion as a genuine danger. Building on this literature, this article focuses not on backsliding itself, but on whether the judiciary—informed by a collective memory of authoritarianism—perceives a leader's actions as a tangible step towards the elimination of checks and balances.

This threat is personified by Trump and Bolsonaro. Scholarship by Henneton (2022) and Louault (2022) demonstrates that both leaders represent a modern form of populist leadership and democratic backsliding, posing a distinct threat to the stability of democracy. Both Trump and Bolsonaro present themselves as 'real people' against a corrupt establishment and rely heavily on social media to maintain a direct, unmediated relationship with their supporters (Henneton, 2022, p.298, p.295; Loualt, 2022, p.94). This rhetoric resonates with the public, eliciting profound, unquestioning loyalty. Most importantly, their governance is characterised by a contempt for, and systematic attacks on, the judiciary and representative institutions that they perceive as thwarting the popular will (Loualt, 2022, p.94; Henneton, 2022, p.304).

Scholars like Milan Svolik (2020) emphasise the impact of populism and political polarisation on the electorate's strength as a reliable check. His work suggests that partisans will prioritise defeating their political rivals over upholding democratic principles (Svolik, 2020, p.3). Therefore, as partisan loyalty weakens the ability of the electorate to act as a political check, the responsibility of defending democracy shifts to the judiciary. In such situations, the courts face two options: either permit the leader's extreme behaviour or adopt an equally extreme, and potentially overstepping, response. This latter use of undemocratic power for democratic ends invites criticism, especially in countries like the U.S., where classical liberalism and a strong scepticism of judicial overreach are core values (Hartz, 1955). However, despite recognition of the judiciary as a significant bulwark of democracy, scholars have paid little attention to the reasons for different judicial reactions to democratic backsliding (Boese et al., 2021). Šipulová (2025), in a recent attempt to fill this gap, identifies key determinants of a judiciary's ability to safeguard democracy against authoritarian attacks. While representing a significant step towards focusing on the nature of the judiciary itself, Šipulová fails to recognise history and collective memory as important factors in whether a judiciary can identify a threat and understand the danger it poses to democracy (Šipulová, 2025, p.15).

Accordingly, this essay incorporates an analysis of collective memory theory to address this gap. As first conceptualised by Maurice Halbwachs (1992, p.38), collective memory theory posits that memory is a socially constructed process where individuals reconstruct the past using 'social frameworks' inexplicably linked to their group contexts (Olick, Vinitzky-Seroussi, and Levy, 2011, p.18). As such, collective memory has often been used by political institutions as a powerful tool for legitimation and the promotion of national unity (Olick, Vinitzky-Seroussi, and Levy, 2011, p.13). In Latin America, and specifically in Brazil, experiences of authoritarianism have heightened institutional vigilance by framing memory as a 'guarantee of non-recurrence' (Sampaio-Frías, 2019, p.22). Sampaio-Frías (2019) suggests that the public acknowledgement of past state crimes is a necessary preventative measure against future authoritarianism, and Schneider (2011, p.199) argues that in Brazil, this has manifested in a shift from a 'politics of silence' to a 'politics of memory', notably through the creation of the 2011 National Truth Commission. This commission was intended not only to investigate human rights violations, but to improve social understanding and encourage public debate (Sampaio-Frías, 2019, p.16). However, Sampaio-Frías finds that these examples of institutional vigilance are often thwarted by 'barriers to memory', such as the 1979 Amnesty Law, which established a paradigm of 'absolute oblivion', as it protected past undemocratic actors from accountability (2019, p.20). Furthermore, Foa and colleagues (2020, p.19) find evidence of 'transition fatigue' in new these democracies across Latin America, where youth satisfaction with democracy drops around 25 years after a transition to democracy, as 'new generational cohorts come of age who have no living memory of undemocratic rule'. They argue

that as the memory of the struggle for democracy fades, legitimacy hinges more on performance, such as addressing crime or inequality, than on democratic ideals (Foa et al., 2020). Therefore, while the literature emphasises the role of collective memory in heightening institutional vigilance, scholars also identify its fragility among younger generations, highlighting the necessity for political institutions to actively sustain this memory to ensure its continued efficacy as a safeguards against authoritarianism.

Brazil's Judiciary and the 'Long Shadow' of Dictatorship

The Brazilian courts' commitment to defending democracy was clear from the start of Bolsonaro's presidency in 2019. The 'fake news inquiry,' led by Brazilian Supreme Court Justice Alexandre de Moraes, investigated efforts made by Bolsonaro's campaign to spread misinformation during the 2018 election (Oliveria, 2025, p.283). The inquiry involved Justice de Moraes unilaterally targeting Bolsonaro supporters, including businessmen, right-wing bloggers, and politicians, by issuing search and seizure warrants for their electronic devices and suspending online accounts to halt the dissemination of content deemed a threat to the democratic stability (De Sousa, 2020). Prior to the self-coup trial, and only six months after the end of his presidency, Brazil's Superior Electoral Court—composed of Supreme Court Justices, including Justice de Moraes, federal judges, and lawyers—ruled that Bolsonaro was ineligible to return to office until 2030 (Araujo and Brito, 2023). This was largely due to his unfounded accusations of electoral fraud and hacking following his 2022 electoral defeat (Araujo and Brito, 2023). These claims, reminiscent of those made by Trump after losing the U.S. presidential race in 2020, were proven false by a Brazil Defence Ministry report, which found no evidence of fraudulent activity (Downie, 2022). Finally, in a September 2025 trial led by Justice de Moraes, Bolsonaro was criminally convicted of 'conspiring against democracy and attempting a coup', and was sentenced to 27 years in prison (Campante and Levitsky, 2025). The four-to-one Supreme Court result represents a decisive act of democratic protection, demonstrating the judiciary's understanding that impunity is not conducive to a stable democracy.

These assertive responses to Bolsonaro's efforts of executive aggrandisement were, in part, the result of the collective memory shared among the Justices of living through the Fifth Republic: the military dictatorship in power from 1964 to 1985. Having experienced authoritarian rule firsthand, Justices were poised to identify his efforts as distinctly authoritarian threats. The military dictatorship has cast a 'long shadow' over modern Brazilian politics, a legacy which Bolsonaro deliberately invoked (Snider, 2018, p.56). He has expressed explicit support for the military dictatorship throughout his political career, describing it as '20 years of order and progress' and has advocated for comparable authoritarian actions, including endorsing torture, police violence, and the 'physical elimination of opponents' (Bolsonaro, 2011; Couto, 2023, p.7). Bolsonaro enacted these beliefs through the militarisation of his government, appointing military leaders to civil positions; Ricardo Velez, for example, had a background as a 'long-time educator in military academies,' and was appointed as the Education Minister (Daly, 2019, p.20). In fact, more of Brazil's ministries were run by the military during Bolsonaro's presidency than during the Fifth Republic (Louault, 2022). This nostalgia for the military dictatorship resonated with a younger generation that did not live through authoritarian rule but were increasingly disillusioned with the structural inequality present in Brazil (Hunter and Power, 2019), and many were drawn to Bolsonaro's militaristic and authoritative rhetoric, exemplifying Foa et al.'s model of 'transition fatigue' (2020). By evoking the military to attract younger people to his cause, combined with the militarisation of his government, the judiciary's perception of Bolsonaro's activities was coloured, prompting them to view his actions as strongly reminiscent of the autocratic past and thus a distinct threat of a return to authoritarian rule.

The Justices' experience living under the Fifth Republic motivated them to prioritise the preservation of democracy above procedural norms. In the self-coup trial, four out of five Justices voted to sentence Bolsonaro to 27 years in prison (Campante and Levitsky, 2025). These Justices—Alexandre de Moraes, Flávio Dion, Cármen Lúcia, and Christiano Zanin—all lived under the military dictatorship for some portion of their lives and witnessed the severe living conditions permitted under authoritarian rule and the difficulty of transition into a democracy (Zambrano et al., 2024). Their legal education, undertaken either under or in the immediate wake of the military dictatorship, would have therefore required in-depth engagement with its political and legal implications. Accordingly, Justice de Moraes has expressed, on multiple occasions, the effect of Brazil's history on his decision-making process. For instance, in casting his vote during the coup-trial, he stated that '[i]t's impossible to trivialise this return to dark moments in history that we've already lived through' (Ionova and Nicas, 2025b). This sentiment was mirrored by the other justices: while casting their votes, Cármen Lúcia stated the case represented a 'meeting of Brazil with its past, present and future', while Justice Flávio Dino emphasised that 'Brazil, once again, due to the irresponsibility and lack of patriotism of some, flirted with and almost fell into a chasm of institutional darkness' (Froio, 2025; TaxTMI, 2025). As such, the Justices not only clearly recognised the seriousness of regressing towards Brazil's authoritarian past, but also explicitly anchored their judicial reasoning in its collective memory.

As a result of this ruling, Brazil faced 50 percent tariffs from the U.S. and Justice de Moraes was subjected to sanctions that revoked his U.S. Visa; these sanctions were even extended to target his wife (Ionova and Nicas, 2025c; Smith, 2025). This was justified by the U.S. government as a response to Justice de Moraes' use of his position to 'weaponize courts, authorise arbitrary pre-trial detentions, and suppress freedom of expression' in an official press statement by the Trump administration (U.S. Department of State, 2025). Trump imposed these extreme tariffs and sanctions in an attempt to deter the Brazilian courts from 'hold[ing] a former president accountable for attempting to overturn an election' (Campante and Levitsky, 2025) and succeeding in juridically checking authoritarian proclivities. Yet the judiciary's persistence in pursuing justice, despite explicit threats from the U.S., further demonstrates their strong commitment to safeguarding democracy.

The courts' assertive stance during the Bolsonaro trial proceedings also drew criticism on social media, with high-profile figures like Elon Musk labelling Justice de Moraes 'an evil dictator cosplaying as a judge' and 'Brazil's Darth Vader' (Phillips, 2025). Furthermore, thousands of Bolsonaro's supporters have since protested in his defence. Demonstrators described the trial as 'political persecution,' and singled out Justice de Moraes as the one responsible (Ionova and Nicas, 2025a; Meyerfeld, 2025). The loyal support for Bolsonaro expressed by thousands, highlights that the judiciary was holding the leader of a powerful and enduring populist movement accountable, thus demonstrating a willingness to sanction a figure who inspires immense popular backing and establishing a precedent of judicial independence that contrasts sharply with the treatment of Trump in the U.S. Therefore, while some believed Justice de Moraes was amassing unconstitutional amounts of power and acting against Brazilian interests, his and the Justices' active approach ultimately demonstrated that the resilience of a democracy depends on the capacity of its institutions to act assertively against populist autocracy.

America's 'Exceptionalism' and the Absence of Memory

Bolsonaro's populist style and alignment with far-right leaders earned him the nickname 'Trump of the Tropics' across several media outlets, explicitly linking his career to Trump's (BBC News, 2018). However, despite their similarities, attempts in the U.S. to police Trump's undemocratic actions failed, stemming from a collective memory unclouded by authoritarian rule.

Throughout Trump's presidency, assertive defences of democracy made by lower courts were often reversed by the U.S. Supreme Court. For instance, after lower courts struck down three versions of an executive order restricting foreign entry, the Supreme Court ultimately upheld the third version, refusing to apply traditional Establishment Clause Principles—which prohibit the government from establishing an official religion or passing laws to promote one religion over another—against actions based on religious intention (BBC News, 2018; Driesen, 2024). This mirrors a greater trend of the Supreme Court overturning any attempts by lower courts to safeguard democracy against the Trumpian threat. In *Trump v. Anderson* (2024), the Supreme Court unanimously struck down state-level attempts to remove Trump from the 2024 ballot (Liptak, 2024). This ruling was justified on principles of federalism, contending that state governments did not have the authority to enforce Section 3 of the Fourteenth Amendment—which prevents anyone who has engaged in insurrection after taking an oath to support the Constitution from holding federal or state office—against a former president, despite Constitutional provisions that grant states the right to conduct elements of elections for federal offices independently (Baude and Paulsen, 2025; *United States Constitution*, 1787, section 1(2)). This decision evidenced a judicial prioritisation of electoral reputation over a commitment to defend democracy, as the Supreme Court 'dodged the key constitutional question' of Trump's role in the 6 January insurrection and deferred responsibility to Congress (Baude and Paulsen, 2025, p.708). This desire to avoid controversy was made explicit in Justice Amy Coney Barret's concurrence, which argued that the Court 'should turn the national temperature down, not up' (*Trump v. Anderson*, 2024).

This pattern of judicial inaction was cemented by the lack of urgency exhibited in the *Trump v. United States* (2024) case, which addressed the prosecution of illegal acts carried out by presidents. Significant delays—pushing the ruling to July 2024, a year after Trump's indictment—place the trial in stark contrast to Brazil's swift conviction of Bolsonaro for a similar offence (Campante and Levitsky, 2025). The ruling itself, granting presidents immunity from criminal prosecution for any 'official misconduct', further highlighted this difference (Driesen, 2024, p.199). Justice Sonia Sotomayor's dissent in *Trump v. United States* (2024) highlights the weakness of this ruling, noting that even if the president organises 'a military coup to hold onto power', he would be 'immune' from criminal prosecution as long as he used 'official powers to do so' (*Trump v. United States*, 2024). The U.S. Supreme Court's interpretation of 'official powers' would still have shielded Trump, even if his conspiracy had been as severe as Bolsonaro's explicitly military-backed coup attempt. Therefore, unlike Brazil, the U.S. Supreme Court repeatedly failed to recognise the urgency of the autocratic threats facing the nation and act accordingly, instead neutralising the progress made by lower courts.

> *In contrast to Brazil, the U.S. Supreme Court operates within a myth of American exceptionalism.*

Much of this lack of urgency stems from the failure of the judiciary to recognise Trump's authoritarian steps as the major threats they were. In contrast to Brazil, the U.S. Supreme Court operates within a myth of American exceptionalism; the belief that the U.S. is inherently superior and uniquely immune to political extremes common in other nations, framing itself as 'the best, freest place in the world to live' (O'Connor, Cox, and Cooper, 2022, p.646). This belief, conceived in the nineteenth century, has been perpetuated by a long history of institutional continuity and an absence of revolutionary breaks common in other nations. As such, the U.S. has little historical precedent to fuel aggressive measures defending democracy against internal threats. The U.S. Constitution, signed into effect in 1789, is one of the oldest written constitutions still continuing to operate, contributing to a perception of U.S. democracy as uniquely self-sustaining (Bourgault, 2024). Furthermore, past crises have been retrospectively framed as successful stress tests, testing the robustness of systems and finding them stable, reinforcing a deep-seated faith in their strength. The Watergate scandal, for instance, is seen by contemporary society as proof that checks and balances will prevail, no matter the crises they face (Schudson, 1993). This perception does not account for the fact that after his resignation, President Richard Nixon received a full and unconditional pardon from President Gerald Ford, and thus never faced a criminal trial or any other legal consequences beyond his removal from office. This outcome starkly contrasted with the fates of the other government officials involved who were charged with a variety of crimes in conjunction with Watergate. Ford's inaugural announcement that '[o]ur Constitution works; our great Republic is a government of laws and not of men' cemented the narrative of inherent constitutional resilience that has persisted ever since (Ford, 1974). Therefore, this exceptionalist mindset, rooted in relative institutional stability, plays a key role in shaping the U.S. judiciary's perceptions of autocratic threats.

Additionally, this exceptionalist mindset is not confined to the courts; it is evident in debate among scholars, politicians, and journalists. Much of the academic and popular literature produced during and after Trump's first term maintains that U.S. institutions remain strong despite his presidency and thus reflects the widespread and ingrained belief in American exceptionalism (Aydintasbas, 2024; Henneton, 2022; Madrid and Weyland, 2019; Schlefer, 2025; Smarick, 2021). Many of these arguments, conceived prior to the 2024 election, rested on the assumption of Trump's declining political support and have been severely undermined by his return to office (Henneton, 2022; Madrid and Weyland, 2019; Smarick, 2021). Even in the wake

of his re-election, contemporary analyses continue to assert that the system of checks and balances will endure, demonstrating a persistent, almost dogmatic, faith in institutional strength (Schlefer, 2025). Ultimately, this collective failure to perceive Trump as an existential threat to American democracy, shaped by a history of relative democratic stability, therefore pervades all ranks of political debate—from the judiciary to contemporary scholarship.

Conclusion

The cases of Bolsonaro and Trump demonstrate that it is crucial for the judiciary to understand the fragility of democracy, as this understanding precedes a recognition of the courts' role in defending it. Brazil's judiciary, shaped by the legacy of military dictatorship, recognised the danger of Bolsonaro's actions and acted decisively, successfully defending its democracy. In contrast, the U.S. judiciary, influenced by a belief in American exceptionalism, failed to act quickly and assertively, leading to an aspiring autocrat's return and allowing Trump to continue his attempts at democratic backsliding in a second administration. Ultimately, Brazil's example shows that modern democracies can defeat autocratic threats, but only by understanding that democracy can collapse unless it is defended quickly and unrepentantly. Relatedly, the U.S. case serves as a warning that a long history of stability can foster dangerous judicial complacency, leaving a democracy unable to recognise its own fragility until it is too late.

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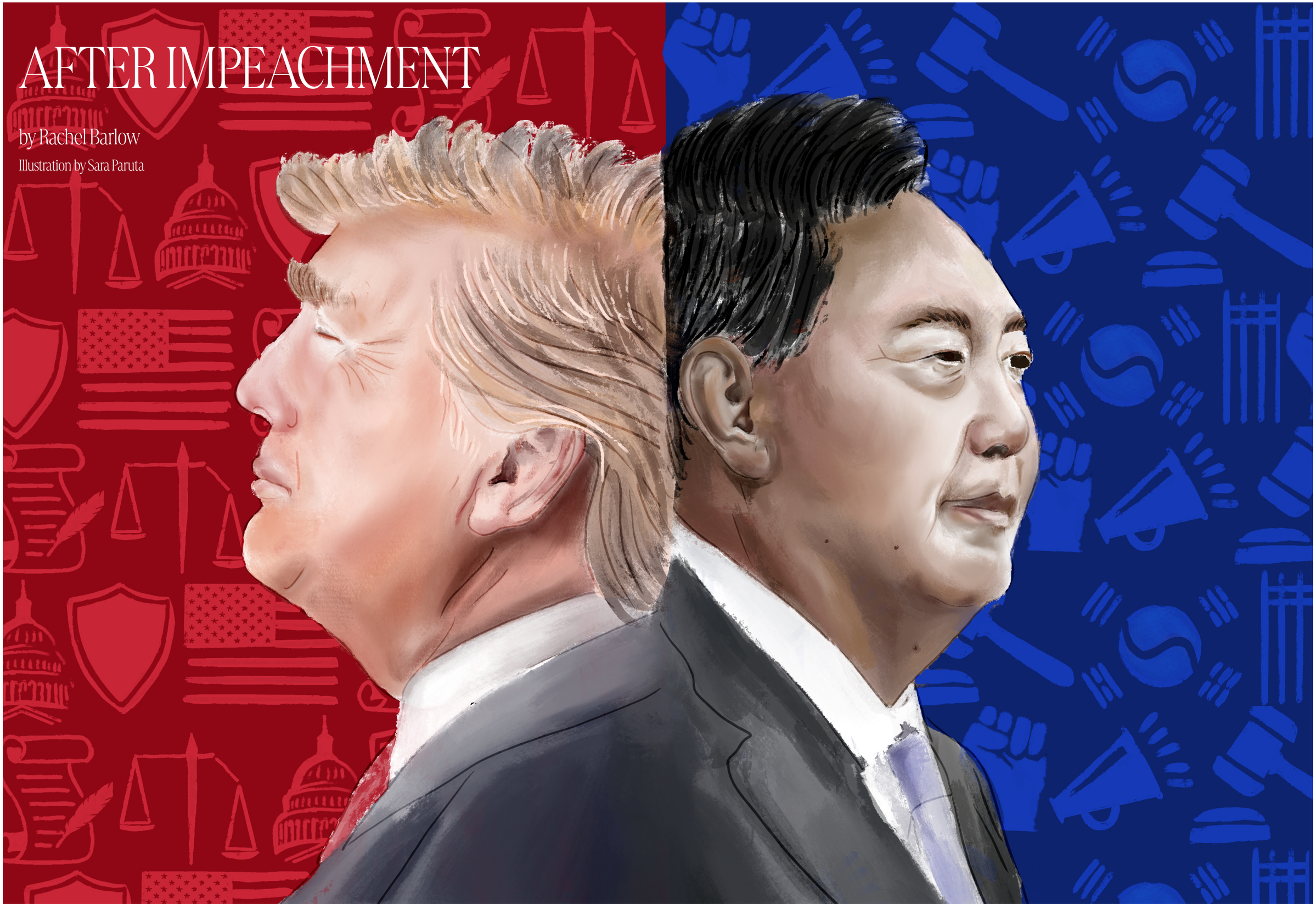
AFTER IMPEACHMENT

by Rachel Barlow

Illustration by Sara Paruta



Political Culture and Responses to Executive Overreach in the United States and Republic of Korea

In both the United States (U.S.) and the Republic of Korea (ROK), the mechanism of impeachment has been utilised successfully in response to executive overreach, yet there is significant divergence in the institutional and social treatment of impeached leaders, by politicians and the public. In the ROK, President Yoon Suk Yeol's 2024 impeachment for unjust imposition of martial law (McCurry, 2025) was followed by mass public outrage, immediate removal from office and later, criminal charges of insurrection. President Donald Trump's impeachments, in 2019 for abuse of power and obstruction of congress (House Resolution 755, 116th Congress) and in 2021 for incitement of insurrection (House Resolution 24, 117th Congress), have had minimal impact on his political career or popularity with the public (Livesay, Wilson, and Lee, 2024; Hartig et al., 2025; Saad and Brenan, 2021). Through comparative analysis of impeachments in the ROK and U.S., this article elaborates on three key factors which impact responses to executive overreach, namely, the democratic histories of the two nations, differences in participation, and polarisation.

Methodology Framework

The U.S. and ROK provide an informative comparison for understanding the treatment of leaders after executive overreach. A significant proportion of recent literature discusses the absence, nature, and effectiveness of judicial and legislative responses to overreach (Bradley and Morrison, 2013; Alexandra, 2014; Ingber, 2016; Farber, 2025) without significant emphasis on cultural factors. Almost all literature focuses on the U.S., while other states remain under-studied (Bradley and Morrison, 2013; Alexandra, 2014; Ingber, 2016; Farber, 2025). Though drawing on studies of the U.S., this article aims to broaden the literature by comparing popular responses to executive overreach in two institutionally similar states, with different political cultures.

The institutional mechanisms in both constitutional democracies are similar, with a combined head of state and head of government occupying the executive branch, and mechanisms to ensure separation of powers with the legislative and judicial branches (Bourgault, 2024, pp.28–29). The separation of powers manifests in impeachment mechanisms, embedded in the constitution, with the legislative branch playing the most significant role (Eum, 2024, pp.7–8). Constitutional similarities suggest that the treatment of Yoon and Trump by institutions should be relatively similar. However there are two key differences: the judiciary is utilised in the ROK's impeachment process and South Korean Presidents are suspended from duty immediately upon impeachment, which is not the case in the U.S. (Eum, 2024, pp.7–8).

Furthermore, the treatment of Trump and Yoon has diverged dramatically. Trump was impeached twice during his first term for 'abuse of power' (House Resolution 755, 116th Congress) and attempting to subvert the 2020 election by incitement of insurrection (House Resolution 24, 117th Congress). Yet he continues to enjoy widespread support, which culminated in his 2024 re-election (Livesay, Wilson, and Lee, 2024). Conversely, Yoon was impeached for unjust imposition of martial law, is now on trial for criminal charges of insurrection, and has been politically ostracised—even by his own party (McCurry, 2025).

In sum, both presidents were impeached as a result of their overreach, facing similar institutional responses. However, the public and political treatment of these two presidents diverges significantly. The subsequent analysis aims to ascertain which factors, both political and demographic, contribute to these diverging phenomena, despite institutional similarities.

Democratic Histories

The democratic history of the U.S. shapes the treatment of leaders who have committed executive overreach in two important ways. First, American exceptionalism prevents critiques of U.S. democracy and creates complacency when that democracy is potentially threatened. Exceptionalism, which argues that the U.S. is an exemplary model for other democracies, is prominent among American citizens (Onuf, 2012, pp.77–78). Polling data from the 1950s to 2010s consistently shows that a majority of respondents believe that the U.S. 'stands above' all other countries (Jones, 2010; Bowman, 2025). This American exceptionalism risks exacerbating political inattentiveness, particularly towards threats to democracy, allowing for critiques to be dismissed as unpatriotic, and greater permissiveness toward leaders. A CNN poll conducted before Trump's second election showed only four in ten Americans surveyed were following Trump's impeachment process 'very closely,' (Agiesta, 2019). This suggests that most Americans did not have a detailed knowledge of Trump's executive overreach, a level of inattentiveness that threatens the overall wellbeing of American democracy. A poll by The Hill–Harris X in 2019 found that 47 percent of total respondents, and 64 percent of Republicans who answered the poll, believed that speaking out against the U.S. was 'unpatriotic' (Bonn, 2019). U.S. political culture therefore disincentivises communicating the notion of executive accountability. Similarly, as executive overreach is perceived as an aberration, permissiveness arises if a leader performs well otherwise. In 2021, 51 percent of Americans felt Trump had made progress on the economy and 49 percent felt he had made progress on national defense, higher ratings than former Presidents Bush or Obama at the end of their presidencies (Saad and Brenan, 2021). If Americans are already inattentive to Trump's overreach and uncomfortable critiquing political leaders, voters may weigh Trump's policy achievements against the executive overreach in question, and consider him worthy of re-election, as exemplified in 2024 (Livesay, Wilson, and Lee, 2024).

In contrast, the ROK's democratic history is relatively recent, given its 1987 transition from authoritarianism to democracy (Han, 2025, p.2). The fear of returning to authoritarian rule creates a desire to maintain democracy above all else. The ROK has a history of authoritarian governance, thus the fear that Yoon's declaration of martial law represented a regression drove the mass mobilisation of civil society against him (Kim, 2025, p.352). Indeed, there is precedent for the imposition of martial law as an attempted authoritarian coup (Han, 2025, p.1). Specifically, the 1980 military coup led by General Chun Doo Hwan looms large in public memory. Park Chan-Dae, floor leader of the Democratic opposition party, told the National Assembly that the memories of 1980 had steered them safely through Yoon's attempted coup (Engel, 2024, p.1). This authoritarian legacy has instilled an emphasis on protecting and continually strengthening democracy, which is valued more due to its fragility. Because democratic institutions are relatively nascent and not yet fully formed, the risks of democratic decline are apparent to the public. As Han (2025, p.1) describes, the ROK continues to experience an 'ongoing struggle between constitutional democracy and authoritarian legacy'. These conditions decrease tolerance for the threat of executive overreach to democracy. This was shown on 11 December 2024 when just one week after martial law was declared, more than 1,700 civil society organisations orchestrated the 'Emergency Action for Immediate Removal of Yoon' and 'Grand Social Reform' movements, which co-ordinated nationwide demonstrations for restored democracy (Y. Lee, 2025, pp.234–235). Some protesters went as far as forming a 'human shield' to protect lawmakers who were forced to jump over fences at the National Assembly (Leem et al., 2025, pp.134–135). Thus, fears of returning to authoritarian rule, compounded by the fragility of fledgeling democratic institutions, have created high attentiveness to democratic backsliding. This attentiveness has, in turn, given rise to more critical treatment of President Yoon.

The cases of Presidents Trump and Yoon indicate the importance of democratic history in determining treatment of overreaching leaders in two ways. First, it influences the level of attentiveness to threats against democracy. American exceptionalism creates a culture of low political attentiveness which leads to permissive attitudes towards wrongdoing. In contrast, the ROK's comparatively recent authoritarian past promotes attentiveness to prevent democratic backsliding. Second, democratic histories shape the ability to identify and accept flaws in a democratic system and contest democratic backsliding, allowing for readjustment and reform. In this case, American exceptionalism disincentivises critiques of U.S. leaders and their actions, especially when they are perceived as anomalous in an otherwise so-called exemplary history. Contrary to this, the relative recency of the ROK's developing democracy allows for a more critical lens, focused on progress and course-correction, which may explain why political responses to Yoon's impeachment were far more critical and punitive than towards Trump.

Methods of Participation

In the United States, treatment of leaders who have committed executive overreach is influenced by an emphasis on institutional, rather than popular, involvement in politics. The significance of institutional actors began with the U.S. constitution, placing responsibility with elected officials and only prescribing the electorate limited involvement. As Levinson (2013, p.2644) highlights, the Constitution is based on a model of representative democracy that minimises people's direct role in national-level political decisions, with engagement diluted to merely electing representatives. This style of representation has led to an American culture that does not encourage ordinary citizen political involvement, evidenced by electoral turnout. Voter turnout for U.S. Presidential elections hovers around 50 to 60 percent, strikingly lower than the ROK's 2022 Presidential election with 77 percent turnout (International Foundation for Electoral Systems, 2025; Green et al., 2023). The 2018 midterm elections, marking the highest turnout in a century, saw only 49 percent of Americans at the polls, while the 2020 election left the U.S. ranked 31st among 50 countries for voter turnout (Green et al., 2023; DeSilver, 2022). A large proportion of Americans are evidently disengaged, even in the most important elections. Such widespread political apathy significantly influences the treatment of leaders who have committed executive overreach, preventing coordinated mass opposition to these leaders.

The cases of President Trump and Yoon indicate the importance of democratic history in determining treatment of overreaching leaders in two ways.

By contrast, the ROK is known for its 'participatory culture' in which citizens pursue direct action (Y. Lee, 2025, pp.234–235). Grassroots activism enabled the transition to democracy, and thus a desire to protect democracy and preserve 'hard-won' freedoms is central to this style of participation (Y. Lee, 2025, pp.234–235). Another pertinent aspect of South Korean political culture is a strong sense of civic duty (Y. Lee, 2025, p.235; Leem et al., 2025, pp.134–135). This is evidenced by the broad coalition of civil society groups that collaborated after Yoon's martial law declaration; nearly 50 separate anti-Yoon protests took place on the day martial law was declared (H. Lee, 2025). The coalition included labor unions, women's rights organisations, environmental groups, student organizations, farmers' groups, LGBTQ+ activists, journalists, and opposition parties (H. Lee, 2025). Civil society protests also continued in the aftermath—for instance, KCTU, the ROK's largest labour union, declared a general strike until Yoon resigned (Moon, 2024). The elements of duty and protection in the South Korean system pushed these protest coalitions to campaign not only for the protection of democracy, but its expansion too (Y. Lee, 2025, pp.234–235). Yoon's martial law declaration therefore exposed a thriving activist culture in the ROK, determined to preserve democracy.

Overall, this comparative analysis demonstrates that the treatment of leaders who have committed executive overreach is heavily influenced by methods, style, and operative norms of political participation. In the U.S., an emphasis on institutional politics combined with relatively low engagement in participatory politics results in insufficient popular opposition to punish overreaching leaders. In contrast, the ROK elected representatives are subjected to strong and continuous public pressure via a thriving and effective participatory culture. This facilitates the success of institutional mechanisms for citizens to hold leaders accountable for executive overreach.

Extent of Polarisation

The U.S.' entrenched two-party system, in which the same two parties have traded power for more than 150 years, has considerable influence over the political landscape (Anthony and Carl, 2019, p.18). Coupled with increasing polarisation in recent decades, this has contributed to tribalism and fixed political identities. Actors tend not to 'cross the aisle' and collaborate, especially in impeachment cases (Enten, 2021). Beyond policy differences, Americans are increasingly distrustful of the opposition, and characterise the opposition as 'hypocritical, selfish and closed-minded' (Iyengar et al., 2019, p.130). McKenna, Brienza, and Intezari (2023, p.625) support this, concluding that identity-based tribalism was becoming the 'primary basis of political allegiance' in the U.S. Indeed, 92 percent of Democrats polled supported Trump's second impeachment, compared to just 13 percent of Republicans (Monmouth University, 2021). Similarly, Trump's first impeachment was supported by 94 percent of Democrats and just 8 percent of Republicans. Polarisation also shaped Trump's re-election as the desire for many to see a Republican president, rather than a Democratic one,

outweighs the desire to punish overreach. However, unlike a multiparty system, there are no options other than the opposition available. Under Trump, 87 percent of Republicans felt progress was made on the economy, 78 percent felt progress was made on national defense and the military, and 71 percent felt progress was made on taxes (Saad and Brenan, 2021). These are core issues for the Republican voter base, and thus, voters are unlikely to take their support elsewhere—despite executive overreach, and subsequent impeachment—as evidenced by his 2024 win (Livesay, Wilson, and Lee, 2024). Because Trump has become a figurehead of the Republican party, anti-Trump sentiment has provoked allegations of a 'witch hunt' and political persecution (BBC News, 2021; McGraw and Orr, 2021; Slotkin, 2021). This creates even stronger support from his conservative base, circumventing negative reactions to Trump's overreach.

By contrast, in the ROK, eight parties were represented in the National Assembly in 2024 (Inter-Parliamentary Union Parline, 2024). A proportional representation system, which gives voters more viable choices through the election of multiple parties, has the capacity for more fluid political identities (Lovett, 2025, pp.1–2). Choice beyond just two parties allows citizens to defect to an ideologically similar party to punish overreach without compromising on their values. The diversity of parties prevents the formation of distinct identities of us and them, creating looser party allegiance. This is evidenced by the National Assembly's response to Yoon's executive overreach; a wide coalition, including the Democratic Party and all five smaller opposition parties, jointly submitted the motion to impeach (Al Jazeera, 2024). Ultimately, Yoon was impeached by 204 of 300 lawmakers, 12 of whom were from his own party (Rashid and McCurry, 2024). Parties with differing ideologies, including those that partially shared Yoon's ideology and policy goals, collaborated to achieve the common goal of preserving democracy. Thus, the multiparty system, and its associated lack of polarisation, enabled his own party's representatives to defect while maintaining their ideology.

Evidence of tribalism versus political compromise suggests that levels of polarisation influence the treatment of leaders who have committed acts of significant executive overreach. Party systems influence whether citizens continue to support such leaders—rather than withdrawing that support due to overreach—by shaping tribalism and polarisation (Anthony and Carl, 2019, p.18; McKenna, Brienza, and Intezari, 2023, p. 625; Lovett, 2025, pp.1–2). In the U.S., extreme polarisation prevents collaboration with the opposition, and facilitates executive overreach. Contrary to this, a multi-party system which allows for more fluid allegiances in the ROK has resulted in wide cross-party collaboration to hold executive power to account.

Conclusion

This article has compared the cases of President Trump in the U.S. and President Yoon in the ROK, and concluded that the treatment of leaders who have committed executive overreach is impacted significantly by a country's democratic history, typical methods of political participation, and extent of polarisation. Despite similar institutional consequences, the responses to such overreach diverged significantly in the U.S. and ROK. American exceptionalism, emphasis on institutions rather than popular involvement, and extreme polarisation shaped President Trump's permissive treatment to a great extent. Three contrasting factors: aspirations of defending democracy, a participatory culture, and a more ideologically fluid multi-party system, equally shaped the strict treatment of President Yoon. This comparison suggests that the ROK is better equipped to deal with leaders who commit overreach, providing a successful model for tackling executive overreach that other states can emulate.

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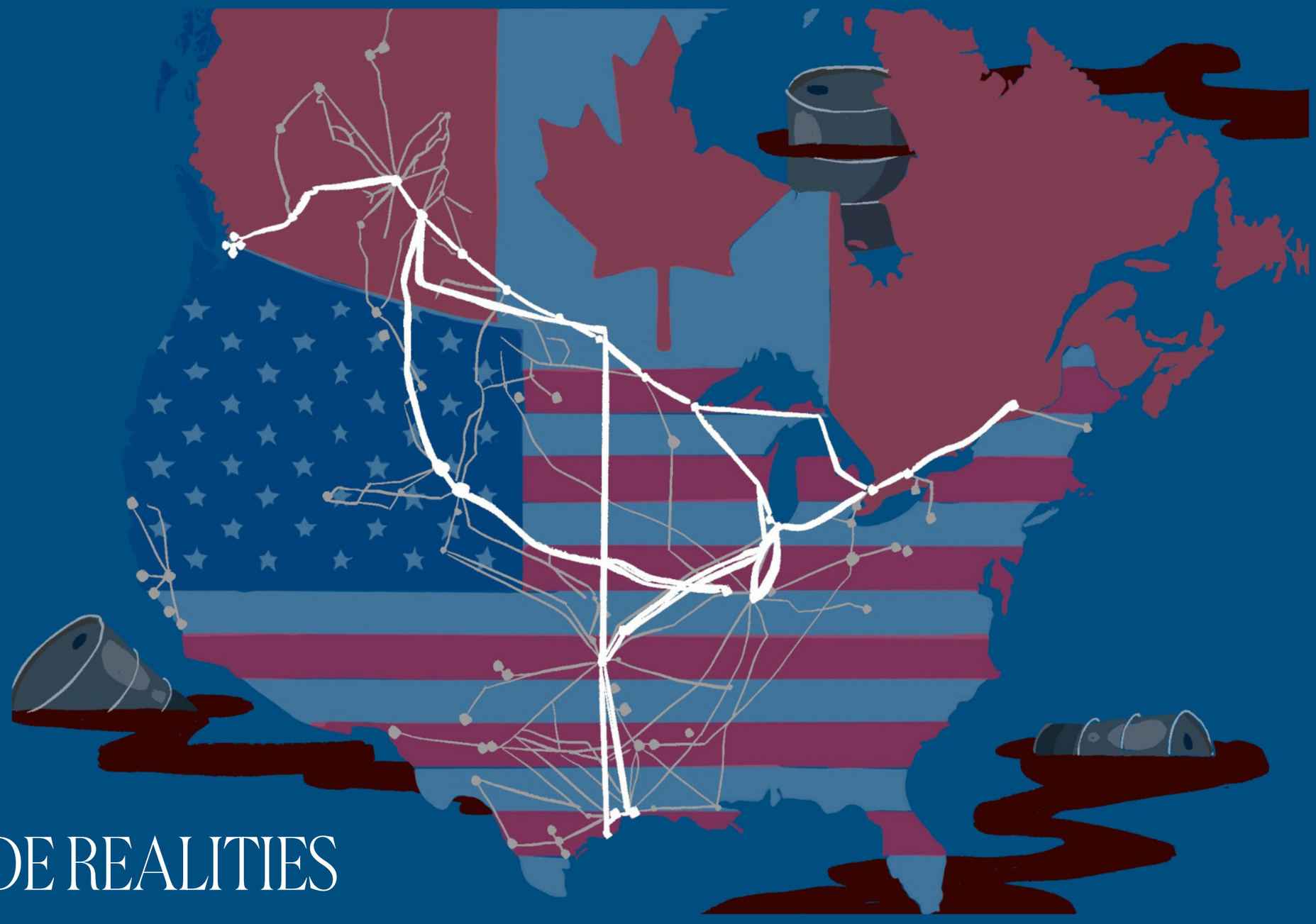

CRUDE REALITIES

by Ryan Chowne

Illustration by Sara Paruta

Ryan Chowne

The Myth of Canadian Economic Sovereignty

Canada's recent economic turbulence highlights the vulnerability of a supposedly sovereign economy when its prosperity depends on a single external actor. The 2025 United States (U.S.) tariffs on Canadian softwood and manufactured goods had immediate effects, including job losses, a weakening Canadian dollar, and uncertainty across export-heavy sectors. However, their deeper significance lay in the structural dependencies they revealed. Long before the tariffs were introduced, Canada's economic stability had been shaped by an asymmetric relationship that appeared stable only as long as U.S. policy remained predictable. For decades, federal and provincial governments embraced a model of continental integration that prioritised frictionless trade and investment flows with the U.S. over the development of domestic capacity or east–west economic cohesion. This model generated growth and predictability, creating the impression of a balanced and mutually beneficial partnership. Yet, the events of 2025 demonstrated that such stability rests on contingent political foundations, and that Canada's room to act independently narrows considerably when those foundations shift.

Canada's contemporary vulnerability emerges from this long trajectory of structural choices rather than from any single crisis. By applying a modified form of dependency theory suitable for advanced economies to Canada's relationship with the U.S., this article examines how historical patterns of development, institutional fragmentation, and the erosion of industrial strategy have reinforced a form of asymmetric dependence. A case study of the energy sector illustrates how resource abundance can coexist with limited strategic autonomy, while the 2025 episode shows how these vulnerabilities became visible under pressure. The aim is not to claim that Canada lacks sovereignty in a formal sense, but to demonstrate how its capacity for autonomous economic action is shaped, and at times constrained, by the structures that have underpinned its prosperity.

Theoretical Framework: Economic Sovereignty and Modified Dependency Theory

Canada's recent economic turbulence makes clear that legal sovereignty and economic autonomy do not always align. Economic sovereignty refers to a state's practical capacity to pursue independent economic policies within global markets, rather than its formal constitutional powers (Krasner, 1999, pp.3–4). While Canada retains full legal authority over its economic institutions, this distinction matters because its ability to act autonomously often contracts when external conditions shift, particularly where those shifts originate in the U.S.

Dependency theory offers a useful lens through which this gap between formal authority and material constraint can be understood, provided it is adapted to the Canadian context. Developed in mid-twentieth century Latin America, the theory emerged to explain why post-colonial states remained subordinated to former imperial centres despite political independence (Love, 1990, p.143). The framework emphasised centre–periphery dynamics in which peripheral economies exported raw materials while relying on core economies for investment, technology, and manufactured goods (Wallerstein, 1974). Canada is not 'peripheral' in the classical sense, but its colonial staples, orientation, and later integration into U.S.-centred production networks, reflect analogous structural mechanisms.

These patterns place Canada within what scholars describe as a 'developed periphery', where a high-income state remains structurally reliant on a dominant external partner (Innis, 1927; Watkins, 1963). Canada's export concentration in staples, its incomplete domestic value chains, and the continued significance of foreign investment demonstrate this dynamic—albeit at a lower magnitude than that faced by mid-century developing states. Using a modified version of dependency theory allows this paper to explain how long-standing structures, rather than a single political episode, shape Canada's constrained economic autonomy.

Historical Foundations of Canada's Dependent Development

Canada's contemporary economic vulnerabilities are rooted in a development path shaped firstly by imperial extraction and secondly by the structural influence of the U.S. Under British rule, the Canadian economy developed around successive staples: fur, timber, wheat, and minerals, exported into imperial markets, creating an outward-oriented structure that prioritised resource extraction over integrated domestic industry (Innis, 1927; Watkins, 1963). This staples pattern produced fragmented internal markets and limited value-chain development, establishing enduring economic features that persisted well beyond the end of formal colonial ties and continued to shape how Canadian industries interacted with global markets.

Canada's reorientation toward the U.S. long preceded the formal end of British imperial influence with the 1982 constitutional repatriation. By the late 1920s, the U.S. had already become Canada's largest export market and its primary source of imports, marking a decisive shift away from imperial trade patterns and toward continental integration (Statistics Canada, 2014; Lampe et al., 2025). The interwar decades consolidated this pivot as U.S. capital flows, branch-plant manufacturing, and expanding consumer markets drew Canada into North American production networks. By the postwar era, the economic logic of the continent had become deeply embedded in Canadian industry and infrastructure, reflecting structural forces—including geography, market size, and investment patterns—that developed independently of later shifts in the British commercial relationship (Hart and Dymond, 1995, pp.119–122).

The 1965 *Automotive Products Trade Agreement* formalised these dynamics by creating a unified North American auto market. The Auto Pact eliminated tariffs in exchange for domestic production guarantees, embedding Canadian vehicle and parts manufacturing within supply chains largely coordinated from the U.S. (Clarkson, 2002, p.191). While the agreement generated substantial employment and investment, it reinforced the branch-plant model at the heart of Canadian manufacturing. Strategic decisions regarding production, product lines, and capital allocation increasingly reflected the priorities of U.S.-based firms rather than domestic planning. This combination of economic benefit accompanied by structural dependence became characteristic of several postwar sectors.

Efforts to diversify away from the U.S. were intermittent and largely unsuccessful. Pierre Trudeau's 'Third Option' in the early 1970s sought to cultivate stronger economic ties with Europe and Asia, aiming to reduce reliance on the U.S. market (Granatstein and Bothwell, 1990). Yet, the initiative faltered amid bureaucratic fragmentation, limited business support, and an absence of sustained industrial strategy. These shortcomings reflected deeper structural realities: by the 1970s, continental orientation was already embedded in Canada's infrastructure, regulatory environment, and business practices. Diversification remained possible in principle, but politically difficult and institutionally costly in practice.

By the late twentieth century, Canada's economic structure exhibited the core features that shape its position today: a resource-export base, manufacturing anchored in foreign-owned branch plants, and infrastructure oriented primarily along north–south corridors. These dynamics did not predetermine Canada's current vulnerabilities, but they created a path-dependent environment in which policy choices occurred within a constrained range of options (Pierson, 2000). The resulting configuration made reliance on U.S. markets, capital, and production networks the default trajectory rather than a temporary imbalance. Viewed through the lens of the modified dependency framework, this path dependence reflects the consolidation of a developed-periphery position, in which structural reliance on an external core becomes self-reinforcing even in the absence of formal constraint.

Structural Choices Reinforcing Canada's Dependent Position

Canada's contemporary economic constraints reflect not only historical development patterns, but a set of structural choices that deepened reliance on the U.S. and narrowed the scope for autonomous policymaking. Over the late twentieth and early twenty-first centuries, federal and provincial decisions repeatedly prioritised continental integration and market liberalisation over coordinated national development, reinforcing pre-existing asymmetries rather than mitigating them (Clarkson, 2002). These choices generated growth during stable periods but left Canada increasingly vulnerable when U.S. policy shifts occurred, most visibly following Donald Trump's return to the presidency in 2025 and the subsequent imposition of tariffs on Canadian goods.

The political fallout from the tariff episode underscored this vulnerability. The federal government's decision to call a snap election amid currency volatility and investor uncertainty reflected not only the immediate disruption but the extent to which Canada's economic stability remains shaped by external conditions. Media reporting noted that the government framed the moment as 'a test of Canada's economic resilience and of its ability to manage a deeply asymmetric relationship with the United States' (Ljunggren and Smith, 2025). The election did not alter the structural dynamics at play, but its timing illustrated how quickly domestic political agendas can be reshaped when economic leverage sits outside Canada's control.

Canada's fragmented internal market remains one of the most durable mechanisms reinforcing dependence. Interprovincial trade barriers, ranging from inconsistent regulatory standards to restrictions on the movement of goods, alcohol, labour, and services, have long inhibited the formation of a unified domestic market (Carlberg, 2021, p.4; Alvarez, Krznar and Tombe, 2019, pp.10–12) and, in some cases, impose greater costs on internal trade than international ones (Manucha, 2025, p.2). This fragmentation is rooted in constitutional decentralisation and sustained provincial resistance to federal coordination (Vegh, 1996, p.362). The result is that east–west trade remains structurally weaker than north–south flows, pushing Canadian firms to integrate into U.S. value chains where scale, regulatory uniformity, and market size offer more clear advantages (Helliwell, 1997). Fragmentation is not the sole cause of continental dependence, but it significantly reduces Canada's ability to cultivate national industries capable of substituting for U.S. markets.

Infrastructure orientation has compounded this dynamic by physically embedding Canada's economy in north–south flows. Transportation and energy networks, rail corridors, electricity interties, and particularly pipelines, developed overwhelmingly toward U.S. markets because private capital followed the continent's dominant consumer base and because federal governments lacked the coordination mechanisms or fiscal capacity to build alternative east–west routes (Parfomak et al., 2017, pp.1–6; Canada Energy Regulator, 2023). The consequence is a system that structurally privileges continental exports over national circulation. This does not make dependence inevitable, but it limits the practical viability of diversification strategies by tying major sectors to U.S. infrastructural demand.

A further source of structural vulnerability emerged from Canada's retreat from industrial policy beginning in the 1980s (Ciuriak and Curtis, 2013). Influenced by the Macdonald Commission and the policy climate associated with the Free Trade Agreement (1989) and the North American Free Trade Agreement (1994), successive governments moved toward deregulation, privatisation, and market-led development, assuming that continental integration would yield long-term efficiency. These reforms attracted investment and integrated Canadian firms more deeply into global supply chains, but they also eroded the state's ability to coordinate production, support domestic champions, or invest strategically in high-value sectors (Mazzucato, 2015). As industrial policy tools weakened, foreign-owned branch plants expanded, particularly in manufacturing, placing strategic decision-making increasingly in the hands of multinational firms operating outside Canada's political orbit (Clarkson, 2002).

Foreign ownership itself has further reinforced structural dependence. While foreign direct investment has brought capital and employment, its concentration in key industries—manufacturing, telecommunications, and energy—means that pivotal strategic decisions are often made by corporate headquarters abroad rather than by domestic institutions (Statistics Canada, 2018). In the energy sector, for example, major upstream decisions reflect global commodity cycles and corporate strategies rather than national policy priorities (Natural Resources Canada, 2014). This pattern does not imply that foreign ownership is inherently detrimental, but its scale reduces the leverage available to Canadian policymakers during periods of economic stress, when firms respond to broader global conditions rather than domestic needs.

Together, these mechanisms form a structural configuration in which Canada's policy space is more narrow than its formal sovereignty suggests. Internal fragmentation restricts national market integration; infrastructure orientation embeds continental pathways into the country's economic geography; the erosion of industrial policy limits the state's capacity to develop domestic value chains; and foreign ownership shifts strategic authority outside the country. None of these factors alone determine dependence, but their cumulative effect constrains the range of feasible responses available when external shocks occur, as seen in the 2025 tariff episode. These conditions shape the environment in which Canadian governments operate and help explain why efforts to diversify markets or develop domestic industries have repeatedly struggled to gain traction. In dependency-theoretic terms, these constraints do not eliminate agency but systematically narrow policy space, ensuring that moments of external disruption expose structural dependence rather than temporary policy failure.

Case Study: The Energy Sector and the Limits of Economic Autonomy

Among all sectors of the Canadian economy, none illustrates the limits of economic autonomy more clearly than oil and gas.

Canada possesses the world's third-largest proven oil reserves and remains one of the top global exporters (Natural Resources Canada, 2024); yet this resource wealth has not translated into strategic independence. The sector's infrastructure, ownership patterns, market orientation, and refining capacity all reflect a system configured primarily around the United States: Canada's dominant buyer, principal source of capital, and processor of Canadian crude. The result is a striking paradox where a state rich in hydrocarbons nonetheless depends on a foreign partner for both market access and elements of its own energy security.

This dependence is most visible in export patterns. In 2023, 96 percent of Canadian crude oil exports went to the U.S., almost all flowing through pipelines terminating at U.S. refineries (Canada Energy Regulator, 2025). This overwhelming concentration is not simply a function of proximity. Over decades, the development of north–south pipeline networks, the cancellation of national east–west projects, and limited access to tidewater have effectively locked Canadian producers into the American market. Industry assessments from the Canadian Association of Petroleum Producers (2024, p.30) underline that the constraint is infrastructural rather than geological: it is the transportation system, not the resource base, that directs Canadian crude oil toward U.S. refiners. In effect, this is institutionalised interdependence, where efficiency and capital inflows coexist with restricted strategic flexibility. The U.S. secures stable supply and pricing power, while Canada yields leverage in exchange for continental integration.

The dependency is not limited to exports. Canada's refining system, designed decades ago around light and medium crude, cannot fully process the heavier blends that constitute a significant portion of contemporary production, particularly from the oil sands. As a result, Eastern Canadian refineries import roughly 35 percent of their crude feedstock, the raw petroleum input refined into products such as gasoline and diesel, largely because national infrastructure does not connect western production to Atlantic refining capacity (Natural Resources Canada, 2024). In 2022, imports of refined petroleum products increased by 5 percent, totalling 26.1 billion Canadian dollars (Canada Energy Regulator, 2023). This dual flow, exporting unrefined crude southward while importing refined fuels and foreign crude for domestic use, reinforces structural dependence. Because pipelines remain cheaper and more reliable than marine transport, the limited east–west capacity constrains Canada's ability to redirect crude to its own refineries or expand domestic downstream capability, binding the sector more tightly to U.S. infrastructure and markets.

Infrastructure and policy inertia are central to understanding how this configuration emerged. The abandonment of major pipeline proposals such as Energy East and Northern Gateway, reflected not only environmental opposition but also a longstanding absence of national strategic planning. Canada's pipeline network runs overwhelmingly north–south because continental integration has been institutionally simpler than building national-scale infrastructure that must navigate provincial jurisdictions, regulatory fragmentation, and competing regional priorities. In a country where east–west development and the construction of infrastructure designed to link provincial economies across the territory have repeatedly stalled, continental pathways became the default rather than the deliberate strategic choice. Energy now accounts for around 28 percent of Canada's goods exports and generates roughly 177 billion Canadian dollars in revenue (Natural Resources Canada, 2024), yet the system is oriented toward serving a single customer with little redundancy or flexibility.

Instead, the oil and gas sector, often framed as Canada's greatest strategic asset, offers the clearest demonstration of how historical choices and continental alignment have constrained the country's economic sovereignty.

Taken together, these dynamics position the Canadian energy system as a peripheral component of the U.S. industrial supply chain: materially productive, technologically sophisticated, but strategically dependent. The sector's structure—north–south infrastructure, downstream constraints tied to feedstock mismatches, concentrated export markets, foreign-owned capital, and limited national coordination—limits the state's capacity to respond autonomously when external shocks arise, as seen during the 2025 tariff measures. Dependency theory's adapted concept of a developed periphery is therefore not metaphorical but descriptive. Instead, the oil and gas sector, often framed as Canada's greatest strategic asset, offers the clearest demonstration of how historical choices and continental alignment have constrained the country's economic sovereignty.

Conclusion

Canada's recent economic turbulence revealed vulnerabilities that long predated the 2025 tariff episode. The analysis presented in this paper shows that these vulnerabilities are not anomalous shocks but the result of historical development patterns, institutional design, and policy choices that cumulatively narrowed the country's economic autonomy. From a staples-based colonial economy to the early twentieth-century shift toward the United States, Canada's trajectory produced a structure in which continental integration became the default rather than a strategic choice. The persistence of interprovincial fragmentation, north–south infrastructure, limited industrial strategy, and substantial foreign ownership further restricted the policy space available to Canadian governments.

The energy case study demonstrates how these dynamics operate in practice. Even in a sector defined by abundance, Canada's options remain constrained by export concentration, downstream limitations, and a continental architecture that privileges efficiency over autonomy. This pattern reflects not a lack of capability but the cumulative effect of institutional arrangements that channel economic activity into pathways shaped by external demand.

Understanding Canada as a developed periphery does not deny its prosperity; it clarifies the conditions under which that prosperity is produced. If Canada is to expand its economic sovereignty, future policy debates must address the structural foundations of dependence rather than merely reacting to its symptoms. The constraints are not immutable, yet addressing them requires confronting the developmental choices that produced them.

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FROM PRINCIPLE TO PRACTICE

by Matilda Stevens-Cox

Illustration by Oleksandra Zhyhalkina

Pension Funds, Stewardship, and the Enabling Environment for Sustainable Finance

This article advances the case that pension funds are structurally well-positioned, but not yet fully empowered, to act as stewards of sustainable finance. Pension funds are understood here as 'funds that accumulate capital to be paid out as a pension for employees when they retire at the end of their careers' (Corporate Finance Institute, 2024). Sustainable finance is defined as the integration of environmental, social, and governance (ESG) factors into investment decision-making in order to manage long-term risks and reorient capital toward sustainable growth (European Commission, 2024). Pension funds' long investment horizons, diversified portfolios, and exposure to systemic risk endow them with a latent capacity and prerogative for stewardship, however, this article posits that the realisation of that capacity is contingent upon a supportive regulatory environment. Focusing primarily on the environmental dimension of ESG, particularly the management of physical climate-related risks, the analysis demonstrates how state action is necessary to reduce uncertainty and enable pension funds to engage meaningfully in long-term sustainable investment while remaining within the boundaries of their institutional mandate. Although centred on climate risk, the underlying logic applies more broadly to other systemic sustainability challenges that threaten long-term financial stability.

Quigley's (2020) 'universal owner' framework is adopted to substantiate why pension funds are uniquely positioned to act as stewards of sustainable finance. Universal owners are large, diversified, and systemically embedded asset owners whose portfolios are so extensive that they cannot diversify away from global externalities such as climate change, biodiversity loss, or inequality (Hawley and Williams, 2000; Quigley, 2020). Their long-term returns depend on the health of the economic and environmental systems in which they invest (Woods and Urwin, 2010). This interdependence means that protecting portfolio value necessarily involves protecting the stability of the broader system, a relationship that identifies sustainability as a component of fiduciary duty (the legal obligation of trustees to act in beneficiaries' best interests) (Byrne, 2023). In this context, fiduciary responsibility acknowledges the necessity of both short-term financial gain and the mitigation of systemic risks that threaten long-term returns (Freshfields Bruckhaus Deringer, 2005; United Nations Environment Programme, 2022).

The article subsequently explores how pension funds function as stewards of sustainable finance, concluding by proposing blended finance, or the use of public capital to mobilise private investments (Organisation for Economic Co-operation and Development, 2020; World Bank, 2023; United Nations Sustainable Development Group, 2025), as the means through which trustees' risk appetite can be reconciled with sustainability imperatives. In doing so, pension funds, as universal owners, can act as effective stewards of the global transition to a low-carbon economy without compromising returns or alleged mission drift. Notably, this is not to suggest that green finance alone is sufficient to deliver a full energy transition; its impact also is contingent upon a wider policy environment that ensures low-carbon investment displaces, rather than merely adds to, existing high-carbon energy systems (York and Bell, 2019). Whilst this article focuses on how to attract institutional investment, this is a necessary but insufficient condition for the energy transition.

The Power to Act: Normative and Disciplinary Influence

Pension funds are pivotal institutions in international political economy. With assets exceeding 56 trillion U.S. dollars, they are the largest investors in global capital markets and held around one-fifth of all public equity worldwide as of the end of 2023 (Organisation for Economic Co-operation and Development, 2024). Their scale gives them substantial influence over how capital is allocated across both public and private markets. In the United Kingdom (UK) alone, pension fund assets were valued at just under three trillion Great British pounds at the end of 2023 (Wells, 2024), granting them systemic influence over global capital flows and positions them as key actors in financing the climate transition (International Trade Union Confederation and Trade Union Advisory Committee to the Organisation for Economic Co-operation and Development, 2012).

The power of pension funds in climate governance must be understood in terms of their normative and disciplinary dimensions. Normatively, pension funds shape the boundaries of sustainable finance by embedding ESG standards into the mandates they issue and by signalling what constitutes legitimate practice in global markets (Mitchell, 2023). For example, the Universities Superannuation Scheme (USS) - the largest pension fund in the UK - stated in 2020 that 'asset managers that only focus on short-term, explicitly financial measures, and ignore longer-term sustainability-related risks and opportunities are not attractive partners for us' (Lachance and Stroehle, 2023). Disciplinarily, they exercise control through capital allocation, using a carrot and stick approach by either rewarding or sanctioning asset managers. This may involve reallocating mandates or divesting from funds that underperform according to sustainability metrics, thereby shaping the broader 'rules of the game' in sustainable finance (Braun, 2021).

The case of Pensioenfonds Zorg en Welzijn's (PFZW) 34 billion euro divestment from BlackRock, Legal & General, and AQR illustrates this potential dual capacity. By withdrawing mandates on the grounds of insufficient sustainability integration, PFZW not only disciplined individual asset managers, but also reinforced a broader regulatory message about the centrality of ESG to long-term investment (Segal, 2025). Similarly, the UK's People's Pension withdrew 28 billion Great British pounds from State Street, citing concerns over the firm's sustainability performance, further demonstrating how large pension funds can leverage their scale to hold asset managers accountable (Kokoszka, 2025). The employment of such mechanisms allows pension funds to function as an essential guardrail within asset-manager capitalism (Braun, 2021), directing financial flows towards climate-aligned strategies and away from practices that undermine sustainability (Deeg and Hardie, 2016).

The Duty to Act: Intergenerational Responsibility, Long-Termism, and Universal Owners

Pension funds are not only capable of exercising their influence, but obligated to do so; sustainability stewardship is financially and strategically imperative (Financial Markets Law Committee, 2024). This normative responsibility derives from their intergenerational mandate (Woods and Urwin, 2010) and long-term investment horizons (Gustman, Mitchell, and Steinmeier, 1994), which bind them to the preservation of both financial stability and the environmental conditions upon which future prosperity depends (Woods and Urwin, 2010; Hawley and Williams, 2000). Such

stability is inseparable from the sustainability of the ecological systems that underpin it; over 50 percent of the world's Gross Domestic Product (GDP) is moderately or highly dependent on nature (Russo, 2020).

Pension funds exist 'to accumulate and invest capital with the objective of meeting future pension liabilities, thereby ensuring that beneficiaries receive stable income after retirement' (Corporate Finance Institute, 2024). By design, pension funds are intergenerational, linking the savings of current workers to the welfare of future retirees (Woods and Urwin, 2010), and long-term, with investment horizons that extend across decades rather than market cycles (Gustman, Mitchell, and Steinmeier, 1994). These features distinguish pension funds from ordinary financial institutions and underpin their fiduciary obligation to safeguard the conditions under which their future promises can be fulfilled.

Mark Carney, former Governor of the Bank of England, warned that climate change poses a profound, yet under-appreciated, threat to global financial stability due to its long-term costs, while the financial system's decision-making horizons remain short-term (Carney, 2015). He observed that businesses and investors systematically discount climate risks, as their most severe impacts lie beyond typical planning cycles of two to ten years. This temporal mismatch leads to chronic underinvestment in clean technologies and a persistent mispricing of carbon-intensive assets, a dynamic he termed the 'tragedy of the horizon' (Carney, 2015). Pension funds, however, are structurally designed to transcend this temporal mismatch. Their liabilities extend well beyond political and business cycles, often spanning up to seventy-five years, until the final beneficiary is paid (Hue et al., 2019). Their investment horizons therefore position them uniquely to internalise long-term systemic risks and act where shorter-term actors will not.

Unmitigated climate change could erode between two and seventeen percent of global financial asset value by 2100, exposing long-term investors to substantial losses through correlated physical and transition risks (Dietz et al., 2016). The Network for Greening the Financial System (2022) likewise identifies these risks as systemic and non-diversifiable, posing material threats to portfolio stability and the solvency of pension schemes. The International Chamber of Commerce (Denton, 2024) estimates that extreme weather events have already cost the global economy approximately two trillion US dollars over the past decade. Sustainability is therefore integral to fiduciary duty, as climate-related risks and opportunities directly affect the factors trustees are legally required to consider, including risk and return (Financial Markets Law Committee, 2024).

Pension funds' intergenerational mandate places them among the few financial institutions whose legitimacy depends on maintaining system-wide stability (Woods and Urwin, 2010). In the UK, under Regulation 4(7) of the Occupational Pension Schemes (Investment) Regulations 2005 they are required to avoid excessive reliance on any single asset or issuer, effectively compelling them to hold small stakes across most sectors. This diversification mandate makes them systemically embedded investors who cannot diversify away from economy-wide risks such as climate change, biodiversity loss, inequality, and global pandemics. For such investors, green investment is not discretionary but constitutive of fiduciary responsibility; even the most well-performing funds cannot meet their obligations if the broader economy and environment deteriorate (Quigley, 2020).

> *[Sustainability stewardship] is the logical extension of pension funds' design: institutions built to serve intergenerational beneficiaries whose financial security is inseparable from the long-term viability of the economic and environmental systems in which their capital is deployed.*

Hence, sustainability stewardship is neither an ethical preference nor a political concession. Rather, it is the logical extension of pension funds' design: institutions built to serve intergenerational beneficiaries whose financial security is inseparable from the long-term viability of the economic and environmental systems in which their capital is deployed.

Commercial Realities

In practice, the binding constraint for pension funds lies in risk appetite. While profit expectations form one component of investment risk and may, in a more limited sense, constrain renewable investment more broadly (Christophers, 2021), pension funds operate within prudential regimes that prioritise capital preservation and the governability of returns, limiting exposure to nascent green assets with limited performance histories and high policy uncertainty (Prudential Regulation Authority, 2024). As a result, although their long-term horizons align with the objectives of the sustainability transition, their tolerance for uncertainty often constrains allocation towards green initiatives in practice (EY Parthenon, 2025). This structural tension, between long-term responsibility and short-term risk aversion, is frequently obscured by political narratives that mischaracterise such behaviour as 'woke investing' (Webb, 2025).

The Politics of 'Woke Investing'

The commercial environment has become increasingly politicised. The anti-ESG movement who criticise so-called 'woke investing' (Runyon, 2023), argue that the integration of ESG considerations detracts from fiduciary priorities and financial performance (Winston, 2023).
This narrative, captured in the slogan 'woke investing' (Runyon, 2023), has gained momentum among U.S. Republican Party policymakers who allege that participation in green finance alliances may constitute a breach of antitrust laws (Mundy, 2025). Reform UK has echoed this anti-ESG sentiment, portraying climate-aligned investment as a 'net-zero obsession' that jeopardises returns and burdens taxpayers (Nangle, 2025).
This framing misconstrues the nature of fiduciary duty. To account for climate and social risk is not ideological but integral to prudent and long-term asset management (Freshfields Bruckhaus Deringer, 2021; Richardson, 2009). The incorporation of material environmental factors into investment decisions enhances risk-adjusted returns; it is, in essence, capitalism in action rather than a deviation from it.
The recent withdrawal of major asset managers, including JPMorgan, State Street, Pimco, and Invesco, from Climate Action 100+ illustrates how political campaigns against woke capitalism—through congressional subpoenas and state-level bans on ESG-screened financial institutions in the U.S. (Kleinfeld, 2024)—are reshaping contemporary market behaviour (Climate Action 100+, 2024). These campaigns embody what Clark (2024) describes as Orwellian 'doublethink': condemning sustainable finance as political while ignoring that climate risk itself is a financial risk, which fiduciaries are legally bound to consider. For pension funds, sustainable investment is not activism but a commercial necessity (Financial Markets Law Committee, 2024).
While backlash is often framed as a rejection of sustainable finance in principle, it is more plausibly attributed to the limitations of its contemporary operationalisation. The dominant ESG model, anchored in stock selection and exclusionary screening, has produced inconsistent outcomes (Quigley, 2020) and, in some cases, underperformed conventional benchmarks (Lopez-de-Silanes, McCahery, and Pudschedl, 2020). Such shortcomings have fuelled perceptions that ESG is both ineffectual and ideological. However, the continued commitment of the Net-Zero Asset Owners Alliance, even as banks and asset managers retreat, underscores that the ESG backlash does not invalidate but rather affirms pension funds' distinctive capacity, and responsibility, to uphold sustainable finance (Mundy, 2025).
As universal owners, with portfolios that mirror the structure of the global economy, stock-picking approaches are inherently limited for pension funds. Safeguarding a portfolio against the financial consequences of climate change is not the same as preventing those consequences from arising in the real world. Moreover, this model often rewards the quantity of environmental disclosure rather than the quality of real-world impact, privileging metrics over material change. Pension funds must therefore advance systemic resilience through system-level stewardship to mitigate climate risks by shaping outcomes in the real economy via the primary market, rather than simply attempting to sidestep them through selective stock-picking (Quigley, 2020).

2.1 Risk Appetite and Prudential Regulation
Universal ownership calls for a fundamentally different approach that focuses on system-level stewardship, whereby pension funds use engagement and capital allocation to support the sustainable transformation of the real economy, including investment in nascent assets critical to the transition (Quigley, 2020). Grounded in the primary market, their position as large bondholders and major clients or shareholders of global banks enables them to influence the availability and cost of capital. Through these channels, their investment allocations effectively determine which forms of economic activity are financed and expanded. The legitimate constraint on this mandate lies in risk appetite, a structural limitation that requires short-term certainty (Quigley, 2020).

Trustees' fiduciary duty to act in the best interests of beneficiaries demonstrably extends to managing systemic climate risks, since environmental degradation poses a direct threat to long-term portfolio value (Financial Markets Law Committee, 2024; Woods and Urwin, 2010). This same duty, however, as codified in the Occupational Pension Schemes (Investment) Regulations 2005, requires that investments be made 'in a manner appropriate to the nature and duration of the scheme's liabilities' and only where underlying risks can be clearly identified and managed. In practice, this Prudent Person Principle translates fiduciary prudence into a cautious, low-risk investment appetite (Freshfields Bruckhaus Deringer, 2021).

Sustainability can be compatible with fiduciary duty; however, the link is contingent rather than automatic. Where sustainable assets fail to meet conventional expectations for risk-adjusted returns, or where uncertainty over policy, liquidity, and cash flows makes performance difficult to evidence, fiduciaries tend to under-allocate. Hence, the gap between theory and practice stems less from explicit opposition to sustainability than from the institutional standards through which fiduciary obligation is interpreted and enacted.

Pension funds may have the economic capacity to bear long-term volatility but their risk tolerance is shaped by regulatory caution and public scrutiny. For instance, fears of perceived 'mission drift' could erode member trust. Green infrastructure and early-stage transition assets, such as emerging renewable projects, often lack the historical performance data and predictable cash flow that is necessary to satisfy prudential comfort thresholds (Ameli, Kothari, and Grubb, 2021; EY Parthenon, 2025). These assets also expose funds to liquidity risk as they are difficult to trade or exit without significant haircuts (selling at a steep discount), thereby creating funding pressures when capital is tied up against near-term liabilities (Hue et al., 2019).

At present, fund managers cannot reliably assess the stability of returns of new green infrastructure projects and prudential regulation prohibits investment in assets whose risks cannot be 'identified, measured, monitored, managed and reported' (Prudential Regulation Authority, 2024). Such caution is prudent as it prevents speculative losses that could threaten retirees' savings. However, pressure for pension funds to finance the sustainability transition cannot come without the dual-provision of mechanisms to offset the risks that funds cannot prudently assume. The problem, therefore, is not regulatory conservatism itself but a dissonance between ambition and investor risk appetite. Without credible de-risking instruments or policy guarantees, mandating investment in transition assets risks undermining both fiduciary responsibility and confidence in the net-zero project itself (Penketh, 2024).

Blended Finance and Risk-Sharing Mechanisms

If pension funds are to meet their intergenerational duty to invest sustainably while remaining within prudential limits, governments must create an enabling environment that allocates risk to those best equipped to manage it. In the early stages of technological or infrastructural innovation, that actor is often the state. By deploying blended finance structures, where public capital absorbs a portion of first-loss or policy risk, governments can render nascent projects investable for risk-averse institutional investors such as pension funds (Organisation for Economic Co-operation and Development, 2020; World Bank, 2023).

This approach is exemplified in practice by the Green Finance Institute's Battery Investment Facility, which applies blended finance to strengthen the UK's electric vehicle battery supply chain. By using public capital to de-risk early-stage investment, the facility seeks to crowd in three to five times the initial public contribution through a co-investment model. This enables long-term investors such as insurers and pension funds to participate in the green industrial transition without breaching prudential constraints,

while simultaneously creating new, stable asset classes aligned with systemic resilience objectives (Green Finance Institute, 2025).

Hence, public de-risking can reconcile fiduciary prudence with climate ambition. Climate risk is neither purely public nor purely private, but systemic, producing economy-wide externalities that markets systematically underprice. By absorbing risk during the early, uncertain phases of the sustainability transition, governments enable institutional investors to participate in projects that would otherwise fall outside their mandates. As markets mature, public involvement can recede, leaving self-sustaining investment ecosystems that align long-term private capital with societal climate goals.

Conclusion

Ultimately, pension funds' scale, diversification, and long-term horizons bind them to the stability of the systems in which they invest. Consequently, sustainability is not external to fiduciary duty but integral to it. Pension funds can only meet future liabilities if the real economy is resilient as well as the environmental systems that it depends upon (Quigley, 2020). The political backlash against so-called 'woke investing' misrepresents sustainable finance as a moral preference rather than a material necessity. In reality, the integration of ESG considerations is consistent with the legal and economic logic of fiduciary prudence (Runyon, 2023). The constraint on pension fund engagement with sustainability lies in risk appetite, a product of prudential regulation and the absence of credible mechanisms to manage uncertainty in emerging transition assets (Hue et al., 2019).

Blended finance offers a viable mechanism for achieving this, aligning fiduciary constraints with climate ambition through the strategic use of public capital to crowd in private investment (Penketh, 2024). T, Thus, the sustainability transition will not be realised through divestment or disclosure alone, but through system-level stewardship: active engagement by universal owners in shaping the economic conditions under which their own solvency, and that of future generations, depends. When pension funds exercise their stewardship role within a supportive policy framework, they can transform climate risk from a source of instability into an opportunity for enduring, intergenerational value creation (Quigley, 2020). Future research should examine the broader policy frameworks required to ensure that increased investment in green infrastructure translates into a genuinely low-carbon economy.

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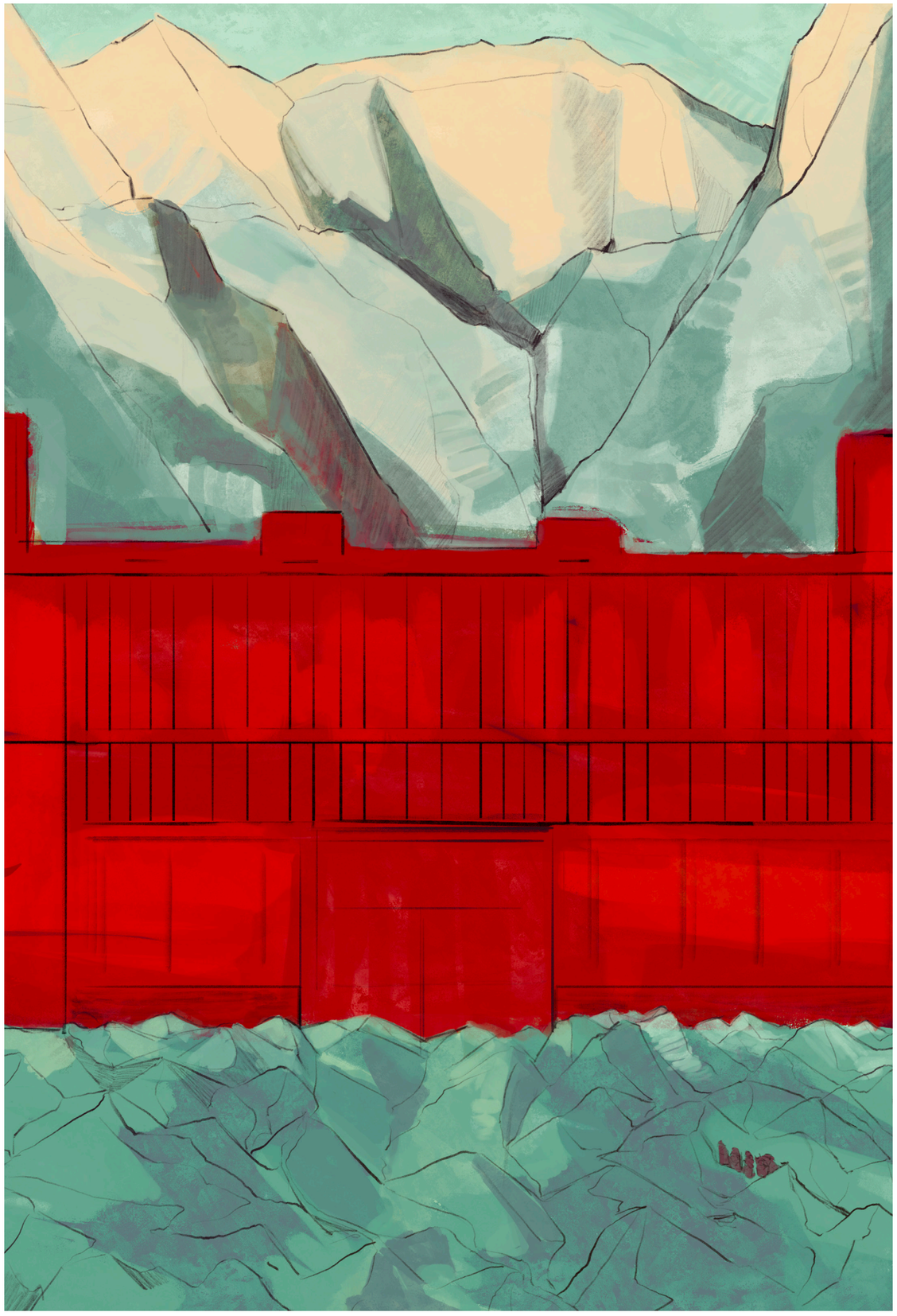

CHINA'S HYDROELECTRIC FUTURE

Displacement and Degradation in Tibet

by Max Huberty

Illustration by Robin Lind-Reme

Since ascending to power in 2012, President Xi Jinping has positioned China's green energy industry as a central axis in its modernisation strategy (Jaffe, 2018, p.83). Within this framework, hydroelectric projects in Tibet have become a focal point of the national energy agenda, with extensive expansion of energy infrastructures across the region projected to continue (International Campaign for Tibet, 2024). Yet, this development comes at an immense human cost for Tibet's indigenous population. Analysed through the frameworks of internal colonisation and cultural genocide, China's hydroelectric projects systematically dismantle the distinguishing elements of Tibetan culture through human displacement and environmental degradation. The case study of China contributes to a broader understanding of how green energy objectives can transform into tools of oppression.

The geopolitical context in which they are built is fundamental to understanding the consequences of China's hydroelectric projects. Tibet possesses massive potential for hydroelectric development, with China exploiting its abundance of water resources through the construction and planning of at least 193 dams (Xiao et al., 2023; International Campaign for Tibet, 2024, p.20). This development exists in a politically contentious environment as China has long sought to assimilate the ethnic Tibetan population into the dominant Han Chinese culture (Smith, 2008, p.275). Tibetans have a longstanding nomadic culture, deeply tied to yaks and the pastures on which they graze (Gyal, 2021). The region also possesses a distinct spiritual identity shaped by Tibetan Buddhism, which has historically functioned as a political system with monks holding governmental authority (Goldstein, Tsering, and Siebenschuh, 1997). Since the annexation of Tibet in 1950, the Chinese government has portrayed itself as the 'elder Brother' Han who liberates Tibetans from outdated feudal rule and guides them to modernity (Frangville, 2009, p.2). The narrative provides an important backdrop for understanding how large-scale development projects operate as instruments embedded within broader assimilationist state practices and attitudes.

Theoretical Framework

The two interconnected theories of internal colonisation and cultural genocide aptly conceptualise the implications of hydroelectric development in Tibet. Internal colonisation refers to political domination, economic exploitation, and socio-cultural marginalisation of a peripheral group by a dominant group within the same nation (Chaloult and Chaloult, 1979). The model applies to China's paternalistic relationship with Tibet, exposing how development projects that are portrayed as beneficial for all citizens can systemically harm periphery populations while extracting resources for the dominant population (Chaloult and Chaloult, 1979, p.90). Crucially, the framework illuminates how the political and economic facets of dam construction are inextricably linked to cultural erasure in an integrated system of domination.

Cultural genocide—the deliberate, systemic eradication of a group's unique traditions, values, language and other defining cultural elements—provides a benchmark to evaluate cultural erasure in the forthcoming case study (Novic, 2016). While the concept is definitionally disputed, it is valuable to identify structures which make cultural diversity unsustainable. Rather than requiring explicit declarations of intent, this framework allows for the examination of how state policies knowingly dismantle the social, environmental, and economic conditions necessary for cultural continuation.

Read together, the frameworks of internal colonisation and cultural genocide allow examination of developmental policy not only for economic outcomes, but for its cultural consequences. Internal colonisation provides an understanding of the mechanisms and underlying power dynamics that result in cultural erasure. The concept of cultural genocide then offers a comparative lens for assessing whether the cumulative effects of these mechanisms undermine the conditions required for the reproduction of distinct cultural practices.

Greenwashing as a Tool of Cultural Erasure

The environmental conditions created by a dam can be described as total chaos over surrounding ecosystems (Alla and Liu, 2021). Environmental degradation occurs as flooded organic matter decomposes and creates oxygen-depleted conditions. Critically, this process releases ammonia and heavy metals into the dam's reservoir, contaminating water relied upon by both humans and aquatic life. The creation of expansive reservoirs inundates pastureland and agricultural areas, while forced animal migration increases crop pests and reduces productivity in surrounding regions (Alla and Liu, 2021, p.69). Additionally, reservoir impoundment further heightens environmental risk by increasing susceptibility to landslides, flashfloods, and reservoir-induced seismic activity (International Campaign for Tibet, 2024, p.23). Within an internal colonisation framework, these environmental transformations function as mechanisms that

render Tibetan land practices increasingly unviable. Disruptions in fishing, cropping, and grazing systems reduce incomes and livelihoods for downstream and displaced communities, disproportionately affecting Tibetans whose pastoral mobility diverges from dominant Han models of sedentary development (Richter et al., 2010, p.15). Tibetans displaced by reservoir construction are thus disconnected from their land, and numerous downstream communities face the same fate—a systematic severing of the bond between Tibetans and their traditional landscape.

Portions of academic and governmental literature frame hydropower development in Tibet as a benign or beneficial process, emphasising economic growth and social integration, while giving limited attention to the costs of construction. The official state narrative, espoused by the State Council for Information Office of the People's Republic of China (2019), lauds the projects' impact for their 'people-centered development [...] to promote economic and social development, safeguard and improve people's wellbeing, promote exchanges and integration among ethnic groups, and strengthen environmental protection'. Numerous Tibetan state-sponsored social media influencers, such as Ding Zhen, have pushed ideas of environmental sustainability and economic development (Wallenböck, 2025, p.1). Academics such as Meng and colleagues (2024) agree, arguing that hydroelectric development must increase to promote environmental protection and socio-economic development. Wu, Lu, and Chen (2025) further support this narrative by largely championing resettlement policies as creating opportunity within China.

In contrast, academics such as Wallenböck (2025) argue that the dams are a tool for cultural genocide, and the International Campaign for Tibet (2024) organisation further supports the argument of hydroenergy leading to cultural erasure. Such emphasis on the costs of hydroenergy are made more consequential when the internal colonisation framework is applied. The material benefits of hydroelectric development in Tibet are largely externalised. For example, China's 'West-to-East Power transmission project' plans for energy from Tibet to be sent to economically developed provinces with energy deficits (International Campaign for Tibet, 2024, p.17). These Eastern provinces will enjoy energy independence provided by Tibetan hydroenergy, without facing the consequences. This asymmetrical distribution of costs and benefits does not in itself reveal explicit intent of cultural erasure, rather it reveals a structural pattern in which peripheral regions are reshaped to serve the economic needs of the core.

Forced Displacement: The Breakdown of Tibetan Livelihoods

Significantly, the Chinese government is knowingly undermining Tibetans' ability to sustain traditional land-based livelihoods through environmental destabilisation. Land practices, such as the nomadic grazing of yaks, are rendered unworkable as grazing land is flooded or destroyed by ecological instability caused by the dams (International Campaign for Tibet, 2024, p.29). Furthermore, the

Thus, China's drive for the expansion of hydroelectric development in Tibet erodes both the cultural and religious lifestyles of Tibetans.

cultural genocide becomes more evident as dams destroy cultural sites; numerous monasteries have been and will be destroyed by flooding and construction (International Campaign for Tibet, 2024). The Khamtok (Gangtuo) dam along the Yangtze River stands to destroy six monasteries (International Campaign for Tibet, 2024, p.39). The Wontoe monastery is of particular concern as it houses sacred Buddhist murals whose oral history dates back to the eighth century (International Campaign for Tibet, 2024, p.39) underpinning the broader tensions between advancing green energy security and religious and heritage considerations. Notably, the location of the monasteries is critically tied to their religious significance, often with historical events or figures that imbue the place with sacredness (International Campaign for Tibet, 2024, p.29). Thus, China's drive for the expansion of hydroelectric development in Tibet erodes both the cultural and religious lifestyles of Tibetans.

The human cost of this environmental degradation will likely be extensive, with estimates of population displacement ranging between 750,000 and 1.2 million people (International Campaign for Tibet, 2024, p.26). Chinese laws on compensation seek to minimise the consequences of displacement. Regulations stipulate that living standards of displaced persons should reach or exceed former levels (State Council, No.679, 2017). Yet, in practice, what constitutes a better life is defined through the lens of Han Chinese modernity, revealing an implicit belief in the superiority of Han culture over Tibetan ways of life. This objective is designed to be executed through the use of land compensation, resettlement subsidies, and compensation for improvements to new land (State Council, 2017; Ding, 2004, p.11). The logistical process requires the central government to indicate areas where resettlement is needed. Once identified, local governments organise and manage resettlement plans within their jurisdiction for review by the central State Council (Shi, Zhou, and Yu, 2012, p.7). Despite the formal existence of this legislation, the institutions tasked with their enforcement commonly disregard them (International Campaign for Tibet, 2024, p.26). While the legal system is formally structured to safeguard displaced populations, its inconsistent implementation suggests that displacement functions less as a protective policy instrument and more as a mechanism through which peripheral groups are marginalised, in line with the dynamics of internal colonisation. The policy failure leaves already marginalised populations in particularly challenging situations. Displaced individuals and households will be forced 'to rebuild their livelihoods amid new—and often poorer—social and economic conditions' (Randell, 2022, p.849). Multiple factors contribute to this socio-economic decline: displaced people resettled far from their community lose social support of family and friends, farmers receive land allocations that are less favourable than those available prior to relocation, fishers lose access to water resources, and compensation does not equate to the value of damaged property.

Evidently, significant portions of the Tibetan population will be disadvantaged by China's hydroenergy policy. The attack is particularly devastating for pastoral Tibetans, who diverge from typical Han Chinese culture. Their 'indigenous belief systems, which are built on foundations of interdependent relationships between people, their ancestral territory, mountain deities, and fortune-bearing animals' are damaged by forced assimilation (Gyal, 2021). Sedentarisation—the transition from nomadism to settled lifestyles in urban centres—removes pastoralists from their traditional lands and disrupts spiritual and cultural practices (International Campaign for Tibet, 2024; Gyal, 2021). The displacement also violates the moral duty to maintain harmony with land spirits, and steward yak and sheep herds, that embody spiritual balance (Gyal, 2021). Furthermore, Hayes (2025, p.3) details the impact on pastoralists by arguing that those who are 'forced out of their subsistence pastoral lifestyle to live in urban areas face unemployment or underemployment, urban poverty, and frequently experience poor health and life outcomes'. Pastoralist communities often become increasingly dependent on the state for subsidies, decreasing their self-sufficiency and ability to resist. Furthermore, concentrating Tibetan populations enables Sinification—assimilation to Han Chinese culture and language—through the use of boarding schools which an estimated 80 percent of Tibetan children now attend (Hayes, 2025, p.2). Displacement facilitates this by resettling families in urban areas where children can more easily be separated from their communities and placed in state-run schools to erode Tibetan language and culture. Although framed as 'people-centered development' (The State Council Information Office of the People's Republic of China, 2019), China's hydroelectric policy is shown to systematically erode subsistence practices and land-based cultural transmission, a pattern that aligns with definitions of cultural genocide as a structural process.

Conclusion: A Warning Towards a Green Future

China's prioritisation of large-scale hydroelectric development in Tibet is a green ruse that conceals the strategies of internal colonisation and cultural genocide. Through environmental degradation, forced displacement, and the dismantling of spiritual and linguistic traditions, China's pursuit of sustainable development enforces Han domination and erasure in Tibet. The Tibetan case stands as a warning that state-led renewable energy projects, when driven by colonial hierarchies rather than genuine sustainability, can become instruments of systemic oppression. While global demand for clean energy accelerates, the lesson from Tibet is clear: development that disregards cultural sovereignty risks repeating the same pattern of internal colonisation under a new, greener name.

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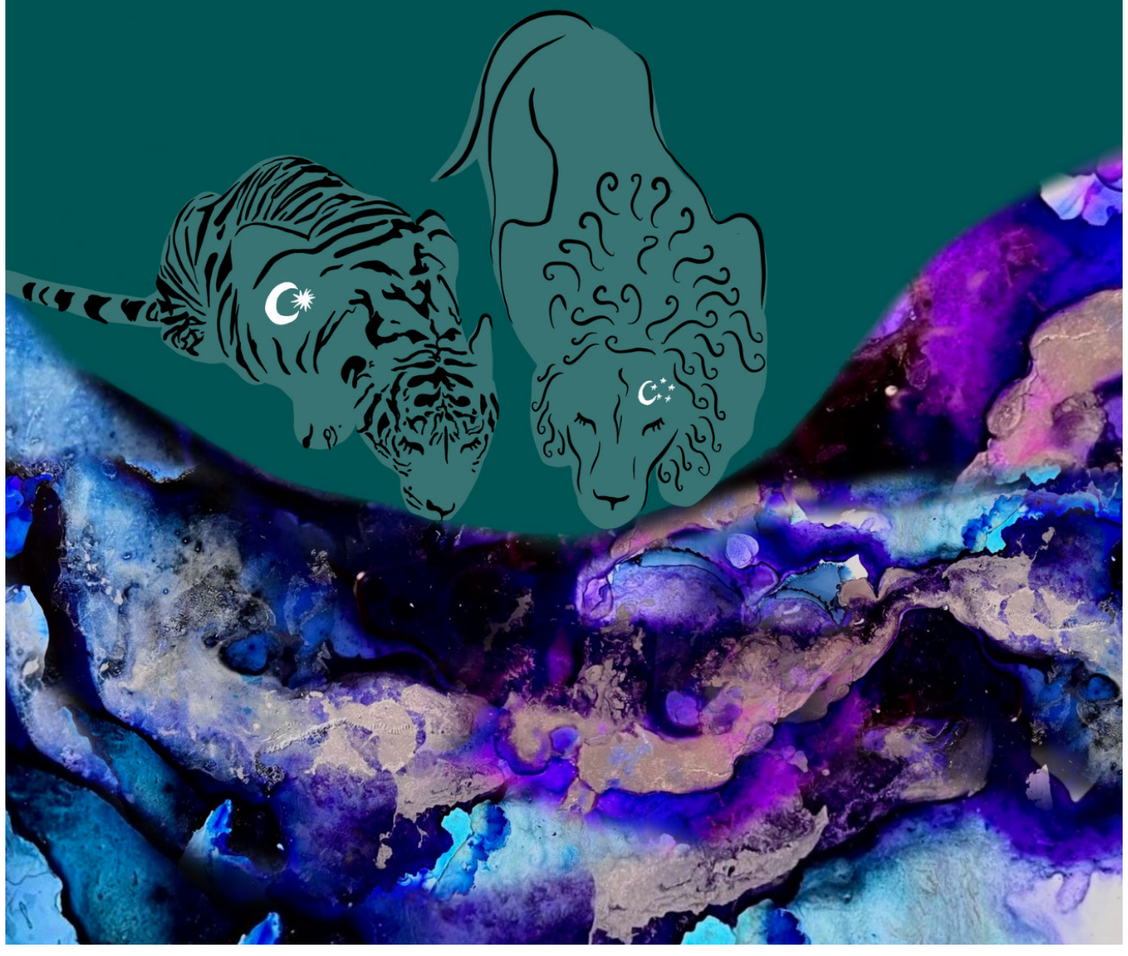
CHOKEPOINT DEPENDENCE & DISPROPORTIONATE POWER

by Finn Hughes

Illustration by Maisie Norton



Littoral Leverage in the Strait of Malacca

The Malacca Strait is the preferred means of maritime transit between the Indian Ocean and the South China Sea and the Pacific Ocean. The position of this vital shipping route amplifies the economic and political power of the littoral states it cuts through: Indonesia, Malaysia, and Singapore (Dastjerdi and Nasrabady, 2021). Furthermore, with between 25 and 30 percent of annual global trade passing through the Strait (Khalid, Nawab, and Wakil, 2025, p.508), disruptions therein would adversely affect the global economy (Verschuur, Lumma, and Hall, 2025). The term 'chokepoints', specifically, is used to describe smaller channels of water that are critical to international trade routes (Verschuur, Lumma, and Hall, 2025, p.1). For example, if a blockage occurred within the Strait, the amended route would be over 1,000 nautical miles longer (Rimmer and Lee, 2007, p.15). The Malaccan nations demonstrate how states littoral to peak trading waterways can influence discussion regionally and globally through bodies such as the Association of Southeast Asian Nations (ASEAN) and the International Maritime Organisation (IMO). Despite their historical struggles for sovereign power, Singapore, Malaysia, and Indonesia wield their own unique economic and political influence due to their immediate proximity to this crucial chokepoint. By examining these three littoral nations, their industrial expansion, influence on the private sector, and heightened prominence within the international order, this article argues that the littoral states of Singapore, Malaysia, and Indonesia benefit significantly more from monetising port traffic, patrolling the sea, and using their geography to obtain diplomatic dividends than from conventional trade and oil. The example of the Malacca Strait indicates that the international order is shaped not only by great powers but by historically exploited states that convert strategic geography into political and economic influence.

Industrial Expansion

The economic prosperity of Indonesia, Malaysia, and Singapore is intrinsically linked to their access to and control over the Strait of Malacca. The volume of trade that transits through this chokepoint has rendered the maritime sector a central pillar of economic activity for all three littoral states (Chen et al., 2025). In the case of the Malacca Strait, its littoral states have each witnessed distinct wider economic benefit, a result of their independent resource endowments, industrial structures, and stages of economic development. Among the three, Singapore possesses the most advanced and valuable maritime economy. Hosting the Port of Singapore, the world's second-largest port by tonnage, the city-state has cultivated a logistics ecosystem unparalleled in the region (Tang, 2024, p.275). Under the early governance of Lee Kuan Yew, Singapore prioritised industrialisation, infrastructural modernisation, and policy consistency; these foundations enabled the development of a highly efficient logistics network (Huff, 1995, pp.1432–1433). Through sustained investment in technological innovation and port optimisation, Singapore has achieved one of the fastest cargo turnaround rates globally at two to three (Maritime and Port Authority of Singapore, 2024), with its maritime industry contributing approximately seven percent of national GDP (Maritime and Port Authority of Singapore, 2025). Being just 735 square kilometres (Department of Statistics Singapore, 2026), Singapore's maritime background and compactness have enabled it to utilise national resources with unparalleled effectiveness, transforming physical limitations into a strength. In addition to its strong maritime economy, Singapore exercises disproportionate power in the global political economy. They play an active role in the development of sectors such as marine finance, insurance, and arbitration (Maritime and Port Authority of Singapore, 2023). This combination of regulatory authority, economic significance, and logistical creativity allows Singapore to exert influence over global maritime standards and policy disproportionate to its size.

Alternatively, Indonesia and Malaysia are larger geographically with more complex economic structures, which affect how maritime benefits are distributed in their domains. Although they have lower per capita GDPs than Singapore, both host economies revolve around manufacturing bases, natural resource exports, and services (S&P Global, 2024). Lower, relatively average, economic output is the result of demographic and spatial heterogeneities because productivity remains unbalanced between densely urbanised areas and less industrialised rural regions. However, growing maritime trade via the Malacca Strait has created wide economic spillovers well beyond principal port cities such as Kuala Lumpur and Jakarta (Evers and Gerke, 2010). The two states have utilised the Strait to expand their export capacities over the past three decades, with Malaysian and Indonesian exports increasing by 66 percent and 76 percent, respectively, in real terms in the last decade alone (Yildirim, 2025, p.1). This underlines the possibility for rapid integration in international markets that sea access provides. Trade growth has attracted foreign direct investment, propelled industrial diversification, and elevated both states' standings in regional trade pacts such as ASEAN and the Regional Comprehensive Economic Partnership (Kawai and Naknoi, 2015). Hence, their strategic control of the Strait has transformed economic growth into diplomatic value and institutional participation in the international political economy.

Influence on the Private Sector

The backbone of industrial success lies in the network of private shipping firms, each competing to secure the most favourable contractual terms for operations within the Strait. With over 90,000 vessels traversing the corridor annually, demand for access to prime port positions vastly exceeds available capacity, often culminating in highly lucrative arrangements (Chen et al., 2025). This configuration delivers not only direct fiscal support to littoral states but also provides sustained structural stability. As state-private partnerships mature, they tend to reinforce continuity and mutual investment in growth. Even facetiously, commercial agreements exert significant political influence. The Malaccan littoral states currently report an average unemployment rate of approximately 3.58 percent, which lies below the global average of 4.9 percent (World Population Review, 2021), demonstrating the maritime industry's relevance in maintaining low unemployment rates in the Malaccan littoral nations. These states are experiencing notable growth in skilled industries such as financial services, legal sectors, and infrastructure development which is transforming workforce composition and raising the levels of human capital (Qu and Meng, 2012).

Moreover, littoral states also have the complete ability to enforce regulatory frameworks within their territorial and maritime jurisdiction. Existing regulations regularly reflect contemporary norms of corporate governance. These include the monitoring of goods transhipment, emissions and waste mandates, limitations on turnaround times, and environmental safety standards. Such measures protect national security, enhance reputational trust, and ensure continuity in business volume (Lister, Poulsen, and Ponte, 2015).

Crucially, littoral states have refined policies aimed at fostering national inclusion within their maritime sectors, evidenced through each state's various equity-shareholding prerequisites. Indonesia has a requirement for majority domestic ownership, Malaysia has vessel licensing systems which grant control over vessels operating within domestic

waters unless registered as a joint venture, and Singapore has their vessel registration dominated by national legal entities (Pattinggi et al., 2025; Perumal and Moorthy, 2025; Cariou and Wolff, 2011). These provisions ensure that a meaningful share of the financial and decision-making benefits accrue to local actors, thereby reinforcing domestic economic agency. In doing so, the littoral states channel chokepoint-derived revenues into their own developmental structures, accumulate normative and regulatory authority, and systematically convert geographic advantage into significant political and economic power on the global stage.

Increased Prominence Within the International Order

It is not only commercial actors that must adhere to the authority of these historically disadvantaged nations; other states within the international order are equally subject to the conditions and priorities set by those who govern the Strait. This dynamic is most visible within international maritime institutions such as the International Maritime Organisation (IMO), the Association of Southeast Asian Nations (ASEAN) Maritime Forums, and the United Nations Convention on Laws of the Sea. Although these bodies operate based on unweighted majority consensus, the potential economic consequences of opposing the littoral states, through extended freight routes or regulatory non-alignment, ensure that decisions concerning the Strait frequently align with their preferences. A recent illustration of this influence lies in the IMO's ongoing maritime decarbonisation agenda. This year, ASEAN member states were identified among the most cooperative globally, following Singapore's promotion of its national decarbonisation strategy as a model for replication (IMO, 2025). This consensus, largely shaped by Singapore's leadership, reflects the wider thoughts of Lister and colleagues (2015) who argue that littoral states have the ability to steer collective action within multilateral frameworks.

Beyond such formal institutional settings, these littoral states exert normative power by setting standards and operational trends within the maritime sector. Littoral states establish precedents that must be conformed to by all non littoral nations using the Strait (Sulistyani, 2019). These procedures include enhanced traffic-separation schemes, unified ship-reporting schemes, and coordinated navigational aid frameworks (Abdul Rahman, 2014, p.232). It is important to note that geopolitical and financial factors eventually limited these policies. Although, given available resources and the willingness of parties in a peaceful climate, these practices have proven to be successful in managing one of the world's busiest chokepoints.

This dynamic extends into bilateral and multilateral diplomacy as the littoral states maintain full jurisdiction over entry into, and passage within, the Strait (Mahmoudi and Leopardi, 2021). Major trading states whose energy security and export capacity depend heavily on unhindered transit, such as China and Japan, must negotiate with them directly. The clearest manifestation of this bargaining power was seen during the early 2000s, when the Strait of Malacca was identified as one of the world's most piracy-prone regions (Lee and McGahan, 2015, p.530). In response, Indonesia, Malaysia, and Singapore entered into pragmatic arrangements that effectively traded guaranteed freedom of navigation for enhanced maritime security. Through mechanisms such as the Malacca Strait Patrols and the Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ships in Asia, these littoral states have received enhanced vessel security for their domestic fleets and financial and logistical support for coordinated patrols and surveillance systems (Anderson, 2016; Ho, 2009). Joint initiatives, including the 'Eyes in the Sky' aerial surveillance programme, reduced piracy incidents over the past decade (Setiawan and Padilla, 2025, p.349). This tacit bargain exemplifies how control over a critical chokepoint enables smaller states to transform global dependence into tangible security funding, infrastructural investment, and diplomatic capital, converting a former maritime vulnerability into a durable source of geopolitical strength.

> *By nurturing one of the world's most critical chokepoints, Singapore, Malaysia, and Indonesia have all accumulated proximity power, achieving not only economic wealth but also institutional and diplomatic authority.*

Conclusion

The Strait of Malacca demonstrates that geopolitical influence is not necessarily a function of land area or military strength alone but can be a result of geographic middle position and wise management of global trade conduits. By nurturing one of the world's most critical chokepoints, Singapore, Malaysia, and Indonesia have all accumulated proximity power, achieving not only economic wealth but also institutional and diplomatic authority. Their capacity to mobilise investment, enforce regulatory standards, and leverage regional action illustrates how densely populated, postcolonial agrarian states can experience disproportionate power within the international system. Their institution-building, such as the Malacca Strait Patrols and leadership in the IMO and ASEAN maritime forums, illustrates how technical competence and good governance can be translated into sustainable soft power. Knowledge of this dynamic is important because the stability of the Strait underpins global supply chains, energy flows, and the security of leading economies. The ability of these littoral states to balance national interests with global responsibility serves as a model for balancing interdependence in an era of disconnected geopolitics. The Malacca Strait displays that, in the global economy of today, power is not retained by great powers alone; instead, it also lies in smaller states that dominate the veins through which the world connects and trades.

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A STATE'S FIRST WEAPON IS DISCURSIVE

by Sophia Pregent

Illustration by Ruby Gordon

The Loaded Conceptualisation of 'Energy Security' in The South China Sea

The concept of 'energy security' is framed as closely intertwined with notions of sovereignty, security, and self-sufficiency (Nyman, 2014, p.13). In this sense, it is positioned as a necessary and inalienable factor of a state's well-being. This article interrogates this framing by examining how energy security operates discursively within the Southeast Asian security complex, centred on an evaluation of Chinese and United States (U.S.) disputes in the South China Sea (SCS). The range of geopolitical factors, historical grievances, contested claims, and geopolitical competition reveals how energy security functions not merely as a material concern, but as a rhetorical and legitimising tool of state power. By focusing on the SCS, this article expands the discussion from the security complex to the geopolitical factors beyond material energy needs (Len, 2015, p.2).

This analysis examines how the concept of energy security has evolved into a central pillar of economic security, legitimising the use of soft power—known as the power to shape narratives, norms, standards, and knowledge (Ohnesorge, 2020, p.6)—to secure resource deposits and transportation routes. Through the actions and relationships of the U.S. and China, this article argues that such framing of energy security functions less as a genuine security vulnerability and more as a strategic narrative: a legitimising discourse invoked by states to justify territorial claims, military expansion, and diplomatic assertiveness. By focusing on these two actors with divergent territorial stakes but converging rhetorical strategies, this article reveals how energy security discourse shapes and escalates territorial disputes in the SCS under the guise of national protection and regional stability.

Theoretical Framework

To understand the conceptualisation of energy security, it is necessary to first evaluate how state actors are able to frame energy security as an existential threat. The securitisation of energy involves a discursive process in which 'an issue is dramatised and presented as an issue of supreme priority; thus… an agent claims a need for and a right to treat it by extraordinary means' (Nyman, 2014, p.4). The basis for generating an issue of supreme priority, and thus creating a justification and legitimisation of the constructed threat, can be analysed through scholar Robert Entman's (1993) framing theory. According to Entman, frames operate by emphasising certain aspects of reality while omitting others. In doing so, they shape problem definitions, causal interpretations, moral evaluations, and policy prescriptions (Entman, 1993, p.52). By framing energy as a security threat, states gain legitimacy to pursue extraordinary measures, often emphasising self-sufficiency, strategic competition, and 'high politics' while erasing local, environmental, or human security concerns (Nyman, 2014, p.60; Ciută, 2010, p.133). In the context of the SCS, the U.S. and China both adopt a state-centric model, framing energy threats as matters of national survival, security, and sovereignty. They deploy urgent rhetoric to legitimise 'threats' to domestic and international audiences, thus justifying assertive politics and military posturing (Nyman, 2014, p.1). Securitisation and framing theory offer the theoretical basis for the conceptualisation of energy security by identifying the diverging strategic interests and converging rhetorical tools which shape the SCS 'security' complex.

Conceptual Framework

Energy security can be understood through both long-term and short-term frames, where long-term security addresses timely investments to supply energy, in line with economic development and environmental needs (Len, 2015, p.2). Short-term security, on the other hand, focuses on the capability of the energy system to react promptly to sudden changes in the supply-demand balance (Len, 2015, p.2). The practical implications of these framed security risks within energy security are embodied by maritime chokepoints and strategic Sea Lanes of Communication (SLOCs). Chokepoints can be understood as areas of increased vulnerability at risk of piracy, terrorism, and third-party blockades. SLOCs refer to strategic maritime routes, used for the transit of goods and energy resources, especially oil and gas. SLOCs are therefore critical for the survival and prosperity of regional countries whose export-oriented economies rely on uninterrupted maritime transportation (Len, 2015, p.2).

For China, 80 percent of its oil imports pass through the SLOCs of the SCS, carrying oil and gas from the Middle East and Africa (Len, 2015, p.4). The vulnerability of this transit route is framed through its reliance on the Malacca Chokepoint: a strategically important waterway that ferries approximately 60 percent of global maritime traffic (Idris and Ramli, 2018). In the case of the Malacca Strait, large bodies of land create a natural border and thus threaten China's self-reliance in energy security. This framed vulnerability aligns with China's marketing of energy security as indispensable to state well-being, while justifying strategic motives such as military build-up, specifically naval capabilities, and maritime sovereignty claims (Zha, 2001). China's construction of the 'Malacca Dilemma' (Len, 2015, p.5) is just one example of such framed vulnerability. Thus, energy security is used both as a rationale and a rhetorical tool to legitimise action.

Historical Framework

In the early 1980s, the South China Sea was largely neglected in the field of security studies (Zha, 2001, p.47). However, a combination of the end of Cold War relations between the U.S. and the Soviet Union and the establishment of the Association of Southeast Asian Nations (ASEAN), alongside the *United Nations Convention on the Law of the Sea* (UNCLOS) (1982), brought the issue greater attention in media and academic discourses. Until this time, the slew of territorial claims to the SCS was relatively peaceful (Zha, 2001, p.34). Claims were marked by diplomatic negotiations and symbolic assertions of sovereignty, rather than direct aggression by claimant nations. However, the end of Cold War relations in the 1990s brought with it a power vacuum where the 'long peace' assured by superpower competition for spheres of influence in Southeast Asia had ended (Zha, 2001, p.42).

The competition for spheres of influence in Southeast Asia was intensified by the introduction of the UNCLOS (1982). This founded the 'new constitution of the oceans' (Zha, 2001, p.41), which granted states Exclusive Economic Zones (EEZs) extending 200 nautical miles, and affirmed rights to freedom of navigation and overflight in international waters (UNCLOS, 1982, p.44). Freedom of Navigation (FON) is based on the freedom of the high seas, or mare liberorum, a standard that was first articulated in 1608 and has long been at the heart of customary international laws of the sea (Emmerson and Stevens, 2024). With the collapse of the Cold War bipolar order, previous loyalties to enforced security umbrellas dissipated; this newfound freedom was complemented by the introduction of these maritime regulations, thus empowering regional actors to assert new claims and compete for influence. By legalising previously symbolic or diplomatic disputes, UNCLOS provided states with the legal means to construct sovereign claims over maritime resources. Yet, creation of these rules was rooted in Western-centric frameworks of international order, with a specific aim of countering communism as top of the Western agenda at the time these frameworks were written. This raises necessary questions about who has the authority to construct global norms, whose interests they serve, and who ultimately establishes the rules.

The adoption of UNCLOS III thus increased pressure on resolving overlapping SCS claims which ASEAN, as the main regional platform, adopted the responsibility of resolving. Scholars have argued the centrality of ASEAN has failed to amount to more than a 'political talking point' (Venkatachalam, Dollah, and Yang, 2023). However, as contemporary rivalry between the U.S. and China reintroduces Cold War tensions, ASEAN remains a critical avenue for smaller, littoral states to exercise diplomatic agency (Beeson 2021, p.5). Without ASEAN, already fragile relations in the region risk escalating as countries would be forced to choose between two insecure security blocs to shelter under once again.

This period also marked a reconceptualisation of energy security, driven less by procedural change, and more by shifting understandings of global oil and gas reserves. During this period, energy independence was reframed around the idea of scarcity, transforming energy into a security concern and fostering competition among states to prevent resources from falling into 'enemy hands' (Zha, 2001, p.40). This realist, zero-sum mentality remains central to the strategic behavior of both the U.S. and China today. The persistence of this logic has intensified the great power rivalry for hegemony in Southeast Asia, making the contemporary significance of the SCS a focal point for the ongoing struggle that threatens regional peace and stability (Jannuzi, 2025).

China: Rising China and Increased Provocation

China's rising status as a global power, alongside its campaign against the US-led national order, has contributed to an intentional disregard of standards such as UNCLOS, in the name of national security.

The basis of China's disregard of maritime standards is rooted in its territorial claims, specifically articulated through its expansive 'nine-dash line' map first issued in 1948, which stands in direct conflict with the principles of UNCLOS (Gao and Jia, 2013, p.103). Beijing asserts sovereignty over approximately 80 percent of the SCS (Lee, 2023), encompassing 2.1 million square kilometers of maritime space (Hongbin and Ullah, 2022), and coming very close to the coastlines of neighboring littoral states (Lee, 2023). This sweeping claim threatens regional access to fishing and energy resources within other states' EEZs (Rolf and Agnew, 2016, p.252), undermines the FON for commercial vessels, and restricts freedom of overflight for foreign military and security operations (Rolf and Agnew, 2016, p.249; Gao and Jia, 2013). While China defends its stance as a legal right and a matter of national energy security, it also highlights the economic stakes involved, particularly its reliance on SLOCs like the Strait of Malacca, through which approximately 60 percent of its trade passes (Idris and Ramli, 2018, p.26).

Contemporary shifts in maritime policy are reflected in President Xi's 2013 announcement of the Maritime Silk Road (MSR), a branch of the country's broader Belt and Road Initiative, framed as a restoration to the historical maritime prestige and influence that China once wielded as a maritime power (Len, 2015, p.2). President Xi's proposal additionally expressed a willingness to enhance mutual political and strategic trust with ASEAN countries and to strengthen maritime cooperation through the China-ASEAN Maritime Cooperation Fund (Len, 2015, p 6). The motives for this aspect of 'regional cooperation' rhetoric can be read as an investment-driven regional engagement strategy promoted by China to offset the efforts of U.S. re-balancing in Asia (Len, 2015, p.7).

This strategic motive for regional cooperation and emphasis on SLOC security created a layered critical analysis of competing narratives on China's investment. The announcement of the Maritime Silk Road coincided with a call for the People's Liberation Army Navy to operate a maritime security operation involving overseas energy and resources, strategic SLOCs, and Chinese nationals and legal persons overseas (Len, 2015, p.7), with the ultimate goal of developing blue water capabilities: the capability of a force to 'operate across open oceans and deep waters' (Cronin et al., 2017, p.5). Scholars have long argued that leadership in the SCS refers to 'more than anything else, naval strength—the capacity to project a state's power beyond its own land boundaries' (Zha, 2001, p.38). China's aggressive pursuit of control over the islands within the SCS, including Mischief Reef, Fiery Cross Reef, and Subi Reef in the Spratlys and Woody Island in the Paracels, has involved the deployment of anti-ship and anti-aircraft missile systems, electronic warfare equipment, and fighter jets, undermining China's stated aim of enhancing regional security (Thayer, 2016, pp.225, 228). Additionally, Western states have asserted that 'China is one of the sources threatening regional SLOC security' (Guoxing, 2025; Beeson, 2021). This narrative increased concern among ASEAN members that financial incentives may be used as political leverage by the Chinese Government during negotiations (Len, 2015, p.9). Strategically, the Maritime Silk Road serves to advance China's strategic mission of uninterrupted access to the SCS through expansive maritime facilities, despite the cooperation and energy security framing by President Xi.

China's invocation of energy security operates as a strategic narrative to legitimise its actions and regional ambitions, paralleling U.S. discursive tactics in shaping perception. Yet, the extent to which this narrative persuades its neighbors, ASEAN members, and the Western bloc, remains uneven and highly contested. In the following section, the U.S. will be analysed by both its rhetorical convergence with China and its strategic divergence.

United States: Defender of Maritime Norms and Energy Trade

Since the end of World War II, the U.S. has assumed its role as the world's hegemon, with its naval forces behaving as a global policing force (Etzioni, 2016). With its superpower status comes the U.S.'s ability to control global narratives, shift rhetoric, create norms and standards, and exercise a disproportionate influence over international organisations, such as the International Monetary Fund or United Nations. Despite not being a signatory to UNCLOS, the U.S. has firmly enforced both the 12-nautical-mile standard, where states do not have the right to regulate foreign military operations in parts of their EEZs outside of this boundary and the concept of Freedom of Navigation (Houck and Anderson 2015, pp.442, 444).

Freedom of Navigation is a central tenet of U.S. naval capabilities globally, allowing 'US warships to have innocent passage,' meaning 'without having to inform the governments of countries immediately bordering the ocean' (Zha, 2001, p.36). Specifically in the case of the SCS, the ability allows access to waters during periods of both 'preponderance' and 'offshore balancing' (Zha, 2001, p.36). Inciting these standards allows the U.S. to justify its military and commercial interests in the name of security. While the U.S. retains hegemonic authority to legitimise its own strategic action through appeals to international norms, it has simultaneously used this position to reframe China's motives as destabilising and illegitimate.

China's emphasis on the importance of SLOCs and strategic interest in ensuring unimpeded access in the region is linked to maritime power aspirations, such as the Maritime Silk Road, in the name of energy security. The U.S. responded to this initiative with its conception of the 'String of Pearls' theory, framing China's Maritime Silk Road as a strategic effort to build a network of military and commercial facilities along key SLOCs from the mainland to Port Sudan (Len, 2015, p.9). Introduced by the U.S. Department of Defense, this counter-narrative to China's energy security framing intensified regional tensions, particularly with India, which has remained deeply wary of Chinese ambitions in the Indian Ocean since the theory's inception (Len, 2015, p.9). Reports by the U.S. have escalated an aggressive narrative for Chinese motives, claiming that Chinese aspirations for a blue-water navy are not just to control sea lanes, but also to develop undersea mines and missile capabilities to 'deter the potential disruption of its energy supplies from potential threats, including the U.S. Navy' (The Washington Times, 2005). Positioning China as a threat to regional security for the United States is a rhetorical tool for promoting the restructuring of strategic alliances within the region.

Perpetuation of this aggressive rhetoric towards China subsequently promotes the U.S. as a stabilising force amid regional anxieties. Agreements like AUKUS, a trilateral security agreement formed with Australia and the UK, have been established to contain China and counterbalance its growing influence, specifically in the SCS (Imannurdin, Sudiarso, and Sianturi 2024, p.2473). While the AUKUS deal drew criticism for challenging ASEAN's non-proliferation stance, it ultimately underscored the US's deeper military alignment with regional allies, most notably through the sale of nuclear-powered submarines to Australia (Imannurdin, Sudiarso, and Sianturi 2024, p.2474). Simultaneously, the U.S. has sought to strengthen relations with littoral nations, such as its strategic support for the Philippines, referencing both a mutual defense treaty and international legal rulings rejecting China's expansive maritime claims (Jannuzi, 2025). Taiwan also serves a prominent role in U.S. considerations, with the U.S. preserving FON, to maintain its capacity to intervene in a potential cross-strait conflict (Jannuzi, 2025, p.31). Beyond explicit military alignment, economic and technological initiatives such as the Indo-Pacific Economic Framework (IPEF) and semiconductor partnerships, reinforce these alliances and further counter China's legitimacy in the region. The Biden administration's IPEF regional trade agreement was 'an admittedly tepid effort to bolster the rules-based international economic order while not offering new access to U.S. markets' (Jannuzi, 2025, p.31). The Quad Initiative of Maritime Domain Awareness, constructed and adopted by Australia, India, Japan, and the US, further enhanced regional surveillance capabilities, implicitly targeting China's maritime assertiveness (Jannuzi, 2025, p.28). Collectively, these actions reflect a deliberate U.S. strategy: the use of confrontational posturing toward China to justify deeper regional partnerships, increase military presence, and entrench itself as a central power in shaping Southeast Asian security norms.

The concept of 'energy security' in the South China Sea operates less as an objective condition and more as a strategic discourse, a legitimising framework employed by the U.S. and China to justify expansive geopoitical maneuvering.

By positioning itself as the guardian of maritime norms, the U.S. reframes China's energy security concerns, central to its maritime expansion, as veiled strategic aggression. In doing so, it deconstructs China's narrative, casting initiatives like the Maritime Silk Road as threats to regional order. Through freedom of navigation operations, alliances like AUKUS and the Quad, and tools like the Indo-Pacific Maritime Domain Awareness, the U.S. reinforces its hegemonic role not only by maintaining mare liberorum, but by shaping Southeast Asian security norms to legitimise its own strategic motives while constraining China's rise.

Critical Assessment

The concept of 'energy security' in the South China Sea operates less as an objective condition and more as a strategic discourse, a legitimising framework employed by the U.S. and China to justify expansive geopolitical maneuvering. In the case of Beijing, security narratives function as a calculated device for legitimising strategic ambitions, rather than a response to genuine vulnerability. Offshore energy supplies are framed as a 'necessity' to rationalise military modernisation, specifically naval expansion, and to assert control over strategic sea lanes under the guise of national security. Simultaneously, its investments in renewable energy and funding mechanisms, such as the China-ASEAN Maritime Cooperation Fund and Silk Road Fund, are framed not as mere development tools, but as part of a China-centric regional vision, recasting energy flows as tools of influence rather than vulnerabilities (Len, 2015, p.8). In contrast, the United States uses the rhetoric of stability and openness to retain hegemonic mobility, maintain a military presence, and encourage strategic alignment among regional allies.

Both actors project the language of protection and security to pursue contradictory aims: China seeks to dominate energy routes, while the U.S. seeks to preserve access. This convergence of language but divergence of interest reveals energy security to be an ideologically loaded term, which justifies offensive strategies as defensive necessities. However, a shift in focus from this realist lens of abstract state threats to the realities faced by littoral nations is needed. Regional stability in the South China Sea is increasingly pulled between two umbrellas of great-power security influence, both resembling colonial patterns of dominance and illegitimising claims of littoral states. ASEAN, despite weaknesses as a central authority, remains essential in amplifying littoral voices, which, in doing so, can deconstruct dominant discursive rhetoric by introducing an array of frames of norms, knowledge, and understanding to the range of geopolitical factors beyond material energy needs. In this context, energy security is no longer material; it is discursive, performative, and ultimately strategic. Framed as a shared vulnerability, energy security becomes a justification for control, militarisation, and power projection, rather than a means of cooperation.

Conclusion

The South China Sea evolved as a focal point of security studies not just for its tangible energy reserves or strategic sea lanes, but as a result of the geopolitical narratives surrounding them. Both China and the United States weaponise energy security not just as a response to economic vulnerability, but as a legitimising discourse to rationalise territorial claims, military expansion, and diplomatic influence. While China frames its actions as necessary for safeguarding critical SLOCs and restoring maritime prestige through initiatives like the Maritime Silk Road, the United States counters with its own rhetoric of upholding international norms and protecting freedom of navigation, despite its own non-ratification of the UNCLOS (1982). These parallel rhetorics not only serve to advance national interests, but also to shape the regional security complex in each actor's respective image. Through this analysis, energy security in the SCS emerges as a function of the strategic language of power, rather than a neutral and universally accepted term. The convergence of rhetorical tools between the strategically opposed actors demonstrates how the discourse of energy security can be weaponised to justify expansive and destabilising behaviour. In the case of territorial disputes in the SCS, this region is not simply a contested space of energy and trade; it is a battleground of legitimacy, where energy security is employed as a narrative tool to shape the balance of power in Southeast Asia.

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ULTRA VIRES IN SECURITY STUDIES

by Joseph Harmon

Illustration by Hugh Thackway

Contesting Walt's Limits on the Discipline

Security studies is a highly debated subdiscipline of International Relations, making it challenging to understand what security really entails. By defining security, scholars of this discipline determine what should be deemed a threat and how these threats can be contained. Realist scholar Stephen Walt (1991, p.212) proposes a narrow definition of security from a traditional state-centric analysis, limiting the focus of security to material ontology and state interests. However, contemporary crises—like climate change and terrorism—have led to broader threat conceptualisations, giving rise to challenges against the previous, narrow view of security. Instead, critics of realism believe that we must look beyond the traditional conceptions of state security and military power. Non-military threats against human security tear down traditionalist understandings of the discipline. Thus, critical approaches have questioned the state's role as the primary 'referent object' (Mutimer, 2016, p.56). Such scholars critique the state-centric focus within the discipline, with critical approaches highlighting that the object of a security threat is not always the state. This shift demonstrates how contemporary security challenges push the study of security beyond traditional conceptualisations of power, moving from state military capabilities to a broader understanding of the roles played by norms, identities, and non-state threats.

Walt's approach to security studies is too narrow to measure and provide solutions for contemporary security issues. This article examines the alternative approaches of both constructivist and post-structuralist methodologies. Poststructuralism can be best understood as a methodology of constant epistemic critique (Dillet, 2017, p.517), whereas constructivism commits to the existence of social reality that is sustained through identities being 'always in the process of interaction' (Wendt, 1994, p.393). Using these alternatives, this article critiques Walt's unconvincing conception of security, arguing against the fixed understandings of security as conceived by realists. Instead, it asserts that the constructivist approach better overcomes such limitations and provides practical solutions to security issues.

Reassessing Walt's State-Centered Security

Walt (1991, p.212) argues that security studies can confine its focus to 'the ways that the use of [state] force affects individuals and societies' as well as the policies that 'states adopt in order to prepare for, prevent, or engage in war'. This essentially leaves security to be a state issue, emphasising material power. However, he states that 'new security problems will arise' and that states must develop 'new strategies for dealing with them' - this open-ended caveat despite such a narrow framing of security implies moving away from his theory as the sole definition of security.

Firstly, it is important to recognise the significance of Walt's framework in security scholarship. His realism relies on a state-framed analysis in defining security, implying that the security of individuals is very much dependent on the security of the state. Framing of this kind is contextually most appropriate for issues such as the Cold War arms race, in which security is treated as a commodity The claim that this theory has a 'connection to real world issues' (Walt, 1991, p.222) can still be validated today to some extent, with states pursuing military resources and hard power to achieve political agendas. Michael Sheehan (2013, p.198) equally highlights that states still invest considerably in military resources, with the US spending an estimated 900 billion US dollars on military spending and Russia also spending over fifteen percent of its GDP on their military between 2023 and 2024, primarily concentrated in their invasion of Ukraine (World Population Review, 2025). The UK's arms contributions to Ukrainian defence (UK Foreign Office, 2025) further demonstrates the realist notion of the state acting for its own benefit through military and material ontology. Thus, it can be said that military security has a continual importance in modern politics, with its relevance being evident in both state conflicts as well as domestic military budgets. However, a shift towards human security has become more compelling within recent decades of globalisation, as states have become more interdependent and interconnected.

Intergovernmental organisations such as the United Nations (UN) and the World Health Organisation (WHO) have taken a more molecular focus, analysing the safety of individuals as opposed to collective identities and looking at human security in both military and non-military contexts. These organisations attempt to influence state behaviour through the construction of conventions and norms based on broadly shared values. This is demonstrated by the Sustainable Development Goals agreed upon by all the UN members in 2015 (UN General Assembly, 2015), broadly committing all member states to address transnational global issues like world poverty, the climate crisis, and conflict resolution, all through the spirit of collaboration and cooperation. Walt (1991, p.213) asserts that including non-military threats within the subdiscipline would 'run the risk of expanding security studies excessively' potentially 'destroy[ing] its "intellectual coherence"'. However, this claim has diminished in its significance given that recognised global problems like the climate crisis—an issue that is indiscriminate of state boundaries and jurisdiction—have entered the frame. Hwang (2025, p.31) identifies resource scarcity and climate-induced migration as effects of climate's impact on global stability, which in turn leads to climate-related disasters and the harm of individuals. This supports the claim that studying security must go beyond Walt's realist emphasis on military or state-level threats. Moreover, this development validates the criticism of the traditional approach that it relies on: what Mutimer (2016, p.88) terms an unjustified 'normative assumption' that only states have a privilege to security. Furthermore, it can be highlighted that security studies should have a more atomistic focus, emphasising the importance of individual and human security (Browning and McDonald, 2013, p.251). This is beneficial as it opens up the discipline into incorporating a wider range of issues, as human security includes threats to all individuals. A narrow conception of security hinders a deeper understanding of security dynamics across a range of different contexts, including domestic and historical.

Therefore, human security is more of interest to the discipline than the state-centric security conceptions of Walt. Importantly, this moves us to analyse how the referent identity considered can determine how threats are comprehended, as well as viewing security as a relationship, as opposed to a commodity.

Social Construction and Security

Realists rely on the assumption that there is global anarchy, in terms of an 'absence of a centralised political authority' (Wendt, 1992, p.391). In this context, they further assume that states act as self-interested arbitrators, because there is no higher sovereign power to act as a limit. However, this state-centric answer fails to account for a dynamic range of issues. To address these gaps, Alexander Wendt (1992, p.391), a social constructivist, emphasises the themes of interest-formation and identities in his work, using liberal international institutions to bridge constructivism with the liberal tradition. He argues that identity and norms are socially

constructed, noting that the interests and behaviour of states can change based on institutional influences. The existence of organisations like the UN, which commits its members to a pro-human rights liberal position, demonstrates that global anarchy does not necessarily lead to self-interest politics (Wendt, 1992, p.394). A material approach to security is not an objective inevitability; evidence of states following international norms makes anarchy an inevitability only if states choose to accept it as such.

Wendt's (1992) approach to epistemology differs from Walt's by considering contextual and cultivated shared norms and values. Whether or not something is considered a threat is dependent on a relational basis. In essence, threats are not fixed but dynamic. The frameworks that realists assume need questioning: state and other objects of security are socially constructed.

The limitation of the constructivist view is that it advocates for relativism in its aims of critiquing assumptions made by objectivists; it has been argued that this makes it difficult to conceptualise solutions in security. Relativism is a problem because it insists on context-specific solutions, avoiding generalisations and therefore requires answers based on each scenario. Contrastingly, neorealists like Kenneth Waltz (1979, p.131) objectively measure security through 'size of population and territory, military strength, political capability', granting insight into relational power dynamics and demonstrating a potentially stronger solution-providing insight. Therefore these neorealist solutions can be applied to similar problems without examination of context, providing generalisable solutions.

In this way, neorealists have a more material focus, which provides a foundation for empirically quantifiable aspects of state security. With security conceptualised as material, it becomes a commodity which allows them to understand how conflicts disrupt global and regional stability. However, it can still be argued that a study of wars, states, and physical resources is insufficient for security studies. Instead, their significance lies in how these aspects are 'conceived, organised, and used' (Karacasulu and Uzgore, 2007, p.30).

While objective metrics are attractive to academics, identities in security studies are subject to change, meaning that a subjectivist approach to identifying threats is required for a more nuanced understanding of security. Traditional theorists fail to find solutions to threats without considering how perception shapes threats; some subjectivism enables us to evaluate how threats are epistemologically constructed, helping form effective solutions. Consequently, constructivism can be used as a productive framework of critique and investigation along with neorealism, enabling theorists to question what might otherwise be assumed. While subjectivity may remain a potential issue for academics when it comes to forming solutions to issues, constructivism in particular may be able to avoid these critiques in a way that poststructuralists may not.

Traditional theorists fail to find solutions to threats without considering how perception shapes threats.

Mediating the Subjectivity

The final consideration is whether critical approaches can offer something more effective than traditional approaches, or if they are simply more insightful and yet, unintuitively, less helpful. Poststructuralism is a broadly defined method of such a critique and would be an effective focus for evaluating relativist critique.

Poststructuralism rejects objectivist epistemic assumptions and critiques the existing assumed political structures in the world. The approach is 'fostering an ethos of critique' as a method that 'works to destabilise "truths"' based on how knowledge about them is created (Mutimer, 2016, p.102). Benoît Dillet (2017, p.517) argues that poststructuralism 'gives priorities to problems and events over solutions and historical continuities', demonstrating a clear opposition to Walt (1991, p.223), who criticises this type of approach as 'mostly criticism and not much theory'. However, poststructuralism problematises meta-narratives, particularly critiquing constructs like the state and the 'Other', often created within security discourse to justify or depict certain objects as threats. This critique is a strength of the approach as it highlights fundamental assumptions that need examining. For example, Charlotte Heath-Kelley (2016, p.67) draws attention to how discourse surrounding terrorism is used by states to justify spending and creating legislation, 'despite its low casualty figures'. Despite counterterrorism spending amounted to over 2.8 trillion US dollars (Stimson Study Group, 2018), only approximately 100 people had been killed by terrorist activity inside the US since 9 September 2001. Walt's theory emphasises the significance of military spending, thus, in this case, high-spending would denote that terrorism is a major concern - however, low death figures, compared to other domestic security issues, would indicate that the threat is less prominent than the US has illustrated. Heath-Kelley and poststructuralists would highlight this meta-narrative surrounding terrorism, arguing that these obscure deeper motivations.

The Copenhagen School similarly criticises elites who use speech acts to determine security discourse for their own political agenda, which can be seen as forms of anti-immigration sentiment. Phrases like 'protect our borders!' often use more neutral language to hide subliminal motives. Thus, structural deconstructions call into question the moral framework that underpins security policies and examine how they often serve elite interests and assumed values. However, its focus on the critique of ideas lends itself towards an open-ended relativism that does not contribute to existing mechanisms of policy-making nor offer new ones. This still serves as useful critiques that should inform the evolution of security studies but is limited in how it lacks the capability to provide a systematic, applicational approach.

Ultimately, constructivism can provide a more helpful account of security studies in conjunction with neorealism, analysing the roles of actors and how values are fostered by norms. This approach can investigate how interests fluctuate as they are socially constructed through norms. However, it equally accounts for how the security policies created by states are the consequence of historical and cultural values, and that states do have influence through material capability. Constructivism maintains the category of 'security', but sees it as a 'floating signifier' (Sheehan, 2016, p.187) that means nothing without a context. In this way a constructivist understanding of security allows for acts to be perceived as positive or negative for security, depending on their context. For example, Canadian troops at the US border would not have been conceived as a threat in 2023, but since President Trump's tariff threats and unpredictable foreign policy, tension has become increasingly present and made Canadian border activity more relevant. Consequently, constructivist approaches are pragmatic and can work to solve security problems by breaking down their components, generating more holistic approaches for the social structures that lead to behaviours of state actors while also incorporating the emerging significance of non-state actors.

While constructivists introduce a degree of relativism in their relational understanding of norms and values which are socially cultivated, Wendt's (1992) discussion of the UN demonstrates that processes of norm building can transition principles of self-interest towards notions of cooperation. However, differing from poststructuralism, it acknowledges some kinds of actors and social processes, thus offering a more comprehensive alternative framework for security studies without completely dismantling it.

Conclusion

In conclusion, Walt's confinement of security studies is too narrow to sufficiently tackle international security issues that have become more apparent in a globalising world. Realists seek to understand security through fixed identities in an anarchic system, hoping that solutions to issues will become apparent through an objective lens. Constructivism, however, establishes a superior alternative for the discipline in its wider scope of identifying threats to human security. The cultivation of norms dictating the social ontology of threats can be analysed to diagnose solutions to proposed security issues within a new and more adaptable framework. The emerging issue, however, is uncovering the practical role of critical theories in security studies.

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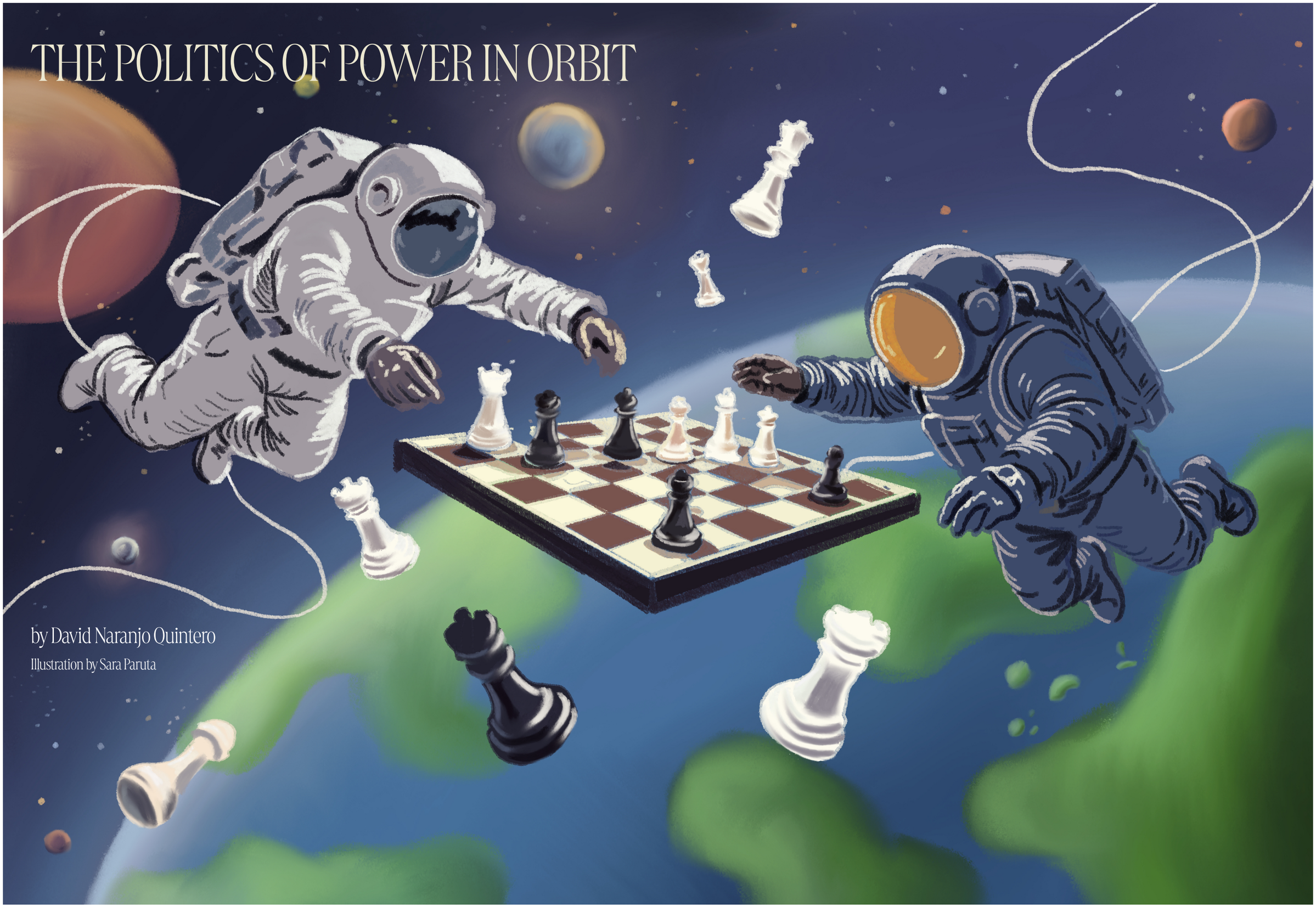
THE POLITICS OF POWER IN ORBIT



by David Naranjo Quintero

Illustration by Sara Paruta

Neorealism vs. Neoliberalism in Outer Space

Outer space, while perceived as a lawless territory, is actually governed by a series of international treaties which dictate that space cannot be claimed by any nation, and any activity in its realm must only be done for peaceful and developmental purposes. This can be supported by current legislation such as the *Treaty on principles governing the activities of States in the exploration and use of outer space, including the moon and other celestial bodies* (Article 1, 1967), which states in its first article 'The exploration and use of outer space shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind'. However, current international treaties do not reflect present dynamics, in which non-state actors actively participate in space and states increasingly pursue national interests in exploiting space's natural resources.

Scholars such as Keohane (1984, p.67) consider laws governing space to reflect the concept of neoliberalism, emphasising cooperation, interdependence, and the promotion of peace and prosperity through international institutions as central to policy. International space legislation currently aims to promote the peaceful exploration and use of outer space, scientific cooperation and environmental protection, prevent weaponisation and militarisation, and ensure the safety and responsibility of space activities. In this way, international space laws expect the international community to cooperate for the collective benefit. However, in a world where competition for superiority has become a priority among nations, the use of space is becoming a neorealist prospect. Neorealism emphasises not only power but also security, focusing more on how present dynamics cause states to compete with each other for international power (Waltz, 1979, p.118). A useful illustration is the actions that the U.S. has taken to exploit loopholes in international treaties to establish greater control over space, limiting competition for rivals like China and their space exploration efforts. Knowing to what extent neorealist actions are already supplanting neoliberal space management is important to preserve equity between nations, promote international cooperation, and reduce tensions between actors.

However, alternative theories provide more encompassing explanations of the dynamics at play compared to orthodox explanations. Neoliberalism argues that the effects of anarchy can be balanced or mitigated, while neorealism views anarchy as a system-wide condition that makes sustained cooperation unlikely, because states cannot rely on reciprocity or fairness (Pace, 2023, p.4).

This article first analyses internal relations of the International Space Station (ISS) as evidence that although it was built to promote international cooperation, the current system also excludes other actors like China which limits its inherent aim of cooperation. Second, this article analyses how by allowing the exploitation of space resources for commercial purposes by its private space agencies, the U.S.'s practices in space represent unfair competition and several contradictions to international treaties. In particular, this article addresses the loophole created by the absence of explicit prohibitions on private appropriation in the Outer Space Treaty, which allows companies like SpaceX or Blue Origin to claim extracted resources without violating state-level non-appropriation rules. The article ultimately argues that these legal gaps enable states to pursue unilateral strategic interests, illustrating how neorealist power competition is increasingly supplanting the neoliberal expectation of cooperative governance in outer space.

The Exclusion of China from the ISS

The ISS is widely viewed as one of the greatest examples of international cooperation, as NASA (2017) claims it is the best example of shifting from 'the old mindset of international competition for "space firsts"' and 'has made way for international cooperation in space to share costs and to take advantage of the special talents and facilities of each country for a common goal', bringing formerly divided nations together in a shared scientific and technological project. The U.S. and Russia, once fierce rivals, became core partners in the ISS project (Lodgson and Williamson, 1995). Their cooperation reflects a neoliberal willingness to prioritise scientific advancement and shared benefits over political conflict (Krige, Maharaj, and Callahan, 2013, p.157). However, China's exclusion provides a clear contrast in how cooperation is managed. The U.S. has actively restricted China's participation due to concerns that China conceptualises space as a nuclear proxy and a field for military satellite deployment (Joseph, 2020, p.3). This perception reflects the neorealist perspective in many ways: because space assets are considered critical components of a state's second-strike capability, cooperation risks enhancing a rival's military power and undermining relative gains. The U.S. was willing to collaborate with Russia on the International Space Station but excluded China because post-Cold War Russia was perceived as a declining power whose integration into U.S.-led institutions could stabilise the international system (Lodgson and Williamson, 1995, p.42). In contrast, China is viewed as a rising competitor whose growing space capabilities could challenge U.S. strategic dominance. Consequently, China's exclusion reflects a neo-realist logic in which cooperation depends on anticipated power trajectories and perceptions of threat, not just technological capability. This restriction demonstrates that even within a largely neoliberal framework of collaboration, neorealist motivations about security and technological advantage continue to shape international cooperation in space.

Fostering collaboration among these states requires a high degree of mutual trust (Messner, Guarín, and Haun, 2013, p.15). Although it could be expected in the Cold War context that NASA would hesitate to collaborate with Russia, the US, as one of the dominant space powers, was driven by neorealist logic to cooperate as a means of maintaining leverage and oversight over Russia's space activities. By the time the project became concrete, China's space exploration infrastructure was not sufficiently developed to join the project, allowing the U.S. to exclude it from the ISS on the grounds that there would not be enough reciprocity and material gain from Chinese collaboration. However, when China did become sufficiently developed to be considered a potential contributor, the U.S. adopted exclusionary policies to limit, passing the Wolf Amendment in 2011 (House Resolution 1473, 112th Congress, Section 1340) to exclude it from the project (Kohler, 2015, p.1136). In particular, this amendment prohibits NASA from using federal funds 'to effectuate the hosting of official Chinese visitors at NASA facilities' or to 'participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company' without specific congressional and FBI authorization (House Resolution 1473, 112th Congress, Section 1340). This shows an attempt to establish dominance and protect U.S. interests in the use of space, but simultaneously by excluding leading space actors, this restriction challenges the legitimacy of an international space programme and contradicts the principle of democratic cooperation. This reflects the neo-realist logic of control, with the U.S. prioritising relative gains and security dilemmas over multilateral openness.

The Rise of Sovereignty and Self-Reliance in Space Governance

Mearsheimer's theory of offensive realism posits that space is a new frontier for military and strategic competition as powers naturally look to maximise their security by the domination of new horizons due to the archaic nature of the international system (Snyder, 2002, p.156). As a result, China doubles down on technological self-sufficiency as meaningful cooperation is constrained by security politics. Their five-year plan states that China must strengthen independent innovation capabilities and accelerate the integration of military and civilian development in order to enhance national strategic capacity (Koleski, 2017, p.5). Consequently, offensive realism explains why China, facing isolation and security concerns, has taken the neorealist path to rely on itself in space development in order to balance the global hegemony.

The use of soft power as understood by neoliberals, referring to the relative prestige and influence of states (Wilson, 2008, p.114), plays a crucial role in China's space activities, as the nation leverages scientific cooperation to forge alliances and bilateral agreements with developing nations. A clear example is China's 2017 550 million U.S. dollar satellite deal with Nigeria, in which China financed, built, and launched the satellite (Onuah and Ohuocha, 2018). Such partnerships demonstrate how China's soft power tools have translated into smart power, understood as the ability to combine soft and hard power elements to advance an actor's purpose (Wilson, 2008, p.115). While framed as technological assistance and peaceful cooperation, they simultaneously provide strategic military and aerospace benefits to China, strengthening its international image while also advancing national interests. In addition, it offers economic dependency over allied states, giving China control over them through smart power. Thus, it is evident that while neoliberalism has been used as a strategy to gain the confidence of other actors, the underlying intentions align more closely to neorealism, namely the control of actors through military and economic power.

China's independence in space exploration is born through autarky, the idea of economic self-sufficiency. As evidence, Kim (2025, p.159) states that 'China continued to develop its space industry by increasing its economic value through the commercial utilization of space technology. This aligns with the goals of generating economic benefits through space technology and achieving sustainable national development'. Beyond soft power, China's usage of smart power also incorporates strategic autonomy, a neorealist approach where dependency on other states is avoided while expanding capacity to safeguard national security (Huang, 2024, p.261). This challenges the neoliberal view of beneficial interdependence and mutual cooperation, as China develops partnerships for its own benefit rather than for cooperation. Neorealist isolationism from the U.S. shows its use of smart power to shape global space governance in its favour. Nonetheless, China's regional cooperation portrays a regional self-reliance and presents the effectiveness of regional alliances in overcoming exclusionary practices (Stroikos, 2022). In this case, levels of analysis move to a regional focus, illustrating how through smart power, China adapts to the neorealist actions of the U.S. and the shifting power dynamics across different scales.

> *China's exclusion reflects a neo-realist logic in which cooperation depends on anticipated power trajectories and perceptions of threat, not just technological capability.*

Space cooperation is beneficial because it reduces costs, shares risks, and promotes scientific development (Jani, 2016, pp.8–10). Interdependence with China has become one of the factors that has most enabled developing nations to make scientific breakthroughs through their allies' capabilities and resources. However, owing to the exclusion, China has started to become an actor in bilateral cooperation with developing countries and states that were not traditionally linked to space exploration, promoting a narrative of self-reliance while also creating new international connections. This narrative aligns with neorealist theory's argumentations, since it maintains national sovereignty while creating new strategic alliances (Waltz, 1979, pp.111–112). In this way, the U.S.' exclusion of China—reflective of neorealist concerns over relative gains in space technology and national security interests—have been ineffective in preventing China's technological advances. Through platforms such as Asia-Pacific Space Cooperation Organization (APSCO) and Belt and Road Initiative (BRI), China is motivated to lead regional space development, even when it remains excluded from global frameworks.

The Case for the Private Intervention

Neorealist principles towards the use of resources in space can be seen through the *U.S. Commercial Space Launch Competitiveness Act* 2015 (CSLCA) (House Resolution 2262, 114th Congress). While international treaties state that no country can claim territories outside the earth as part of its sovereignty, space legislation, thanks to its antiquity, do not specify or contemplate private sector intervention in space (Masson-Zwaan and Hofmann, 2019, p.15). The U.S. exploits this legal vacuum by authorising its private actors to extract and commercialise resources in space. This is explicitly enabled by Section 402 of the Act, which grants U.S. citizens the right to 'possess, own, transport, use, and sell' space resources they obtain (House Resolution 2262, 114th Congress). This structure allows the U.S. to leverage its private actors to exploit space for commercial purposes, avoiding the accords on non-appropriation.

Some stakeholders may see the CSLCA as having potential positive effects like streamlining regulations for space companies, making it easier for them to potentially collaborate with international partners. Thus, the reduction of bureaucratic hurdles in the government's approval of the use of space can encourage private companies to cooperate with international actors and thus promote transnational cooperation. Secondly, the treaty is seen as increasing investment in space research, making the U.S. a more attractive partner for other countries and companies with similar space ambitions. The law stipulates that the aforementioned can only occur provided the U.S. is not a signatory to any agreements which restrict access to American citizens' access to space resources. Such advancements have the potential to benefit the entire international space community, paving the way for further cooperation.

Conversely, the CSLCA may also

introduce tensions that will have negative effects on international cooperation. As aforementioned, the Act solidifies U.S. dominance and the prioritisation of U.S. intervention in the space industry over international collaboration. American dominance could lead to more combativeness rather than cooperation, according to the neorealist perspective. Although the Act includes language clarifying that it does not assert sovereignty over celestial bodies in Section 403 (House Resolution 2262, 114th Congress), this disclaimer does little to mitigate the power asymmetry it produces. By having resources on its own territory, the U.S. may be inclined to prioritise cooperation with domestic companies, not foreign actors. U.S. policies reflect a different direction from the neoliberal governance, going towards a model that supports the unilateral national advantage.

Loopholes in the Space Law used by the Private Sector

Nations create legislation to control private companies, prioritising strategic power. Space laws dictate that all commercial activities in space must obtain the authorisation and constant oversight of the state from which it originates, typically regulated under licences (Goessler, 2022, p.1). In a study by Alyssa Goessler (2022, p.2), eight private sector officials with expertise in U.S. space policy agreed that the U.S.' role in private exploration is to set standards, but not to intervene. That said, one of the experts stated: 'We're at a crossroads now...private investment is able to go faster, reach farther, do it quicker, but we do not have the authority to regulate or govern or set the standards' (Goessler, 2022, p.2). Loopholes in space governance allow companies to operate within a regulatory environment caught between freedom and control. The U.S. seeks to preserve its identity as a global leader in space governance, a role that demands oversight of commercial activity. However, this fragmented regulatory landscape poses a challenge to sustaining that leadership amid rapidly evolving frontiers in space exploration.

From a neoliberal perspective, cooperation between the private and public sector is vital to achieve technological advances; however, interdependence remains fragile due to national security concerns. The multiple-use nature of space, in this case between scientific and economic, complicates cooperation as companies must balance regulations and self-interest. Nations exert hard power over their private companies to protect national interests, even when doing so undermines interdependence and collaboration between the two sectors.

The loopholes that private companies exploit, such as outdated regulations, are methods that use soft and smart power to shape regulations to their convenience. The slow pace of updating these regulations is explained because 'government policy is incapable of moving fast enough to stay in front of where investment is leading us' (Goessler, 2022, p.6). The lack of clarity between government control and flexibility in the private sector demonstrates how acting in a manner reflective of neorealist tenets increasingly drives the governance of space, focusing on state security and neoliberal interdependence.

Consequences of Loopholes in International Cooperation

The CSLCA allows private companies to exploit the natural resources of space with little oversight (Plionis and Koskina, 2024), emphasising the U.S.' neorealist perspective that focuses on national interests and power while pushing to privatise the innovation sector. This perspective results in a large gap between the U.S. and developing nations, which often lack the capabilities and resources to intervene in the spatial domain.

The Act can also be analysed through a geoeconomics theory, where the U.S. empowers the private sector to gain dominance in space and increase its geopolitical power. According to Rementeria (2022, p.3), space assets have also become an important economic asset that allow states to exert control over resources based in space. The Act allows private firms to monetise space resources without the proper international monitoring, transforming the space into a battleground for economic dominance. While neoliberalism actions promote cooperation and interdependence, the CSLCA pursues a path towards competitive advantages, illustrating a shift towards neorealism. This approach is concerning for developing nations, who will have to depend on the U.S.' terms to have access to the resources gained. In contrast, multilateral institutions like the United Nations Office for Outer Space Affairs (UNOOSA) and the European Space Agency (ESA) represent the neoliberal approach of cooperative governance and shared regulatory standards in space. Even if the U.S. is willing to cooperate with these institutions, the Act emphasises competition and national interests, which creates a tension between the bilateral and multilateral initiatives to regulate outer space.

Conclusion

The neorealist tendencies of the U.S. government—evident in both the exclusion of China from the ISS and the implementation of the CSLCA—illustrate how neorealism increasingly supplants neoliberal approaches to space governance. The Wolf Amendment represents a neorealist action that positions China as a threat rather than a potential ally in technological cooperation. This has led China to develop its own space agency, which has decreased the chance of possible cooperation as it has pushed each major player to prioritise their own interests. While multilateral frameworks such as the Outer Space Treaty promote cooperation, the CSLCA and exclusionary policies towards China undermine the international cooperation that would lead to shared benefits. Instead, American policies demonstrate the theory of neorealism through the prioritisation of national interests.
In the short term, these policies are likely to boost U.S. profits and strengthen its dominance over other actors in space exploration. However, in the long run, they risk deepening the fragmentation of space law, heightening the likelihood of conflicts among stakeholders over access to resources, and moving further away from neoliberal principles of cooperation. In addition, developing countries are likely to face greater exclusion, which will intensify global inequalities both within and beyond the space sector. This outcome directly challenges the ideals of neoliberal governance.

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INTERPRETING SELF-PERPETUATING CONFLICTS THROUGH THE LENS OF ONTOLOGICAL SECURITY THEORY

by Charlotte Magill

Illustration by Tea Hamitaj

The ongoing Kosovo–Serbia conflict exemplifies how contemporary international relations often operates beyond traditional notions of power, surpassing material capabilities or strategic interests, to encompass deeper struggles over identity, historical narrative, and recognition. Tensions have heightened between Kosovo and Serbia since Kosovo started to assert its authority over the northern municipalities in September 2021 (International Crisis Group, 2022, p.23). Despite this recent resurgence of conflict, the issue is deeply rooted in historical narratives that shape each side's national identity and competing claims to recognition. The 1998–1999 Kosovo War, which led to NATO intervention, marked a significant turning point in the relationship between the two nations. Fundamentally reshaping the power dynamics between the two sides, the War forced both to re-evaluate their identities and political strategies that continue to structure their decision-making today. Moreover, the unilateral declaration of independence by the Kosovo Assembly on 17 February 2008 further exacerbated these tensions, as it directly challenged Serbia's national identity narrative and its long-held claim over Kosovo, solidifying the conflict into a struggle for recognition (Novak, 2023, p.310).

Ontological Security Theory (OST), rooted in constructivist thought, offers a powerful framework for understanding why such conflicts persist. Defined by Mitzen (2006, p.342) as referring to 'security not of the body but of the self', OST highlights that states, like individuals, seek continuity and stability in their identity. This explains why conflicts like Kosovo–Serbia endure, as historical narratives and existential concerns often drive state behaviour beyond material interests. The Copenhagen School's concept of securitisation explains how language constructs security threats by framing certain issues as existential dangers, which shifts them from the realm of normal politics to that of emergency action (Buzan, Wæver, and de Wilde, 2022). In this way, one state's effort to safeguard their own identity can be constructed as an existential threat by another, creating a self-perpetuating cycle of insecurity.

Using the example of Kosovo and Serbia, this article argues that the persistence of their conflict is best explained through OST. This case illustrates how struggles over identity, recognition and historical continuity sustain hostility over time by framing these issues as existential threats. While neorealism explains some strategic dimensions, such as power and security under anarchy, it cannot fully account for actions driven by identity and historical narratives. Constructivist approaches such as OST and securitisation theory do not replace neorealism, but complement it, showing that the security dilemma can be driven not only by material capabilities and strategic calculations, but also by identity, historical narratives, and perceived existential threats. By framing identity and sovereignty as existential concerns, both Kosovo and Serbia reproduce the very insecurities they seek to resolve. OST thus clarifies why deeply rooted conflicts like Kosovo–Serbia endure and highlights the need to address ontological insecurities to achieve lasting peace.

The Importance of Autobiographical Identity Narratives in Self-Perpetuating Conflict

The Kosovo-Serbia conflict persists because competing identity narratives turn territory into an existential referent, producing a self-reinforcing cycle in which ontological security is threatened and securitisation intensifies. Ontological security refers to the need to experience oneself as a coherent and continuous being over time, rather than as a constantly changing entity, in order to maintain a stable sense of agency (Giddens, 1991). Neorealism explains state behaviour as shaped by the anarchic structure of the international system, where states act to secure themselves and balance power (Waltz 1990, p.29). Thus, neorealism explains some of the strategic dimensions, such as regional dominance or security under anarchy, but it cannot fully account for actions motivated by symbolic and historical meanings, where threats to identity drive behaviour beyond material calculations. In June 2024, the Serbian government introduced the 'All-Serbian Assembly', which asserts Serbia's territorial authority over Kosovo and 'defines Kosovo and Metohija as an inseparable part of the Republic of Serbia' (Vučić, 2024, para.4). Metohija is the western part of Kosovo, a region that holds significant historical and religious importance in Serbian national narratives (Batakovic, 2007). This example illustrates that Kosovo and Serbia construct their own 'autobiographical identity narratives' seeking to preserve their ontological security, which involves constructing a coherent story about themselves and their role in the international system (Subotic, 2016, p.614). As Subotic (2016, p.614) suggests, these narratives help both states to make sense of their behaviour by providing their actions with meaning. When the Kosovo–Serbia conflict becomes securitised, the identity narrative is perceived as under threat, with the status of Kosovo shifting from a political or territorial issue into a core challenge of national survival.

Ejdus (2019, p.39) highlights that the stability of ontic spaces, referring to the material environment, is essential for ontological security, as they serve as physical anchors that solidify a state's identity. Kosovo, for Serbia, is deeply embedded in its 'autobiographical identity narrative' (Subotic, 2016, p.614), as it symbolises the core of Serbian nationhood, historically linked to the 'Kosovo Myth' (Vulović, 2023, p.518). This myth is traced to the 1389 Battle of Kosovo on the Field of Blackbirds near Pristina where the Serbian Prince Lazar Hrebeljianović faced heavy losses and, ultimately, conquest by the Ottomans (Vulović, 2023, p.519). Anzulovic (1999, p.11) emphasises how the 'Kosovo Myth' continues to remain a central part of Serbia's 'autobiographical identity narrative', highlighting that although few have read the authentic texts, 'the folk songs based on their theme have had huge audiences over the centuries'. The 'Kosovo Myth' demonstrates the Serbian view of Kosovo as an ontic space of collective national identity, thereby explaining the nation's resistance towards Kosovo's independence as a threat to its ontological security.

When the ontic space of Kosovo is threatened through securitisation, Serbia's ontological security is challenged. By framing Kosovan independence as an existential threat, securitisation undermines the narrative of possession that underpins Serbia's ontological security. This disruption creates a self-reinforcing cycle; as the perception of Kosovo's status as a threat to Serbia's identity grows, fears around national survival intensifies, in turn driving further securitisation. Consequently, this cycle deepens the conflict as the narrative of Kosovo's centrality to Serbian nationhood becomes increasingly tied to security concerns, making resolution harder to achieve. The narrative's dynamic illustrates how myths, memories, and narratives are not just background cultural factors but active drivers of international conflict. While neorealism highlights material capabilities and strategic interests, it cannot fully explain how deeply rooted myths and identity narratives shape perceptions of threat and legitimacy. OST adds explanatory value by showing that such identity-driven concerns, embedded in historical memory and collective narratives, can themselves generate persistent insecurity, sustaining conflict.

Self-Determination, Sovereignty, and the Justification of Acting Beyond Power

The normative stakes in the Kosovo–Serbia conflict involve the protection of core national interests and the construction of moral identities, which are shaped and intensified through the process of securitisation. By allowing exceptional measures, such as the deployment of military forces, the invocation of nationalist rhetoric, and the use of restrictive policies beyond the normal bounds of political procedure, securitisation solidifies national identities and ontological security which further escalate tensions (Buzan, Wæver, and de Wilde, 2022, p.24). The solidification of each state's national identity and ontological security is a result of a shared sense of vulnerability between citizens in the face of an existential threat. Through securitisation, national leaders gain the authority to define and act upon perceived existential threats, thereby legitimising exceptional measures that reinforce national identity and strengthen ontological security (Buzan, Wæver, and de Wilde, 2022, p.24). As Buzan, Wæver, and de Wilde (2022, p.24) explain, securitisation makes it easier for politicians to justify 'actions outside the normal bounds of political procedure'. By framing identity and sovereignty as existential concerns, leaders are willing to prioritise ontological stability over immediate material gains, ensuring that the narratives and symbols central to national identity are preserved. This dynamic is evident in Kosovo's ongoing tensions with Serbia, where leaders on both sides frequently act beyond their allotted powers to defend national identity and assert existential security.

In November 2022, Serbian President Aleksandar Vučić urged Serbs in northern Kosovo to 'withdraw from all political, administrative, judicial, and police institutions' (Ćerimagić and Ruge, 2024, p.7). Similarly in late 2023, Kosovo's Prime Minister Albin Kurti's government introduced several policies aimed at asserting Kosovo's sovereignty in Serb-majority areas, including 'the phaseout of Serb-issued vehicle licence plates and personal IDs,' as well as 'a ban of the Serbian dinar' (Foy, 2024). By framing Kosovo's governance as an existential threat to the Serbian community in the nation, Vučić was able to justify actions that would normally be considered outside the usual political process. This aligns with Taureck's (2006, p.54) analysis of securitisation, where the securitising actor, by presenting something as existentially threatened, claims the right to extraordinary measures to safeguard its survival. As such, the emergency measures which Vučić pursues are not only about physical security but also ontological security. By rejecting the legitimacy of Kosovo's institutions and encouraging institutional withdrawal, Serbia reinforces its own narrative of Kosovo as an integral part of its national identity, thus preserving a consistent and stable self-conception. Such behaviour cannot be fully explained through neorealist assumptions, which view states as rational actors operating under anarchy and primarily driven by material survival and power maximisation. In the case of Kosovo–Serbia, many actions, such as projecting compromise and prioritising symbolic actions over economic cooperation, cannot be understood purely in terms of strategic gains. Rather, it reflects an ontological need to sustain an identity, even when it undermines material interests or strategic stability. This rejection and withdrawal threatens Kosovo's ontological security by undermining its efforts to assert sovereign authority and construct a stable national identity.

Rather than resolving insecurity, securitisation on both sides entrenches it, locking each nation into a spiral where the affirmation of one's identity is perceived as a threat to the other's.

These policies, framed by Kurti as necessary to assert Kosovo's sovereignty, reflect extraordinary measures justified through securitisation. However, these measures provoke insecurity among Kosovo Serbs, who view them as threats to their identity and their ties to Serbia. As with Vučić's actions, this highlights the cyclical nature of securitisation, where acts to safeguard one side's ontological security deepen the other's insecurity.

Securitisation as a Driver of Ontological Security

Securitisation deepens ontological insecurity by hardening recognition struggles between Kosovo and Serbia. OST is a powerful tool for understanding why conflicts with deep-rooted identity and narrative often remain unresolved, exemplified by Kosovo's declaration of independence in 2008 remaining unacknowledged by powers like Russia, China, and Serbia despite being recognised by over 100 states (Conley and Saric, 2021, p.1). This further undermines Kosovo's ontological security at the most fundamental level. Kosovo's limited international recognition impairs its ability to fully establish itself as a legitimate state with a stable identity. As Krickel-Choi (2024, p.11) argues, sovereignty is 'not only a legitimising practice' but 'also the process by which they bring themselves into being'. Without broad international recognition, Kosovo remains on the periphery of the global system, with its pursuit of self-determination left incomplete. This incomplete recognition acts as a securitising trigger, with each state interpreting the other's denial of legitimacy as an existential threat that justifies extraordinary measures. In this context, the refusal to recognise the other becomes an act of self-preservation for both states. As such, as the Kosovo–Serbia conflict becomes further securitised, states that oppose Kosovo's independence are likely to intensify their denial of its sovereignty. This securitisation of the conflict is further articulated in Serbia's 2009 National Security Strategy, which declares Kosovo's independence 'the greatest threat to the security of the Republic of Serbia' (Vanchoski, 2021, p.137). This positions Kosovo's claim to independence not just as a political disagreement, but as an existential challenge to Serbia's sovereignty, and thereby ontological security.

Rather than resolving insecurity, securitisation on both sides entrenches it, locking each nation into a spiral where the affirmation of one's identity is perceived as a threat to the other's. While neorealists interpret such escalation as a security dilemma rooted in anarchy and self-help, OST expands this understanding by showing that identity, historical narratives, and perceived existential threats too can drive insecurity. In this sense, the Kosovo–Serbia conflict mirrors the classic security dilemma, but instead of military build-ups it is sustained through discursive practices, narratives, and norms. Each attempt to secure ontological safety through identity affirmation is interpreted as a threat by the other, deepening mutual insecurity and obstructing the path to reconciliation. More broadly, this logic reveals how efforts at self-defence, whether through force or discourse, can reproduce the very insecurities they aim to eliminate.

Conclusion: The Implications for Conflict Resolution

The persistence of the Kosovo-Serbia conflict is driven not by material power alone, but by entrenched ontological insecurities; both states act to preserve national identities, historical narratives, and claims to recognition, which perpetuate mutual distrust and the cycle of conflict. OST reveals how both states' behaviours are shaped not simply by material interests, but by the imperative to preserve coherent national identities. Through securitising speech acts, leaders on both sides seek to safeguard these identities, yet in doing so, they also destabilise the ontological security of the other. The result is a self-reinforcing cycle: the more each side frames the other as an existential threat, the deeper the mutual distrust, and the harder reconciliation becomes. While neorealists reveal material and strategic dimensions of the conflict, OST expands our understanding by demonstrating how identity, narrative and existential concerns can reproduce the security dilemma. Thus, showing that self-perpetuating conflicts are driven as much by ontological insecurity as by material insecurity.

OST offers a more in-depth perspective, explaining why attempts at conflict resolution often fail when ontological insecurities remain unresolved. Epistemically, it sustains incompatible identity narratives, while normatively, it justifies extraordinary measures that further deepen division. Therefore, unless a transformation is to occur in the identity narratives and practices through which both sides seek ontological security, the Kosovo–Serbia conflict will likely remain unresolved. This pattern is not unique to the Balkans; similar dynamics of ontological insecurity can be observed in other unresolved conflicts. From Israel–Palestine to Russia–Ukraine and beyond, similar cycles of ontological insecurity underpin conflicts that appear irreconcilable. This underscores a more universal pattern, achieving sustainable peace requires addressing the identity-based roots of insecurity, not merely its political or territorial manifestations. Only by understanding how ontological insecurities drive state behaviour, through identity, historical narratives, and claims to recognition, can analyses of international relations move beyond explanations focused solely on material power and strategic calculation.

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THE NEVADA-SEMIPALATINSK MOVEMENT

by Alice Ashcroft

Illustration by Sara Paruta

Alice Ashcroft

Laying the Foundations for an Independent Kazakhstan and Global Anti-Nuclear Policy

Amid the Soviet Union's decline, the Nevada-Semipalatinsk Movement emerged as one of the first environmental non-governmental organisations in the USSR. It was primarily focused on the impact of the main Soviet nuclear test site, or The Polygon, located close to the city of Semipalatinsk (now Semei) in northern Kazakhstan. As a result of the dangerous levels of radiation emitted by The Polygon and the lack of government acknowledgement of or response to this risk, members of the local population experienced countless negative mental and physical health consequences throughout the late twentieth century (Hartwell, 2023, p.156). In response, Kazakh poet and politician Olzhas Suleimenov founded the Nevada-Semipalatinsk Movement in 1989 with two key aims: to close down The Polygon and to implement a complete ban on nuclear testing (Aitenova, Kulsariyeva, and Ryskiyeva, 2024, p.107, 112). However, even after its closure in 1991, the test site and anti-nuclear movement continues to be a significant part of Kazakhstan's engagement with global nuclear policy, with Kazakh President Kassym-Jomart Tokayev mentioning it alongside Nagasaki and Hiroshima when visiting Japan in December 2025 to discuss nuclear security (NURKZ, 2025). Although Kazakhstan's nuclear history seems more obscure than the bombings on these Japanese cities, its elevation to a global audience in this context shows how it must be understood when considering Kazakhstan's independent nationhood and nuclearisation policy on an international scale.

Analysis of the Nevada-Semipalatinsk Movement's encouragement of public political participation is essential for understanding its role in laying the foundations for an independent Kazakhstan. However, it has been largely neglected in historical and political study. In this article, the Movement's relevance to contemporary Kazakhstani identity and global anti-nuclear policy will be reconsidered by bringing together understudied strands of research. The movement's focus on expressing a specifically Kazakh identity while challenging Soviet politics is essential for understanding the evolution of national identity following the Soviet Union's dissolution. Kazakhstan's first president, Nursultan Nazarbayev, made use of this non-Soviet identity in increasing Kazakhstan's global recognition and instrumentalised the Movement's popularity to legitimise his power and shape his political legacy. As a result, the Movement has an enduring influence on global anti-nuclear policy and remains highly relevant in today's international order. Therefore, despite its historical neglect, the Nevada-Semipalatinsk Movement must be considered essential to theorising on independent Kazakhstani identity and global anti-nuclear policy.

Revisiting the Academic Gap: The Nevada-Semipalatinsk Movement in Post-Soviet Scholarship

Post-perestroika reconsiderations of historiography have led to the reappraisal of the Soviet past, integrating historical events into the broader explanatory narrative surrounding Soviet collapse. However, these reappraisals are limited in scope: usually they only concern Stalinism (Fitzpatrick, 2006), Chernobyl (Plokhy, 2019; Alexievich, 2016), and the weaknesses of Gorbachev's radical policies of governmental restructuring, or *perestroika*, and political and societal openness, or *glasnost* (Whittington, 2024; Alexievich, 2017). Additionally, although there have been more recent efforts to diversify the record (Scarborough, 2023; Kassenova, 2022), the majority of this historiographical scholarship tends to focus on Russia and Europe (see Kotkin, 2008), ignoring the vast swathes of the Soviet Union to the east. As a result, the Nevada-Semipalatinsk Movement remains historiographically understudied and thus is rarely considered as a key driver of Soviet collapse.

> *Kazakhstan clearly saw itself as not just a bridge between international delegates, but a leader in global nuclear policy.*

Studying the Nevada-Semipalatinsk Movement also poses some methodological challenges: many sources are still not available, due to both ongoing security concerns surrounding the test site and a lack of translation (Irvine, 2024). This limited range of sources means that existing scholarship largely focuses on the biological impact of the testing (Kassenova, 2016; Purvis-Roberts, Werner, and Frank, 2007; Aitenova, Kulsariyeva, and Ryskiyeva, 2024) or the narration of events (Högselius and Klüppelberg, 2024) rather than its contemporary political legacy. In addition, study of independent Kazakh state-formation remains limited in scope, focusing largely on ethnic and linguistic concerns (Bremmer and Welt, 1996; Sarsembayev, 1999; Diener, 2002; Diener, 2016), relations with Russia (Melvin, 1993; Henderson, 2000), and post-Soviet questions of economics and democracy (Ibadildin and Pisareva, 2020; Isaacs, 2010). Recent analyses of the importance of the Nevada-Semipalatinsk Movement, such as Hartwell (2025) and Evangelista (2025), limit the legacy of the Movement to the Soviet period and fail to consider its importance in developing Kazakhstan's independent social and political identity. Combining these strands of research not only serves to analyse the Nevada-Semipalatinsk Movement's impact on modern Kazakh politics and society, but broadens the scope of post-Soviet research.

A 'struggle for peace on their own land': the Kazakh-ness of the Movement

The Nevada-Semipalatinsk Movement capitalised on glasnost-era political openness, which allowed for the creation of non-governmental organisations and opposition movements, to represent the Kazakhstani people's demand for increased self-governance in the late Soviet period. Its foundation in 1989 came at a key moment for Kazakh civil society; in that same year, the ethnically Kazakh Nursultan Nazarbayev replaced Russian Gennardy Kolbin—whose appointment had sparked public opposition in 1986—as First Secretary of the Communist Party in Kazakhstan (Evangelisa, 2025, p.94). Evangelista goes so far as to suggest that the Movement's mobilisation of Kazakhstani popular opinion led to the removal of Kolbin from power (Evangelisa, 2025, p.94). The Nevada-Semipalatinsk Movement's creation was therefore emblematic of the late Soviet period in which desires to reduce Russian influence in Kazakh governance were increasingly realised.

The Nevada-Semipalatinsk Movement did not only play a role in the rise of Kazakhstani-led governance, but specifically opposed the Soviet domination of Kazakh land. The Movement's slogan, 'struggle for peace on their own land', demonstrates the importance of territorial agency for the Movement (Aitenova, Kulsariyeva, and Ryskiyeva, 2024, p.116). The Movement gathered millions of petition signatures and enjoyed high turnouts at their rallies (Hartwell, 2023, p.156), showing its significant resonance with the Kazakhstani populace. Beyond its social impact, both Nazarbayev (2023) and the Supreme Soviet, the highest organ of state power (Aitenova, Kulsariyeva, and Ryskiyeva, 2024, p.115), acknowledged the role of public action in their decision to close the Semipalatinsk test site. The Movement evidently had a direct impact on late Soviet politics, elevating public voices into the political sphere. Therefore, considering the Nevada-Semipalatinsk Movement as an early example of Kazakh-specific civic action fits into the late Soviet social trend of increased demands for self-governance and characterises the Kazakhstani people as leading representatives of this demand.

In demanding increased self-governance, the Nevada-Semipalatinsk Movement employed a uniquely Kazakh basis for political advocacy. Their Karaul Hill protest included traditional Kazakh rituals such as erecting stone burial mounds blooming with white flowers to symbolise unity and life and walking between purification bonfires (Aitenova, Kulsariyeva, and Ryskiyeva, 2024, p.114) and the Movement's logo itself portrayed a Kazakh elder. The Movement's emphasis on Kazakh culture was not limited to public protest but extended to their engagement with international political activists, entertaining the 1990 International Citizens Congress for a Nuclear Test Ban with Kazakh-language folk music and poetry (Wilson Center Digital Archive, 1990a). Therefore, not only did the Movement encourage Kazakh citizens to engage in politics, but it specifically prioritised expressions of Kazakh national identity. This is pertinent to modern Kazakh politics because expressions of Kazakh-ness and ethnic nationalism became central to Nazarbayev's domestic policy when building an independent Kazakh state (Isaacs, 2010, p.439). For example, language policy was used to promote the Kazakh language instead of Russian (Bremmer and Welt, 1996) and a revisionist attitude to history-writing sought to establish a Kazakh national history (Diener, 2002, p.639). In light of this political 'Kazakification' (Sarsembayev, 1999, p.329), the Nevada-Semipalatinsk Movement is key to understanding the transition of the Kazakh SSR to an independent state rooted in Kazakh culture after collapse.

The Movement as a Tool of the Architect of Independent Kazakhstan

Kazakhstan's first president, Nursultan Nazarbayev, used this Kazakhification to secure his position as the architect of the independent Kazakh state. As one of the few leaders who sustained his political power beyond the collapse of the Soviet Union, Nazarbayev established a social contract with the Kazakhstani people in which he prioritised resolving their collapse-era socioeconomic concerns (Ibadildin and Pisareva, 2020, p.104) and reversing the Soviet Russification of Kazakh society (Sarsembayev, 1999). This approach dealt with the issues of ordinary people at the time without sacrificing his own grasp on power by not prioritising making democracy (Ibadildin and Pisareva, 2020, p.104). Because of its popularity and Kazakh-ness, the Nevada-Semipalatinsk Movement was a tool for Nazarbayev to tackle these concerns. Through the global ties of the Movement, Nazarbayev could define Kazakhstan's global identity by elevating domestic concerns to the international stage. He personally brought the Nuclear Non-Proliferation Treaty to U.S. President Clinton and secured Kazakh-specific security guarantees from the American government (Kassenova, 2022, pp.214–216). These guarantees were essential to easing the Kazakhstani people's nuclear anxieties whilst simultaneously prioritising a Kazakh-specific solution, fostering a constructive relationship with European nations, and thereby consummating the key concerns of the Movement. Nazarbayev's involvement in the Nevada-Semipalatinsk Movement is therefore an example of his multifaceted domestic and foreign policy, balancing international relations while using his charisma to remain locally popular among both elites and ordinary people to justify his long-term power (Isaacs, 2010, pp.440, 444–446).

Monument to the August 1991 Presidential Order to close the nuclear Polygon, written in Kazakh and Russian Semei, Northern Kazakhstan, photo by the author, 2025

The legacy of the Nevada-Semipalatinsk Movement is still important, as Nazarbayev retroactively instrumentalises it to shape his political legacy. His book, ***Моя Жизнь: От зависимости к свободе*** *(My Life: From Dependency to Freedom)* (Nazarbayev, 2023), is an important source for understanding the nature of this instrumentalisation. Not only was it written after the impact of the test site had come to light and The Polygon had been closed, it was also written after the violent protests demanding his removal which eventually resulted in his resignation in 2019. Although his account is inherently affected by his fall from power, it demonstrates how he used the Movement to portray himself positively—writing himself back into favour in his home country. The book emphasises Nazarbayev's involvement in the Movement, outlining his own role in closing the test site and taking credit for Suleimenov's rise to political notability (Nazarbayev, 2023, pp.230, 232). He therefore positions the anti-nuclear movement within his political agenda and legacy. While it is true that Nazarbayev wrote letters to the Central Committee regarding the impact of the test site during the Movement's early days (Kassenova, 2022, p.83), his involvement has been overstated in his book. For example, he suggests that he was responsible for winning public and international support for the Movement upon his ascension to power in 1991 (Nazarbayev, 2023, p.232). Nazarbayev therefore inflates his role in establishing Nevada-Semipalatinsk, overlooking the movement's international reach achieved on its own accord. Nazarbayev's retrospective instrumentalisation of the Movement as an example of his own power and popularity suggests that the Nevada-Semipalatinsk Movement did not only hold relevance for Kazakhstan at the time, but continues to be a cornerstone of Kazakh history 34 years after the site's closure.

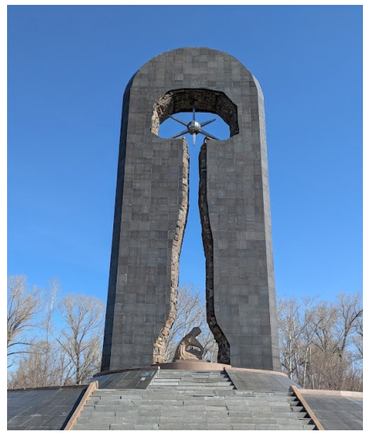
This article was edited by ...

The Movement's Enduring Political Resonance

The Nevada-Semipalatinsk Movement not only shaped domestic policy but also contributed to the construction of Kazakhstan's global identity. As Kassenova (2022, p.138) argues, the country's Soviet-era reliance on Moscow pushed it to seek a distinct international identity upon independence, which it began to define through the anti-nuclear Movement. Not only did the Nevada-Semipalatinsk Movement inspire environmental activism elsewhere in the Soviet Union (Hartwell, 2023, p.157), it also 'played a pivotal role in promoting political and social change in Kazakhstan and beyond' (Aitenova, Kulsariyeva, and Ryskiyeva, 2024, p.116). Its impact beyond Kazakhstan or the Soviet Union was demonstrated by the 1990 International Citizens Congress for a Nuclear Test Ban, held in Kazakhstan's then-capital Alma-Ata (now Almaty). The conference forged global ties to tackle denuclearisation, such as assembling the 'Organizational Strategies to Achieve a Nuclear Test Ban' group that included British Greenpeace activist Rebecca Johnson and Nevada-Semipalatinsk vice chair and Kazakh writer Mukhtar Auezov (Wilson Center Digital Archive, 1990b) and holding a 'Congress of Peace Voters' to deliver documents to both USSR and U.S. authorities (Aitenova, Kulsariyeva, and Ryskiyeva 2024, p.115).

Kazakhstan clearly saw itself as not just a bridge between international delegates, but a leader in global nuclear policy. It was one of the first countries to sign the 1996 Comprehensive Nuclear Test-Ban Treaty (Embassy of the Republic of Kazakhstan to the Hashemite Kingdom of Jordan, 2025). The Nevada-Semipalatinsk Movement's internal popularity and global connections therefore shaped Kazakhstan's global identity as a leader in anti-nuclear policy. It has not, as suggested by Kruzman, 'slowly faded into obscurity' (2024). The Movement continues to be involved in global anti-nuclear concerns, running a conference on its 30th anniversary in collaboration with the UN, in which the continuing global problems of nuclear weapons were discussed (Bainazarova, 2021). As Kazakhstan continues to pioneer anti-nuclear policy—ratifying the first Treaty on the Prohibition of Nuclear Weapons in 2019 (Embassy of the Republic of Kazakhstan to the Hashemite Kingdom of Jordan, 2025)—the Nevada-Semipalatinsk Movement must not be relegated to the past. Kazakhstan became a major player in the global anti-nuclear movement thanks to the legacy of the Nevada-Semipalatinsk Movement, which remains relevant to contemporary anti-nuclear politics.

The Nevada-Semipalatinsk Movement's legacy continues to both positively and negatively influence contemporary regional anti-nuclear policy. For example, the Central Asian states explicitly referred to the tragic impact of The Polygon on the health of locals when formulating the Semipalatinsk treaty to establish a Central Asian Nuclear Free Zone (Tretyakova, 2013, p.161). On the other hand, the closure of the test site and complete removal of nuclear weapons from Central Asian territory has resulted in a lack of nuclear competition in the region, eroding any sense of urgency and delaying



Monument to the Victims of Nuclear Testing, or the 'Stronger than Death Monument' in Semei, Northern Kazakhstan, photo by the author, 2025

ratification of the treaty (Tretyakova, 2013, p.160). As the most significant nuclear event on Central Asian soil, the memory of the Movement resonates through modern policy, with the Semipalatinsk Movement named in its honour (Tretyakova, 2013, p.160). The Movement's continued impact on the forging of new anti-nuclear treaties evidences how the legacy of the Nevada-Semipalatinsk Movement remains pertinent in modern Kazakhstan, even after the closure of the test site.

The values of the Nevada-Semipalatinsk Movement continue to be relevant in the ongoing political problems facing independent Kazakhstan. Kassenova (2022), one of the most eminent writers of the Kazakh anti-nuclear Movement, identified the ongoing problem of dealing with the remaining nuclear material left on Kazakh territory after the closure of The Polygon and the collapse of the Soviet Union. She emphasised the importance of managing the impact of residual radioactivity on the population's health and balancing relations with Russia while maintaining territorial sovereignty (Kassenova, 2022, p.240). These echo the sentiments of the Nevada-Semipalatinsk Movement, whose territorial and nuclear concerns continue to be highly relevant in independent Kazakhstan. Both Tretyakova (2013, p.161) and Kassenova (2022, p.209) recognise Kazakhstan's ongoing struggle to balance control over their own land with the demands of post-Soviet Russia. Kazakhstan is yet to completely reclaim its territory, as the main Soviet cosmodrome remains leased by the Russian Federation (Eurasianet, 2021). Furthermore, Kazakhstan continues to collaborate with Russian and American experts to safely store nuclear materials (Kassenova, 2022, p.240). The resonance of the Nevada-Semipalatinsk Movement remains in the ongoing 'struggle for peace on their own land' (Aitenova, Kulsariyeva, and Ryskiyeva, 2024, p.116).

Conclusion

The Nevada-Semipalatinsk Movement's impact extends beyond its era, and its legacy played an essential part in developing Kazakhstani civil identity and global anti-nuclear policy. It has guided the country's internal and external policy across the period of Soviet collapse, influencing Kazakhstan's global identity and modern attitude to international denuclearisation policy. A close study of the Movement and its influence on domestic and international politics adds to the limited scholarship in these areas and proves its relevance, not only for understanding Kazakh policy at the time but also for contextualising independent Kazakhstan and global anti-nuclear policy. This diversifies our understanding of the social and political forces underlying Soviet collapse and post-Soviet nationhood. Ultimately, the Nevada-Semipalatinsk Movement reminds us that nation-building and global influence can emerge through forces that reach beyond power, as collective identity and civic mobilisation redefine the meaning of political strength.

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THE BROKEN PROMISE OF LIBERAL DEMOCRACY

Freedom without Emancipation in Albania

by Ornela Beqa

Illustration by Rebeca Sterner

Liri! Demokraci!' – 'Freedom! Democracy!', cried Albanian students as they marched through the streets of Tirana in the winter of 1990, raising two fingers in the sign of peace. Their chanting embodied the hope that, after being denied their freedom and access to the world beyond their borders for five decades of isolationist dictatorship, Albania was finally entering a new era of liberation. The early 1990s symbolised a new transformation for Albania; it turned the page on a suffocating past, embracing the freedom and prosperity brought by democracy.

However, more than three decades later, the promises of liberal democracy remain unfulfilled. What does it mean for a country when its citizens are leaving instead of living? With villages emptying every year and young people emigrating in search of better opportunities, the most prominent form of freedom Albanians seem to have acquired is the freedom to migrate. Albania's democratic transition reveals the broken promises of freedom: democracy in Albania has merely reshaped itself in the form of political domination consisting of corruption and clientelism. By drawing on Berlin's (1958) framework and Ypi's (2021) book *Free: Coming of Age at the End of History*, this article argues against Fukuyama's (1989) *End of History* thesis by exploring how liberalism's promises of prosperity and freedom have failed to manifest in Albania's material reality.

Literature Review

A wide body of literature on the post-communist transition of Eastern European countries debates whether the adoption of liberal democratic institutions produces genuine freedom to citizens. Among the most influential contributions is American political scientist Francis Fukuyama's thesis in *The End of History,* which played an important role in shaping post-Cold War debates. Fukuyama argued that the fall of communism marked 'the end point of mankind's ideological evolution and that liberal democracy would be the 'final form of human governance' (Fukuyama, 1989, p.4). His thesis suggests that after the institutionalisation of democracy—through the introduction of elections, constitutions, and free market policies—countries would naturally progress toward political freedom and prosperity (Fukuyama, 1989, p.1).

However, throughout the 1990s many Eastern European countries undergoing democratisation experienced political instability, economic crises, and weak institutions, demonstrating that the institutionalisation of democracy did not translate to stability or freedom (Huntington, 1991, p.16). Albania, one of Europe's last communist states, revealed the limitations to Fukuyama's thesis: although democracy had been institutionalised in the country, the 1990s were marked by political instability, state collapse, and socio-economic insecurity.

By comparison, Isiah Berlin, a renowned twentieth-century political philosopher, addresses the different perspectives on democracy and freedom in his essay *Two Concepts of Liberty.* His work highlights the complexity and paradox of freedom, arguing that political rights alone do not guarantee genuine emancipation. Berlin questions the value of freedom when individuals lack the 'adequate conditions' necessary to exercise freedom meaningfully (Berlin, 1958, p.156). Furthermore, he emphasises that freedom is devoid of meaning if some 'enjoy it at the expense of others' (Berlin, 1958, p.164). Berlin's framework differs from Fukuyama as it shifts the focus from the existence of democratic institutions to the 'adequate conditions' that determine whether individuals can genuinely exercise and enjoy freedom (Berlin, 1958, p.156).

In sum, these debates reveal the shortcomings of Fukuyama's argument when confronted with the lived experience of states such as Albania. Berlin's conceptual distinction between institutions and the conditions necessary for real freedom offers a compelling counterpoint, showing why superficial democratisation often fails to produce stable or free societies. Albania's post-communist trajectory exemplifies this gap, illustrating that the mere installation of democratic forms cannot substitute for the deeper foundations required to sustain democratic life.

Albania's Past And Historical Context

To understand Albania's democratic fragility, one must first understand its authoritarian past, marked by more than five centuries of domination and segregation under foreign and domestic powers. Successive regimes, ranging from Ottoman rule to fascism then to communism, perpetuated this legacy of subjugation, leaving a nation behind that is defined by endurance and oppression rather than freedom and self-determination. Self-determination and freedom, in this case, refer to the ability to emancipate oneself and shape one's political, social, and economic destiny with the absence of coercion (Berlin, 1958, p.158).

Following the communist victory in 1944, Enver Hoxha became both Prime Minister and the First Secretary of the newly established People's Republic of Albania in 1946 (Abrahams, 2015, p.17). However, oppression by foreign powers was simply exchanged for authoritarianism under a domestic figure; Hoxha consolidated power under a Stalinist dictatorship and ruled for 40 years over Albania with 'an iron hand'

(Larrabee, 1978, p.61). The state owned and controlled essentially every aspect of citizens' life, through regulations that banned religion and abolished private property (*Constitution of the People's Socialist Republic of Albania,* 1976, Articles 18 and 37). Moreover, Hoxha's autarkic system aimed to transform Albania into a self-sufficient nation but instead ended up completely isolating it from the outside world, manifesting as a prohibition of trade with other countries (*Constitution of the People's Socialist Republic of Albania,* 1976, Articles 27 and 28). The consequences of this kind of alienation deprived the Albanian people from benefitting from any broader prosperity.

After Hoxha's death in 1985, his successor Ramiz Alia, who became the new First Secretary of the Party of Labour, introduced limited reforms to preserve the regime's stability. At universities in the capital city of Tirana, students faced poor living conditions—but not without protest (Abrahams, 2015, p.52). Students of the Communist Youth Organisation, along with faculty members, demanded better living conditions, eventually meeting with Alia (Abrahams, 2015, p.51). His promises were vague and meaningless, demonstrating how powerless students were in demanding changes (Biberaj, 1999, pp.64–65). Moreover, Alia's unwillingness to deliver substantive changes reflected deeper structural issues: a state incapable of providing basic necessities to its citizens. Ultimately, this made students realise that their concerns were not solely economic, but that their hardships were rooted in a lack of political accountability within the communist regime. What first started as students' frustration for changes in their daily living conditions quickly turned into wider discontent with the regime, ultimately demanding democratic reforms, pluralism, and freedom of speech. As discontent grew and protests intensified, the regime could no longer stand indifferent towards what was happening in the country. The first steps towards political pluralism occurred as Alia announced that independent political organisations would be allowed, as long as they adhered to the law. The protests of winter 1990, described by Shahini (2021, p.4) as the 'structural revolutionary movement', marked a turning point for Albania: the end of ideological self-isolation and the beginning of a new political chapter with an open and free society.

Lea Ypi's memoir *Free* (2021) captures the fall of communism in Albania from within, combining her lived experience and academic expertise on Marxism, socialism and philosophy. She depicts the transition to communism by comparing it to the moment when 'history came to an end' (Ypi, 2021, p.136). The socialist system they had been taught to believe in had disappeared and people were left with no real understanding of what would happen next. Despite this uncertainty, many believed in the promises that democracy would bring to Albania after decades of oppression: political pluralism, protection of rights, a strong and independent judiciary, and economic opportunities. However, hope in Albania has always been an intangible ideal; Albania's transition from communism demonstrates how the end of authoritarianism did not guarantee the establishment of stable democratic governance or freedom.

Facade Of Democracy

The adequate conditions necessary for citizens to fully exercise freedom in a democracy—employment opportunities, economic stability, social security and welfare—never materialised in Albania.

The fall of the Berlin Wall in 1989, symbolised the triumph of Western liberalism and its values. After the collapse of communism, the socialist ideology had been defeated by liberal democracy. As Fukuyama's thesis argues, 'the end point of mankind's ideological evolution' had been reached and liberalism would be the 'final form of human governance' (Fukuyama, 1989, p.4). Under this view, Western values would become universally adopted, suggesting that liberal democracy brings political freedom and prosperity. Nevertheless, Albania's post-communist transition exposes the limitations of Fukuyama's thesis.

In the early 1990s, Albania introduced its first democratic institutions—multiparty elections, a new constitution, and independent judicial institutions—which paved the way for a new democratic political system that would guarantee citizens political rights and the necessary conditions to exercise political freedom. Yet, Albania's actual conditions contradicted the optimism of liberalism. Persistent corruption and power consolidation emerged as 'a structural norm rather than an exception' (Teqja, 2014, p.74).

Power Consolidation and Clientelism

Under former President Sali Berisha's first democratically elected government in 1992, victory for the Democratic Party generated a sense that freedom had finally transpired (Ypi, 2021, p.138). However, entrenched patterns of power persisted. Berisha soon consolidated control over the 'presidency, the intelligence service and the prosecutor's office', undermining independent democratic institutions (Abrahams, 2015, p.291). The new government thus was merely a democratic façade, which had adopted liberal institutions, but remained dominated by entrenched power politics. The parliamentary elections that followed after Berisha's rule revealed the real nature of this façade. Votes were secured through 'party-controlled funding', in which candidates purchased electoral zones for the price of 100,000 to 300,000 U.S. dollars (Abrahams, 2015, p.281). Although formal elections took place, they were shaped by patronage networks and financial influence, rather than reflecting Albanians' political choices. This reinforced high levels of distrust in democratically elected leaders, simply due to the impression that those in power remain untouchable (Teqja, 2014, p.80).

The presence of corruption in government further intensified under the Socialist Party of Fatos Nano in the early 2000s. Informal power networks penetrated major economic sectors including the port of Durrës. Furthermore, Gramoz Ruçi, member of the Socialist Party and close ally of Fatos Nano, also benefitted from these patronage networks as he successfully developed his business in the South of Albania under Nano's government (Abrahams, 2015, p.278). The early 2000s revealed how politicians accumulated wealth through state resources, while 25 percent of Albania's population in 2002—particularly in rural areas—continued to live in poverty (Republika e Shqipërisë Instituti i Statistikës, 2013).

Moreover, the 2011 corruption scandal involving Deputy Prime Minister Ilir Meta, who had been filmed negotiating bribes for a hydroelectric plant project, further revealed the corrupt activities present in government and how politicians are leveraged to secure deals instead of serving the nation's interests (Abrahams, 2015, p.290). Although a criminal case was opened against Meta on charges of corruption and abuse of power networks in office, the High Court dismissed the video evidence and acquitted him (Prelec, 2015, p.22). This dismissal further demonstrates that the judiciary did not operate independently and was incapable of holding powerful elites accountable. In a well-functioning democracy, judicial independence would constrain such influence rather than tolerate it, ensuring a strong rule of law. However, in Albania, the absence of a strong rule of law, combined with a judiciary that remained susceptible to political elites' influence, revealed how democracy was built on weak institutional foundations. The absence of strong liberal institutions refutes Fukuyama's assumption that merely adopting liberal structures would ensure stability, political prosperity, and a functioning democracy. Abrahams argues that within a democracy, institutions are responsible for protecting the rights of all citizens, not only those in parliament or those able 'to fill an envelope with cash'(2015, p.298). This institutional weakness enabled the occurrence of power consolidation and corruption in Albania, at the expense of democratic accountability and citizens' political emancipation. Persistent informal networks and clientelism continued to shape Albania's political landscape, constraining its democratic transition (Bieber, 2018, p.184).

Democracy arrived in Albania before the country had the necessary institutions to sustain it. The system appeared democratic, but lacked real substance to create political stability. As Ypi (2021, p.305) argues, freedom without agency is incoherent, leaving individuals without freedom in the first place. The adequate conditions of political prosperity that would be guaranteed through the existence of independent courts and regulatory bodies were absent in Albania, which directly aligns with Berlin's argument. Without independent institutions capable of holding politicians accountable and protecting citizens' rights, the freedom that had been promised with the arrival of democracy remained hollow. Therefore, the democratic transition in Albania did not dismantle domination but reconfigured it by replacing ideological control with structural inequality. The rhetoric of freedom and hope that liberalism was supposed to bring was never truly executed under this blanket of democratic façade and instead seemed to be out of reach for the Albanian people.

It is worth noting that to address the high levels of corruption and restore political transparency and legitimacy the Albanian government has created the Specialised Structure for Anti-Corruption and Organised Crime (SPAK). SPAK has prosecuted politicians, ministers, majors, and judges who were involved in clientelism and the misuse of public funds (Kelmendi and Vurmo, 2024). Even with these measures, corruption has still remained prevalent, as evidenced by the recent arrest of Tirana's mayor, Erion Veliaj, who was accused and imprisoned on the abuse of using public funds and money laundering (Çibuku, 2025). Through the positive aspects of initiatives like this, Albania has made significant efforts in enhancing government transparency and strengthening political trust, aimed at stimulating commitment to democratic reforms.

Lack Of Necessary Conditions

The failure of Albania's political transformation was further reflected in its economic trajectory. During Albania's democratisation process, they became a member of the International Monetary Fund and the World Bank, committing themselves to these institutions' neo-liberal and neo-classical regulations. These reforms—implemented as 'shock therapy'—involved the rapid liberalisation of trade, the privatisation of national companies, and creation of institutions for the new competitive market economy that would emerge (Konda, 2001, p.252). By stimulating the economy, these reforms were supposed to deliver economic prosperity to Albania: offer stable job opportunities, reduce poverty rates, and improve the overall living conditions of its citizens. Yet these conditions never materialised and instead of delivering prosperity and stability, they produced instability and inequality. In the wake of these reforms, unregulated pyramid investment schemes proliferated, which attracted investments from over two thirds of Albanians who believed these schemes were supported by the government (Musaraj, 2011, p.104). Firms such as VEFA, Gjallica, Populli and Xhafferi, expanded rapidly as they offered high investment returns. VEFA collected over one billion dollars while Gjallica, the most fraudulent scheme, embezzled seventeen million dollars of their total 850 million dollars gathered (Jarvis, 1999, p.11). The growth of these companies was not incidental; it was enabled by political complicity. These companies financed the Democratic Party's 1996 election campaign, and with the support of Prime Minister Aleksander Meksi and President Sali Berisha, enjoyed political protection that allowed them to operate without institutional oversight (Jarvis, 1999, p.8).

The uncontrollable growth of the pyramid schemes eventually culminated in the economic collapse of 1997, where thousands of Albanians lost their life savings. This economic crisis quickly exacerbated into political chaos, with the government refusing to compensate the depositors who had lost their savings, and public discontent further aggravated the situation (Jarvis, 1999, p.16). The Democratic Party resigned, the police and the army deserted, military bases were looted, and the country was plunged into complete anarchy (Jarvis, 1999, p.16). Abrahams (2015, p.219) describes the events of 1997 as a 'crisis of the country': a period of complete civil disorder where over 2,000 people were killed and survivors mass migrated to Italy (Jarvis, 1999, p.1).

Despite widespread fraud and political involvement in the schemes, judicial institutions, such as the Ministry of Justice and the Chief Prosecutor, remained passive and refused to intervene and investigate (Jarvis, 1999, p.8). Failing to prevent the economic collapse, the judiciary's disengagement reflects a lack of democratic accountability while revealing the fragility and weaknesses of Albania's first democratic government.

The adequate conditions necessary for citizens to fully exercise freedom in a democracy—employment opportunities, economic stability, social security and welfare—never materialised in Albania. Consequently, instead of safeguarding citizens economically, the state enabled corrupt political activities and deepened inequality, thus depriving its citizens of achieving true freedom. These institutional failures directly contradict Fukuyama's thesis that the adoption of liberal structures naturally translates into stability and prosperity. By contrast, Berlin's thesis aligns more closely to Albania's democratic transition as Albania proves that adequate conditions are key for individuals to be truly emancipated. Without these conditions

democracy becomes a hollow promise rather than a lived reality. More than three decades later, this unfulfilled promise of freedom remains central to Albania's reality.

Although the country has made significant economic progress with steady GDP growth, expanding at around three to four percent annually (International Monetary Fund, 2025), these gains have not been translated into evenly distributed property. Income inequality remains at moderate levels, with Albanian's Gini coefficient being around 30–31 percent (Instituti i Statistikave, 2024, p. 4), however, wealth remains concentrated among a small political-business elite, where political connections continue to determine opportunity and success (Albanian Conservative Institute, 2025, p.6). Facing limited prospects and uncertainty about the future, high portions of Albanian youth across various employment statuses and education levels express a strong desire to emigrate in search of higher wages and better living standards (Çela, Kamberi, Gega, 2024, p.32).

Freedom to Migrate

Fukuyama's thesis assumed that once liberal institutions were adopted, stability and prosperity would follow. Albania's experience, however, reveals the opposite: institutionalising democracy in a country with weak institutions and adopting liberal values does not guarantee a functioning democracy. By contrast, Huntington (1991, p.21) recognised that some countries face certain obstacles rooted in historical or cultural legacies and in the 'absence of experience with democracy', impeding democratisation. Albania, having endured decades of oppression and totalitarian rule, lacked the foundations necessary for an effective democratic transition. Ypi (2021, p.310) highlights the paradox of freedom in Albania by equating the emergence of liberalism with 'broken promises, destruction of solidarity, selfish enrichment and cultivating illusions while turning a blind eye to injustice'. She argues that Albania had escaped authoritarianism only to fall under a new form of domination, one built on inequality and disillusionment, revealing how the ideal of freedom remains out of reach for many.

Paradoxically, freedom in Albania was largely manifested as the freedom to migrate. After decades of isolation and oppression, Albanians were, as Rosenberg (1994, p.88) writes, 'starving for the fruits of the West'. The West represented everything that socialism had denied them: prosperity, opportunity, and freedom. Consequently, when Albania started its democratic transition, migrating became a necessity for many Albanians (Ypi, 2021, p.184). Once the borders opened in 1991, over 20,000 Albanians left the port of Durrës for Italy, risking their lives while crossing the Adriatic in search of freedom that seemed out of reach at home (Smith, 2025). The concept of freedom took another form, the only one that seemed tangible: the freedom to leave. From the 1990s onwards, Albania's population declined by nearly 16 percent (World Bank Open Data, 2025) with over 40 percent of Albanians now living abroad (International Organization for Migration, 2025). Ypi (2021, p.185) describes immigration in Albania as both a 'short-term blessing and a long-term curse'; while it offers an opportunity for a better life abroad, it also leads to a decrease in the population and the abandonment of rural areas, leaving the elderly isolated in deepening poverty. In the Albanian context the 'freedom of movement' did not reflect a real choice, as many Albanians migrated out of hopelessness (Ypi, 2021, p.186). True freedom of movement, according to Ypi, should also include the freedom to remain. The mass migration of Albanians during the 1990s is clear evidence of failed emancipation and reveals the bitter irony of the democracy they had achieved: one that offered its citizens the means to leave but not the necessary conditions to live freely within their own country.

Conclusion

Albania's long progress toward democratic transition has demonstrated that the simple acquisition of liberal values and introducing liberal institutions does not guarantee a well-functioning democracy. The Albanian case exposes the limits of Fukuyama's assumption that liberal democracy alone would deliver prosperity and genuine freedom promised under liberalism. Instead, the transition was marked by weak institutional accountability and corrupt governments, which impeded the real emancipation of its citizens. Thus, Berlin's argument on the importance of adequate conditions needed to exercise meaningful freedom offers a better theoretical framework to understand Albania's democratic transition.

Despite Albania's long process of transition, the endpoint will only be achieved once there is widespread desire for reform, beginning with the nation and its politicians' willingness to face the structural problems that they have been avoiding since 1997 (Teqja, 2014, p.91). These reforms must focus on addressing the deep social and economic inequalities, but also on ensuring democratic accountability and legitimacy, and ensuring strong judicial independence.

Ultimately, Albania's democratic transition underscores that liberal institutions are insufficient when power is concentrated and economic opportunities are unequally distributed. As Ypi (2021, p.248) argues, freedom remains meaningless when 'the price of achievements for some is the destruction of hope for others'. For Albania to move beyond its legacy of oppression, it must empower citizens materially and politically, allowing them a future in Albania rather than forcing them to leave.

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BEYOND A BUFFER ZONE

by Eliza Goca

Illustration by Oleksandra Zhyhalkina

The Self-Identification of Central Europe

The region of 'Central Europe' has long been contested within scholarly discourse, with authors questioning its historical and geographical legitimacy as well as its place in contemporary Europe (Neumann, 1999, pp.16–19). It has not been defined uniformly, which contributes to the perception that it is an artificially constructed region or merely a buffer zone between Eastern and Western Europe (Jokubaitis, 2019, pp.82–84). Despite these debates, certain countries, namely member states of the Visegrad group-Poland, Czechia, Slovakia, and Hungary-are often labeled as Central European (Jokubaitis, 2019, pp.85–88). Scholars such as Kundera (1984, p.7) have questioned efforts to establish a single definition of the region, arguing that its borders cannot be clearly drawn, with further complications arising from its history of invasions and occupations. While acknowledging that scholarly definitions and perceptions of the region remain contested, the following analysis treats Central Europe as comprising the Visegrad member states (Jokubaitis, 2019; Pausch, 2024). This approach is supported by their shared historical, cultural, and political experiences. In contrast, Eastern Europe is understood as a broader Cold War-era region that encompasses states within the former Russian sphere of influence (Antonyuk, 2018, p.13).

This article argues that Central Europe should be understood not as a passive buffer zone, but as an active region whose distinct identity has been forged by its Western-oriented religious and cultural traditions, engagement with European institutions, and historical resilience against external domination. This argument proceeds by first considering the concept of Russian dominance, then addressing historical conceptions of Central Europe, and finally evaluating the region's contemporary mechanisms for moving beyond Russian dominance. Tracing Central Europe's evolution, from marginalisation during the Cold War to a contemporary resurgence, reveals that recognising it as a region is not only a matter of historical accuracy but also a symbolic act of resistance against Russian imperialism. Reducing Central Europe to the term Eastern Europe or a buffer zone reflects Russian power over naming and establishing identities. Recognising Central Europe's own identity allows it, therefore, to redefine its place in Europe and move beyond the power of Russian domination.

The Origins and Persistence of Russian Dominance

Russian influence, especially during the Soviet era, has had a significant impact on the identity and perceptions of Central Europe. Although states such as Poland and Czechoslovakia enjoyed de jure independence, they remained de facto subjects of Soviet domination and communist rule, largely enforced through the Warsaw Pact – a political-military organization established in 1955 that bound these countries to Soviet strategic and political objectives (Remington, 1973, p.61). Membership in the Pact ensured that the region followed Russia's foreign policy directives, reinforcing control within its sphere of influence and consolidating Europe's division on Russia's terms, as it opposed NATO and sought to undermine the Western alliance (Remington, 1973, p.62). The term Eastern Europe thus became synonymous with Russian control in the region, expanding beyond geographical proximity (Komlosy and Hofbauer, 2019).

Despite the dissolution of the USSR, which Putin called the 'greatest catastrophe of the twentieth century' (Dibb, 2016, p.7), Central European states were unable to 'return to Europe' and reclaim their identities (Komlosy and Hofbauer, 2019, p.96). The former Eastern Bloc countries continued to be perceived as inferior by the West based on their cultural, economic, and military 'otherness' (Komlosy and Hofbauer, 2019, p.96). This demonstrates how Soviet rule obscured perceptions of Central Europe's distinctiveness by imposing a broad, external label of 'Eastern Europe' on all states within the Soviet sphere, thereby reinforcing narratives of subordination. Challenging this label and asserting a Central European identity has been essential for these states to reclaim agency, realign themselves with Western institutions, and resist Russian regional imperial ambitions.

The mislabelling of Central Europe as Eastern Europe reinforces the perception that these states are inextricably bound to Russia's influence (Pausch, 2024). This is further underpinned by the ideological concept of *Russkii Mir* (Russian World), which frames Russian identity in post-Soviet space and facilitates the spread of the Russian language and culture (Wawrzonek, 2021, pp. 25–30). *Russkii Mir* portrays Russia as a guardian of a shared Eastern identity, guiding its attempts to maintain political influence over post-Soviet territories. Overlooking the Central European identity disregards centuries of struggle against the aggressor to favour the order that benefits its narrative. From the three partitions in 1772, 1793, and 1795—which divided Polish territory among Russia, Prussia, and Austria—to both World Wars and the Cold War, Russia has always been an existential threat to states such as Poland (Kundera, 1984). Despite Poland's long collective history, approximately forty-five years of Soviet rule in the twentieth century was enough to consolidate a perception of it as a peripheral Eastern European country (Wolff, 2010; Lewicki and Mandes, 2015).

Recognising Central Europe's distinctiveness requires acknowledging the diverse influences that have shaped the region throughout its history. Its persistent alignment with Western patterns and institutions (Antonyuk, 2018, p.8) demonstrates Central European agency in shaping its own foreign and internal policies. Beyond serving as a symbolic act of resistance against imperialism, recognising Central Europe's distinctiveness strengthens its position as an active, rather than peripheral, agent in shaping Europe's future. It directly counters Russia's ability to impose identities in line with its interests.

Earlier Historical Conceptions of Central Europe

The concept of Central Europe emerged in debates about the region's borders and characteristics, beginning with discussions following the stabilization of the political order after the Congress of Vienna in 1815 (Zenderowski and Janák, 2018, p.232). However, the Cold War order, which placed Central European states under Soviet rule and influence, overshadowed these historical distinctions and contributed to the perception of the region as uniformly 'Eastern' (Pausch, 2024, p.36; Kundera, 1984, p.11). This mischaracterisation obscured centuries of distinct cultural, religious, and political development, which had already set Central Europe apart from its eastern neighbors long before Soviet domination.

Critical differences emerged between Central and Eastern Europe, particularly when the former adopted Western Christianity, in contrast to the Eastern Orthodox tradition, and under the significant influence of the Habsburg monarchy (Evans, 2008; Kundera, 1984, p.1). The Habsburgs' rule, particularly from 1526 when they assumed control of Bohemia, through to the revolutionary upheavals of 1848, shaped Central Europe's politics, culture, religion, and languages, fostering bilingualism and influencing the

formation of national identity (Bryant, 2018). Additionally, Central Europe developed distinct philosophical and literary traditions closely tied to the West, while the Russian tradition tended to emphasise its independence from the West (Jokubaitis, 2019, pp.82–85). To a greater extent than within Western European nations, Central European states emerged through a struggle for cultural survival, in which political independence was inseparable from the preservation of cultural identity (Jokubaitis, 2019). These nations fought for their cultures as part of their liberation from empires such as Austria-Hungary or Russia (Jokubaitis, 2019). Historical experiences of external domination shaped Central Europe's distinct cultural identity, which continues to underpin the region's ability to assert its agency and define its place within Europe.

Contemporary Conception of Central Europe

Following the dissolution of the Soviet Union, Central Europe embarked on an economic and political reorientation towards the West in the hopes of 'returning to Europe' (Pausch, 2024, p.96). Western initiatives such as the PHARE (Poland and Hungary: Assistance for Restructuring their Economies, adopted in July 1989) EU programme, which provided financial and technical assistance to Poland and Hungary, alongside the European Bank for Reconstruction and Development, facilitated market reforms, institutional development, and integration with Western structures (Baranov, 2019, pp.60–61). These initiatives enabled Central European states to consolidate their political emancipation from Soviet influence, thereby initiating the region's process of asserting its own identity on the European stage (Pausch, 2024).

The strongest expression of Central European identity and recognition of shared interests, however, was the creation of the Visegrad Group in 1991 by Poland, Czechia, Hungary, and Slovakia (Jeszensky, 2015, pp.114–115). Its objectives were not only to restore state independence, democracy, and freedom, but also to ensure that member states participate in European political and economic structures to advance towards Western European political systems (Marušiak, 2015, p.29). Notably, the alliance sought to align its policies and cooperation with European institutions to move beyond the Soviet sphere of influence (Marušiak, 2015, p.29). The group's focus on development through collaboration illustrates that the Visegrad Group is aware of its distinctiveness in Europe and recognises shared cultural, social, and historical ties. Russia, however, perceives the Visegrad group as a threat that seeks to undermine its interests, viewing the region's efforts to assert an identity independent from the Soviet legacy as a challenge to its imperial ambitions (Marušiak, 2015, pp.29–30). Furthermore, the determination to engage in dialogue among Central European states demonstrates a clear need for agency and power to shape the region's future and adopt shared stances on its relations with both the West and the East.

Historical experiences of external domination shaped Central Europe's distinct cultural identity, which continues to underpine the region's ability to assert its agency and define its place within Europe.

The creation of the Visegrad Group was followed by Central European states pursuing further integration with Western security structures to consolidate their post-Soviet identities. The 1999 accession of Poland, Czechia, and Hungary to NATO represented a pivotal moment in this process, signaling their reorientation towards the Western security structures and strengthening their capacity to participate in European security affairs (Solana, 1998). The shift was already evident in 1990, when the three states decided to withdraw from the Warsaw Pact, thereby breaking with the institutional structures of Soviet control (Marten, 2017, p.9). While Russia viewed NATO's enlargement as a threat to its security, Central European states understand it as essential for advancing militarily and ensuring that their security aspirations align with Western institutions (Mearsheimer, 2014; Solana, 1998). Central Europe's decision to join NATO reflects its agency in deciding on its strategic orientation and illustrates a clear move away from Soviet influence.

Central Europe's move toward Western integration continued with the 2004 accession of several Central European states to the European Union, which further advanced the region's objective of leaving behind the Soviet legacy (Baranov, 2019, p.53). The European Union enabled the region to develop significantly through the rigorous process of applying for membership, aligning with the Copenhagen Criteria, and providing financial assistance (Woyke, 2014; Jovanović, Miroslav and Damnjanović, 2014, p.212). EU membership symbolised an assertion that Central Europe is an active participant in shaping the European political, economic, and cultural spheres rather than a passive buffer zone between Western and Eastern Europe. This reinforces its distinct identity by demonstrating that the region can define its own trajectory beyond Russian influence.

Conclusion

Central Europe's adoption of Western Christianity, historical Habsburg monarchy influence, and a distinct intellectual heritage influenced by resistance to external domination, have set it apart from its eastern neighbors, demonstrating that Central Europe is not an artificially constructed region or a passive buffer zone between Eastern and Western Europe. During the Cold War, Soviet control overshadowed Central Europe's distinctiveness, reinforcing a perception of the region as merely part of what was termed Eastern Europe, undermining its agency.

Since the dissolution of the Soviet Union, Central European states have actively reclaimed their identity through forming the Visegrad Group and joining NATO and the EU. These measures reflect a conscious effort to assert independence, strengthen regional cooperation, and integrate further into the European political, economic, and security structures. Central Europe has consistently asserted its agency and strategic cohesion, shaping its identity and role in Europe.

Recognising Central Europe as a uniform region is therefore a matter of historical accuracy and contemporary relevance. By consolidating their political, cultural, and economic autonomy, Central European states redefine their place in Europe post-Cold War division and challenge narratives imposed by past external domination. Recognising Central Europe's identity enables it to move beyond historical Russian domination and shape its future.

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by Alex Daniels

Illustration by Hugh Thackway

A Comparative Study of Guinea and Senegal's Decolonial Processes and Postcolonial Trajectories

World War II simultaneously accelerated African decolonisation efforts and made African colonies far more important to European colonial powers. While the war decimated the UK and France, leading to intense economic struggles, West African resources and societies remained comparatively unscathed. Thus, these colonies and their resources became vital for postwar imperial powers as they rebuilt their faltering economies (von Albertini, 1969, p.31). Despite this economic entanglement, decolonisation advanced rapidly after 1945. Nationalist movements, postwar political concessions, international diplomatic pressure, internal opposition to colonialism, and the high political, economic, and military costs of empire all pushed European powers towards withdrawal (von Albertini, 1969, pp.18–20; Louis and Robinson, 2008, p.465). In 1958, France gave each of its eight colonies in French West Africa the choice between independence from France or membership in the newly-created French Community (*La Communauté*), a political institution which functioned as a compromise. It allowed member states to develop a degree of autonomy while still holding economic and political ties to France on a pathway towards future independence (Chafer, 2002, pp.172–173). Within this hierarchy, France retained control over its colonies' foreign, defence, economic, and higher education policies, while Africans were not granted any representation in France's National Assembly (Schmidt, 2009, p.5). Despite this seemingly disadvantageous relationship, Guinea was the sole French territory to reject continued colonial subordination in favour of immediate independence, whereas colonies like Senegal accepted membership in the French Community.

Core-periphery theory offers a useful framework to understand how Guinea and Senegal remained structurally peripheral despite contrasting political choices because it explains how 'core' states are economically stronger than 'peripheral' states, fostering an 'unequal exchange' in which the core trades on terms allowing surplus value to flow from the periphery to the core (Wallerstein, 2004, p.12). This article discusses the diverging decolonial experiences of Guinea and Senegal, their contrasting postcolonial situations, and contemporary shifts to argue that even in two such fundamentally contrasting contexts, Guinea and Senegal remain peripheral states lacking full sovereignty due to the persistence of hierarchical structures consolidating French domination via enduring political, monetary, and institutional subjugation.

Guinea's Radical Decolonisation vs. Senegal's Dependent Independence

Guinea and Senegal experienced sharply divergent paths to decolonisation because their respective nationalist parties had antithetical levels of success in terms of party leadership, grassroots alliance formation, political mobilisation, and party sovereignty (Schmidt, 2009, p.3). Firstly, the *Parti Démocratique de la Guinée* (PDG) was led by low-level civil servants and trade unionists who were deeply frustrated by colonial rule (Schmidt, 2009, p.4). In contrast, Senegal's *Union Progressiste Sénégalaise* (UPS) was dominated by elites who benefitted from colonial administration because they had status within it (Schmidt, 2009, p.9). While the PDG was able to form a diverse alliance that accepted Guinean men and women of all ethnic groups, regions, and classes, the UPS was formed on ethnic lines and struggled to be inclusive in its political mobilisation (Schmidt, 2009, p.11). The PDG was also very effective in local organising because it was democratic and broadly dispersed throughout the country, allowing it to more successfully penetrate rural areas.

The UPS, meanwhile, was led by elites based in urban areas who could not elicit much rural or grassroots participation (Schmidt, 2009, p.15). Finally, the PDG enjoyed a higher degree of sovereignty in party decisions than the UPS because Senegal, like most West African colonies, experienced intense opposition to independence in 1958 from their respective canton chieftains. As government-appointed chiefs, they collected taxes and enforced French policies at the local level. Guinea abolished the position in 1957 therefore experiencing far less blackmail or threats to vote in favour of the French Community than their neighbouring counterparts did (Schmidt, 2009, pp.15–16). These dynamics led to the PDG voting against joining the French Community, making Guinea the sole territory of French West Africa to gain independence in 1958. The first President of independent Guinea, Ahmed Sékou Touré, pursued immediate independence because he preferred 'freedom in poverty to riches in slavery' (Smith, 2013, p.163). This bold step was hailed as a rejection of French authority and an attempt to move beyond colonial subordination, though it soon became clear that transforming such power dynamics would not be so simple.

Senegal's contrasting experience to Guinea's defiance highlighted the downsides of embracing France's hierarchical order. Under the guidance of President Léopold Sédar Senghor, Senegal opted for a joint West African relationship with France. Most West African nationalists worked within a framework primarily shaped by colonial powers, recognising their own interests in doing so (Goldberg, 1986, p.675). In contrast to the more resistant grassroots-oriented Guinean nationalist movement, the pressure and economic blackmail France exerted on Senegal led to overwhelming support for retaining close links with France, meaning Senegal would not achieve independence until it was granted by the French in 1960.

In fact, the 1960 independence of French colonies such as Senegal was due more to France's desire to withdraw formally than it was the result of pressure from African nationalist movements (Martin, 1985, p.191). The UPS did not subject France to sustained pro-independence advocacy because it enjoyed fairly stable political dominance thanks to French support (Lawrence, 2010, p.118), exemplifying the mutually beneficial relationship between France and Senegalese political elites. France could therefore grant independence on its own terms, cutting its losses by decolonising in exchange for *Françafrique*, a system in which France would maintain its strategic interests in its former colonies via close political, economic, and military relationships (Vallin, 2015, p.80). However, this association was just as hierarchical as it had been prior to independence, with decolonisation resulting only in politico-juridical freedom, which formalised independence but continued to subjugate ordinary peoples in Africa (Ndlovu-Gatsheni, 2012, pp.72–73). Senegal's deeper incorporation into the French colonial administrative apparatus made it a core-aligned peripheral state, whereas Guinea attempted to become a periphery delinked from the core altogether. Senegal's independence therefore illustrates the persistence of colonial dynamics, revealing how difficult it was to transcend exploitative power paradigms despite achieving political sovereignty.

Post-Independence Guinea

The polar opposite experiences of Guinea and Senegal highlight how decolonisation revealed the difficulty of transcending entrenched structures of colonial domination, as the two countries had massively different postcolonial experiences that over time converged into a similar neocolonial dependency on France. French offence to the perceived ungratefulness of Guinea's political regime led to immediate retaliation, in which France removed physical, medical, and bureaucratic infrastructure, withdrew aid and technical personnel, and conducted economic sabotage while exercising its diplomatic muscle to isolate Guinea within Francophone West Africa (Souaré, 2020, p.200). Departing French colonial officials removed anything that could have been remotely useful, including medical supplies, typewriters, maps, and telephone lines (Souaré, 2020, p.200). This reflects France's culture of transactional foreign policy with its former colonies, although some of this intensity was rescinded in a later effort to maintain some French influence over Guinea (Gerits, 2019, p.508). Guinea's drastic excommunication from the French Community was meant to indicate how invaluable participation in the Community was and how such a newly independent state would struggle to survive without French financial, institutional, and military support.

Peripheral states like Guinea are shaped by their subordinate political and economic positions in a capitalist world-system organised around a hierarchical international division of labour (Grosfoguel, 2022, p.208). Naturally, such punitive withdrawal devastated the institutional capacity of a peripheral state, highlighting how political defiance does not prevent a state's structural position in the world system. Ensuing economic stagnation led to Guinea formally establishing diplomatic ties with France and joining the Economic Community of West African States (ECOWAS) as a founding member in 1975, improving relations with Senegal and other regional actors. Former President Touré's 1984 death in office marked a further shift towards *Françafrique*, ushering in an era of full collaboration with France similar to that of Senegal's (Gürler and Philipps, 2019, p.15). Guinea's post-independence experience shows that neocolonial domination can present itself not only in how former colonisers choose to utilise their resources and power dynamics in a former colony, but also how the absence of those resources constitute leverage to exert that domination as well. From a core-periphery perspective, Guinea's dilemma reflects how formerly colonised states see their choices constrained by the past exploitation of core powers (Wallerstein, 2004, p.56). Guinea could either join a hierarchy placing them beneath France, or leave and have to fill an institutional void. These historical developments exemplify how substantially divergent postcolonial paths can nonetheless converge when operating under the same neocolonial frameworks.

Post-Independence Senegal

Meanwhile, Senegal comparatively underwent an entirely antithetical post-independence experience because France prioritised Senegal's continued domination as a 'core neo-colony' (Luckham, 1984, cited in Profant, 2010, p.58). This subjugation was conducted primarily in the monetary, institutional, and security realms. Firstly, the CFA franc, Senegal's currency, was directly indexed to the French franc and continues to be pegged to the euro. Established in 1945 as a colonial currency designed to facilitate resource extraction to the metropole, the CFA franc shares the same name and function today as it did in the colonial era (Sylla, 2020, p.41). Monetary rates are still set by the French government and substantial foreign exchange reserves are still held in the French Treasury, highlighting a clear mechanism of core control over peripheral capital. This dynamic shows how formal independence transferred only 'trappings' of authority rather than economic autonomy, allowing outside powers to control postcolonial African wealth (Hodges, 1972, p.12).

Guinea's post-independence experience shows that neocolonial domination can present itself not only in how former colonisers choose to utilise their resources and power dynamics in a former colony, but also how the absence of those resources constitute leverage to exert that domination as well.

Secondly, a network of French technical experts, or *cooperants*, present in Senegal's financial, educational, and institutional structures contributed to the maintenance of French dominance. These assistants were scattered throughout administration and research, where they effectively controlled the flow of information from Senegal to France, and in some cases even diverted information away from the attention of local ministers, such as in the discovery of large iron ore deposits in Congo-Brazzaville (Joseph, 1976, p.10). Additionally, the prevalence of French teachers and curricula has made developing independent educational structures an insurmountable struggle due to Senegal's structural reliance on France in the education sector. *Cooperants* are a manifestation of what Grosfoguel (2002, p.205) calls the 'coloniality of power', explaining how peripheral states continue to live under European/Euro-American domination despite the formal eradication of colonial administration.

Finally, a permanent French military presence in Senegal oriented around lasting military cooperation worked to support French interests and regional military supremacy. This post-independence arrangement codified a legal status to legitimise French interventions. For example, a potential coup in Dakar in 1962 provided the French military with the legitimacy to lead loyalist Senegalese troops to prevent it (Vallin, 2015, p.82). From 1962–1965, the French military interceded in sub-Saharan Africa nineteen times, plus a further twenty interventions throughout the remainder of the Cold War (Gregory, 2000, p.437; Smith, 2013, p.165). France's longstanding military presence in Senegal can be characterised by the establishment of standing *mission de présence* (presence mission) forces, which saw 1,300 French troops persistently stationed in Senegal even after the end of the Cold War (Gregory, 2000, p.438). This demonstrates clear core control over a peripheral security apparatus. However, French military presence in postcolonial Senegal extends beyond the most visible power structures, such as interventions and permanent troop deployments. Such an analysis would exclude the significance of French influence on Senegal's national defence policies and military training, tactics, and institutional structures (Luckham, 1982, p.56). Thus, a more holistic approach reveals the French intention to integrate Senegal and other post-

independence Francophone West African states, bar Guinea, into the framework of French geo-strategic planning as a crucial cog in a wider network of economic and political links to France. Through monetary, institutional, and military pillars, French presence became entrenched in independent Senegal, guaranteeing neo-imperial pervasion for decades to come.

Contemporary Shifts

Due to the enduring nature of French neo-imperialism, it is necessary to assess the persistence and transformation of French domination into the present day. Despite initial political stability with the first two presidents' reigns spanning 50 years (Arieff, 2009, p.331), Guinea has experienced multiple military coups since 2008. This political volatility has complicated foreign direct investment (FDI) strategies, as agreements with French companies have repeatedly been disrupted by potential regime changes and political uncertainty particularly following Guinea's 2021 military coup (Ministère de l'Europe et des Affaires Étrangères, 2022). While the Guinean franc ensures Guinea is less structurally dependent on French monetary policy, it is a weak currency (Fioratta, 2015, p.300), making Guinea more vulnerable to financial instability. Furthermore, French influence continues to permeate Guinean society in the realms of language, law, and culture, although this is substantially less institutionalised than in Senegal (Benson and Lynd, 2011, p.114; Berinzon and Briggs, 2016, p.331). This matches Ziltener, Künzler, and Walter's (2017, pp.179–181) findings that while both peripheral states have been profoundly influenced by France, Senegal has experienced empirically greater levels of colonially-induced transformation than Guinea.

Senegal, by contrast, has recently ended the permanent French military presence. France's last military base in Senegal was turned over in July 2025, with Senegalese President Bassirou Diomaye Faye arguing French military bases on Senegalese soil were incompatible with Senegalese sovereignty (Miridzhanian and Dione, 2025). This decision has upended Senegal's structural subjugation to French security forces and reoriented the France-Senegal security relationship towards cooperation and indirect influence rather than direct military presence, representing a symbolic rupture of subjugation within persistent paradigms of French dominance. Furthermore, while French companies still play important investment roles in the Senegalese economy, Senegal has recently pursued closer links to China, particularly regarding infrastructure development, the value of which exceeded 2.5 billion USD between 2010 and 2018 (Shan, 2025, p.150). Nevertheless, French soft power continues to maintain its grip over contemporary Senegalese society. Monetarily, Dakar is still intertwined with Paris via the CFA franc, and institutionally, the French language, educational system, legal codes, and civil service structure are still deeply embedded in Senegalese culture and institutions. For example, Senegal's 2010s anti-corruption office used Interpol training programmes and local expertise of French *cooperants* (Ndiaye, 2016, p.219), demonstrating Senegal's enduring reliance on French institutions despite newfound anti-imperial rhetoric.

Conclusion

Guinea and Senegal have undergone antithetical decolonial experiences due to contrasting structural conditions, leading to opposite post-independence trajectories. However, as decades pass, the differences between the two states have narrowed as continued French presence has blurred. Notable turning points in Guinean-French relations include the 1975 establishment of diplomatic ties and the 1984 entry into the *Françafrique* sphere. Importantly, the 2025 withdrawal of French troops from Senegal has reversed a longstanding permanent military presence that formed an essential pillar of continuing French domination. While this is a crucial and radical break from historical precedent, it remains vital to acknowledge France's less salient presence in Senegal, including its continuing military and intelligence cooperation. The cases of Guinea and Senegal prove how difficult it is to transcend entrenched power structures by decolonising, as opposite colonial trajectories led to similar postcolonial subordination. Even Guinea's radical independence could not avoid producing a similar peripheral dependence on the French core, merely via a different route and timeline. France's influence throughout the region endures today, fundamentally undermining African sovereignty and highlighting how decolonisation without structural transformation risks perpetuating imperial power dynamics using new methods to maintain indirect control via a neo-imperialist reliance on French institutions and practices.

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BLASPHEMY LAW IN PAKISTAN

by Mahlaka Imran

Illustration by Tea Hamitaj

How Legal Power Kills Society

Records dating back to 1987 reveal that over 2,100 Pakistanis have been accused of blasphemy (Human Rights Watch, 2023) and, in 2024 alone, over 700 people were imprisoned for such offences (National Commission for Human Rights, 2024). Despite the severe penalties—including life imprisonment and death—imposed by Pakistan's blasphemy laws, not a single execution has been performed by the State. Paradoxically, 89 people have been killed by mobs, often before the judicial process can run its course (Nafees, 2024). Although ostensibly a means of mitigating tensions, maintaining cohesion, and protecting religious sentiments (Human Rights Watch, 2025, p.4), statistical realities and case studies demonstrate that blasphemy laws are now weaponised contrary to these aims (Amnesty International, 1994, p.1). As this article argues, blasphemy laws operate through a fundamental paradox: presented as instruments of protection, they have been weaponised in ways that allow both the State and citizens to position themselves as arbiters of 'divine justice' historically, politically and socially. In practice, this dual authority perpetuates discrimination, facilitates arbitrary accusations, and incites violence, often before any legal process can take place.

The Enactment and Evolution of Blasphemy Laws in Pakistan

Blasphemy law can be dated back to perceived 'communal tensions between Hindus and Muslims' during the period of empire that led to the British further expanding the law in 1927 (Badry, 2019, p.95, Human Rights Watch, 2025, p.4). Across the Empire, Colonial British rulers used the strategy of 'divide and rule' to exploit pre-existing tensions among local populations to entrench imperial power (Farooqui, 2015, p.49)—notably culminating, in one instance, in the 1947 Partition of India and Pakistan (Talbot, 2019). The colonial-era blasphemy law in Pakistan, however, seemingly sought to ease preexisting tensions, as the law universally 'protected the religious sentiments of "any class of persons"' (Amnesty International, 1994). After the departure of the British Empire from the sub-continent, the 1947 Partition contributed to the entrenchment of a Muslim majority in Pakistan, enduring today as reflected by 96.4 percent of the population in Pakistan identifying as Muslim—a datapoint inclusive of various sects and Muslim minorities—as of 2023 (Curtis and Robinson, 2025). Post-partition, blasphemy laws retained their close ties to ruling power dynamics and perceived tensions but shifted towards a narrower protection of specific sects of Islam. The founder and first Governor-General of Pakistan Jinnah 'proclaimed tolerance for all religions' (Kennedy, 1994, p.27) and stated that 'those who are engaged in historical works, those who are engaged in the ascertainment of truth, and those who are engaged in bona fide and honest criticism of a religion shall be protected' (Amnesty International, 2016, p.16). Despite this seeming religious tolerance, increased punishments and degraded procedural protections under Zia-ul-Haq marked the law's pivot from universalism to bias towards Islam (Amnesty International, 2016, pp.17–18). Specifically, General Zia-ul-Haq instituted five harsher clauses on the use of 'derogatory remarks, etc., in respect of holy personages, which [were to] be punished with up to three years imprisonment or a fine or both' (Badry, 2019, p.95). Though not the direct cause, Zia-ul-Haq's policies provided further substantiation from colonial rule for the weaponisation of blasphemy laws in Pakistan through the nature of his rule as a military dictator using 'Islam as an instrument . . . to legitimize their regime and realize their political objectives' (Khan, Shah, and Ur-Rahman, 2020, pp.112–113).

Pakistan's blasphemy laws are now codified in Sections 295 A, B, and C of the Pakistan Penal Code (*Pakistan Penal Code*, 1860, sections 295(A), 295(B), 295(C)). The codes punish the wilful defilement and desecration of the Prophet Muhammad's name and *The Quran* (*Pakistan Penal Code*, 1860, section 295(B)). The Penal Code subsequently criminalises deliberate and malicious acts of religious opposition, with punishments extending to fines and imprisonment (*Pakistan Penal Code*, 1860, section 295(A)). In addition, Sections 298 B and C prohibit members of the minority Ahmadiyya Muslim community from identifying as Muslims, thus depriving the community of its rights to religious belief and practice (*Pakistan Penal Code*, 1860, sections 298(B) and 298(C); Amnesty International, 2016, p.17). Traditionally, Muslims believe that the Prophet Mohammad is the last prophet to be sent on earth by God and regard Mirza Ghulam Ahmad, the founder of the Ahmadiyya sect, as an apostate, essentially as having abandoned Islam (Saeed, 2012, pp.196). The specificity of Sections 298 B and C and their exclusion of the Ahmadiyya community from the protected Muslim community highlights the relationship between Pakistan's blasphemy laws and maintaining the power of the state. The law does not validate the religious beliefs of a diverse Muslim community but rather entrenches the validity of the state's version of Islam. Furthermore, vague wording on what constitutes blasphemy against the Prophet Muhammad means that accusations under this law can be made expansively and indiscriminately (Amnesty International, 2016, p.17), which is evidenced by the wording of 'uttering words', 'misuse of epithets', 'deliberate and malicious acts' (Amnesty International, 2016, p.19). This opens the doors to socio-political weaponisation towards targeted minority communities as the law is extended beyond its mandate and the slippery slope between its broadness and the state's power.

Political Weaponisation

The law's current form and place in Pakistani politics jeopardises social cohesion. The laws have ultimately been exploited by political parties, government officials, and politicians to maintain power and eliminate opposition. Within Pakistan's political elite, notable icons like former Prime Minister Imran Khan have defended various facets of the law, underpinned by reasoning that 'people would be lynched and there would be anarchy [without the law]' (Patel, 2012). The stern law, therefore, also 'helps those accused of blasphemy' (Patel, 2012), according to Imran Khan. This statement reflects the inherent paradox of blasphemy law. As its intended initial purpose of preventing anarchy and furthering social cohesion becomes warped, the law becomes the reason for the anarchy itself. Thus, the existence of blasphemy laws does not prevent widespread recourse to vigilante justice. On the contrary, the belief that they do is often promoted by political officials. Therefore, the regulations legitimise such acts and become a means for political figures to appease religious bodies and retain their powerful positions, further weaponising the law for personal gain.

Furthermore, politicians and government officials who called for the repeal of Pakistan's blasphemy laws have met the worst fate: Salman Taseer, former Governor of Punjab, and Shahbaz Bhatti, the first Federal Minister for Minority Affairs, were both assassinated due to their vocal opposition to the laws (Mahmood Khan, 2015, p.14). These assassinations further demonstrate the consequences of challenging the legitimacy of blasphemy laws and evidence the intolerant repercussions of fighting oppression.Where the original colonial era law served to protect those in power, in the modern era, even being part of the establishment fails to offer protection for those calling for justice

as political and social bodies capitulate to violence and religious fervour.

The Tehreek-e-Labbaik party (TLP) can be said to be one of the main culprits of exploiting blasphemy laws for political gain. A populist far-right Sunni party, it solely represents the interests of the Barelvi sect of Sunnism, which makes up some 60 percent of Pakistan's 97 percent Muslim majority (Hafeez, 2017). Moreover, when the TLP feels that its demands are not being met within the political sphere, it takes to the streets to exert pressure on the government, as demonstrated by the TLP protests in response to Asia Bibi's release by the Supreme Court in October 2018 (Basit, 2020, p.381). The case of Asia Bibi, a Christian woman falsely accused of blasphemy in June 2009 and sentenced to death (Ahmed, 2020, p.274), became one of the most sensationalised in Pakistan's history. In the political arena, according to Basit (2020, p.381), the TLP supports the efforts to strengthen blasphemy laws and is prone to vigilantism and violence with a narrow and sectarian approach to political activism. This highlights the violent nature of political bodies, like the TLP, that react under dogmatic religious fervour instead of peacefully advocating for representative political stances, as well as the political weight of social organising and the role it plays in the political weaponisation of blasphemy laws.

Social Weaponisation

In Pakistan, blasphemy accusations are frequently leveraged against religious minorities as a means of setting social disputes and legitimising vindictive acts. Legal enforcement mechanisms are thereby usurped as the power of the legal code is transferred and enforced by individuals against their neighbours. Julius (2016, pp.101–102) evidences that as of 2016, there have been 51 reported extrajudicial killings of people accused of blasphemy, half of whom belong to minority groups (twenty people were Christian, three were Ahmadi, one was Hindu) who remain to be 'more vulnerable to charges levelled against them, largely for ulterior motives'. This tally has now increased to 89 as of 2024 (Nafees, 2024). As the victims are often members of Pakistan's religious minorities, the accuser often becomes prosecutor, judge, and executioner, using such methods to maintain the power of the majority (Julius, 2016, p.105). The diffusion of legal power to ordinary people is consequential as it facilitates social weaponisation of blasphemy accusations, thus positioning blasphemy laws as no longer universal, nor even religiously driven, but instruments of social oppression.

Furthermore, this social oppression towards minority communities exacerbates theistic differences, often driven by personal vendettas. To highlight this, Badry (2019, p.92) refers to the case of Mashal Khan, a Muslim journalism student and accused blasphemer who fell victim to 'mob lynching' due to his 'outspokenness against injustice and corruption … [and as he had] criticized the university administration for its poor management on local television'. Khan was 'assaulted in his dorm room, severely beaten, and ultimately shot dead by several aggressors' (Badry, 2019, p.92). This form of vigilante justice acts as a trickle down of legal power, using blasphemy as an umbrella for what can be a personal mechanism, separated from judicial reason. These statutes are weaponised on a socio-political basis not due to an inherent upkeep of the law, but to satiate personal vendettas and act as weapons in order to subjugate and victimise innocent civilians. Therefore, exploitation of the law maintains power both politically at the statewide level and socially at the individual level.

These statutes are weaponised on a socio-political basis not due to an inherent upkeep of the law, but to satiate personal vendettas and act as weapons in order to subjugate and victimise innocent civilians.

The case of 30 year-old Shiite Muslim Taimoor Raza entered media limelight in 2016 and further substantiates this exploitation of the blasphemy laws. Raza was found guilty of committing blasphemy on Facebook and became the first person sentenced to death for blasphemy by an anti-terrorism court (Badry, 2019). Here, Pakistanis were encouraged to report fellow citizens by text messages in regards to blasphemous activity online (Badry, 2019, p.94). This trickle down of political to social authority became fertile ground for further social weaponisation of the law by using it as a means of carrying out personal ends. This goes beyond perceptible religious motives and becomes an area of state mandated vigilante justice.

This social instrumentalisation is further established by sectarian marginalisation, especially of the Ahmadiyya community. According to reports of the non-governmental Human Rights Commission of Pakistan, between 1987 and 1992, 106 Ahmadis were charged with blasphemous offences for practising, preaching, and propagating their faith (Amnesty International, 1994, p.10). The social weaponisation of Pakistan's blasphemy laws does not manifest only through communal violence and vigilante action, but also the ostracisation of minority communities, thus going against the laws' purported purpose.

Conclusion

In conclusion, the blasphemy laws in Pakistan capitalise on and entrench the seeds of division within society, extending beyond traditional conceptions of power. Understanding the laws' weaponisation through a historical, political, and social perspective reveals the endurance of colonial-era regulations. The exploitation of the law by political officials and ordinary citizens alike to legitimise and justify assasinations, mob lynchings, and social ostracisation reveals the law's true purpose: maintaining power for some at the often fatal expense of others. Due to the contemporary weaponisation of blasphemy laws by political factions and social facets of Pakistan, the purpose of these laws has been severely undermined. In order to enact reparative change, there must be an impetus of not just legal, but social reform, including more tolerant socialisation and religious education amongst communities. This, in tandem with a full repeal of the statute, is necessary to remedy the fundamental paradox perpetuated by Pakistan's contemporary blasphemy laws.

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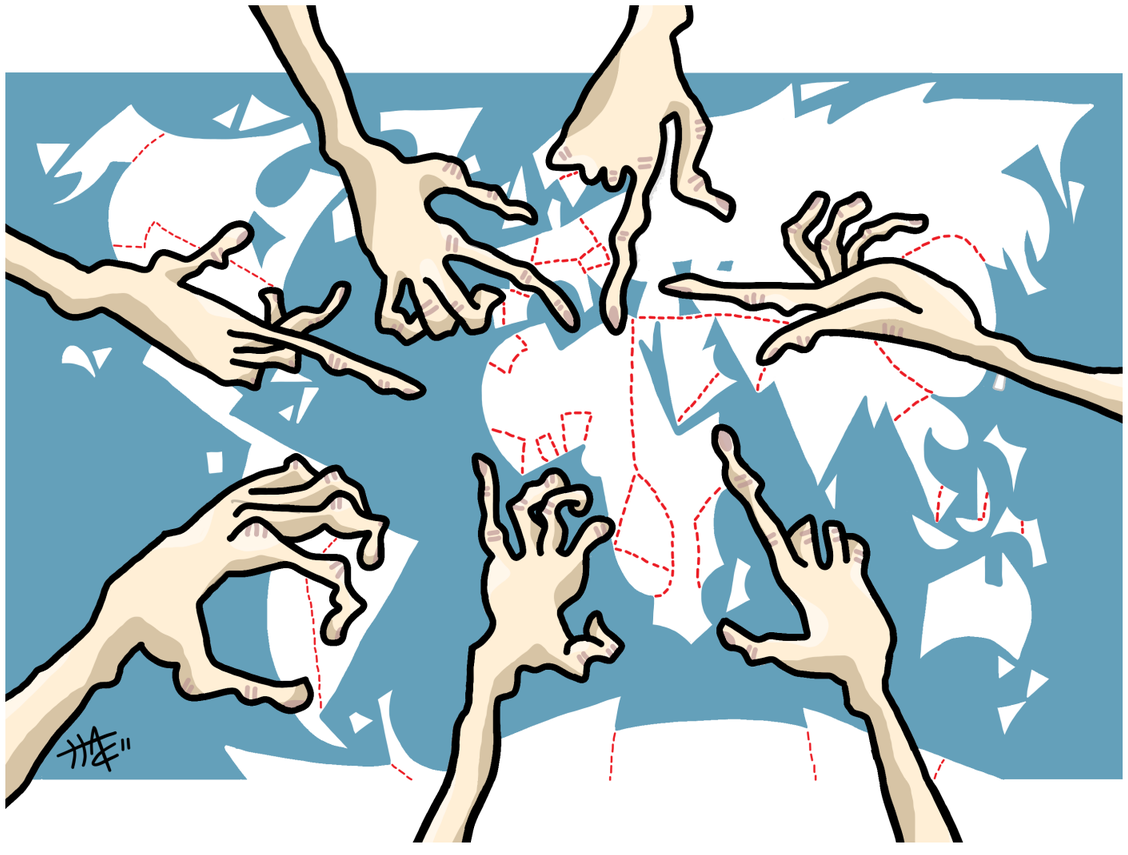
DISSYMMETRY, DISEQUILIBRIUM, DIFFERENCE

by Ellie Davey

Illustration by Hugh Thackway



The Method and Justification of Violence in the Colonial Project

Colonial societies across the world used ratified, integrated law to enforce the hegemony of colonial powers over Indigenous populations. Such legal and regulatory practices manifested as misrepresentations of rational thought, chiefly employed to further the power imbalance between the coloniser and the native. Through the use of law and pseudo-legal practice—referring to inimical and adversarial practices created to alienate native communities from their land and identities—settler colonists worldwide attempted to justify their occupation and exploitation, while simultaneously employing these legal systems to enforce colonial regime and predominantly theocratic ideologies. To support this argument, this article analyses the legal pathways routinely used by Spanish settler colonialists in the Americas, as well as metaphysical methods used to ensure racialisation took root in Aboriginal societies across Australia. As this article argues, case studies such as these, in different time periods and places, demonstrate the scale and persistence of the on-the-ground legal entrenchment of white supremacy and spread of racialised ideas across the world.

Theoretical Framework

For those at the mercy of a colonial power, legal regulations and systems evolved to create a quasi-norm that could be changed and flipped at the will of the coloniser; consistently keeping the subjugated individual in a perpetually racialised state. Continuous dehumanisation will inevitably embed itself into a human's being (Kane, 2007). Fanon's theory of racialisation highlights these processes and their impacts: the individual internalises what he is fed by authority figures and systems, an idea that saturated informational systems such as education systems and media (Fanon, 2007). Therefore, man becomes his own prisoner even after his physical containment has ended. As this system is perpetuated, both through direct enforcement and this mental imprisonment in a skewed view of the self, the incarcerated persons are neither materially nor mentally strong enough to resist the 'dissymmetry, disequilibrium, difference' (Fanon, 2007, p.202). To legalise the stripping away of one's culture, the individual is left without ties to their identity as an Indigenous person, lacking the moral brevity that a connection to spirituality and community provides one with. Furthermore, the conceived illegality of identity, forced upon them by the foreign man and his religion, acts as a metaphysical enforcement for settler colonial law.

Subjugation of Indigenous Communities

The stretch of territory from the Carolinas to Peru (Gruesz and Lazo, 2018) when under Spanish occupation, was controlled by an enforced colonial code of morality. This period is landmarked by numerous royal orders that sanctioned Spanish settler communities (Smith, 1955). Colonisers believed that divine law dictated that they had the right to buy and sell land, as well as those who inhabited it, as long as they were pursuing the creation of a product, useful to their cause (Waswo, 1996). The most obvious method concerning law and the colonial project was the implementation of gradual changes into the established legal system of colonies, either to completely overhaul a system labelled as despotic (Cohn, 1989, p.137), or to relegate traditional law as secondarily authoritative (Schmidhauser, 1992). The actualised, tangible forms of subjugation came in the form of displacement, as the relationship between colonialism, property and law materialises. Indigenous peoples were forced into legally sanctioned (Schmidhauser, 1992) labour camps which relied heavily upon the intention to 'discipline identities in the service of the colonial social order' (Bignall, 2020, p.116) and discipline the personhood of those they did not see as human (Federici, 2004, p.202). During the Potosi regime in Bolivia, forced labour practices were enforced through 'Mita' systems within silver mines (Mendiola, 2016). During the Spanish occupation of Cuba, displaced Indigenous populations became 'prisoners for rent', a practice of indentured servitude implemented on sugar plantations and mills (Mendiola, 2016). The dispossession of native communities' land and their subsequent treatment trapped Indigenous people within an identity that was not their own, but also caused them to lose their personhood altogether, becoming simply subjects of a state.

Destruction of personal and communal identity was employed directly by the Catholic Spanish Inquisition in parts of South America, namely Cartagena, Colombia, where witch trials were utilised to maintain Catholic hegemony (Florez, 2021). Witch trials posed a physical and metaphysical barrier between native women and huacas, the local Gods of Nature (Federici, 2004, p.245). Squashing such female-led resistance and subjugating local communities to colonial control effectively destroyed a vital building block of community, centred around their spirituality and connection to traditional theology. The Spanish Inquisition, sanctioned by the colonial government and supported in the highest levels of the Catholic Church, is heavily associated with the practice of forced conversion (Schmidhauser, 1992). The colonial government's quest for this religious hegemony resulted in the loss of property rights for Indigenous peoples, as confiscation of property was standardised as punishment for heresy (Kamen, 1988). Not only did such atrocities constitute spiritual warfare, but also physical warfare, as Indigenous communities and individuals lost agency and self-determination, to the crown.

The Spanish Inquisition's main objective in this spiritual subjugation was to muzzle opposition to the settler state, and within this, the settler theocracy (Gutierrez, 2007, p.375). Once again, practices of corporeal discipline were employed in labour camps, as well as spiritual subjugation. Ultimately, these practices reproduced racial differences and sanctioned the degrading relationship between the native body and the oppressor (Rao and Pierce, 2001, p.161). By creating a culture wherein spiritual practices, and connection with nature were threats to a moral and just theocratic authority, separation from an indigenous spiritual identity becomes exacerbated, as the communities attempt to survive, and are further battered down by economic and property sanctions from an invading hierocracy.

Weaponsing Law

To retain this perceived, categorical difference, white authorities endeavoured to spiritually disenfranchise the native personhood with an identity thrust upon them through methods resembling forced assimilation. Further, settler authorities oftentimes used force in insidious practices associated with sterilisation, relocation, and the removal of children from communities in order to 'kill the Indian [and] save the man' (Jacobs, 2016, p.445). In North America, in California among many other locations, 25–30 percent of Indigenous children were forcibly placed in residential schools or into non-Indigenous families (Jacobs, 2016, p.445), effectively removing any semblance of community, language, or connection to the land. When a racialised form of oneself is so ingrained into one's pathology, the individual cannot

pull themselves out of the material and psychological, state-implemented poverty and displacement from one's own culture. These laws based on ancient legal precedent were used to accomplish settler colonial objectives such as forced conversions under the guise of secularism and the saviour complex Spanish conquistadors felt towards those they saw as living in an 'animal state' (Federici, 2004, p.262). Many violent acts were insidious yet subtly, covertly aiming to dissolve tribal affiliations under the guise of benevolent or humanitarian gestures (Jacobs, 2016, p.447). Violence and penal codes were a necessary, benevolent evil keeping the unappreciative natives in line, helping them become civilised (Merry, 1991, p.894). There was, and still is, the normalisation that law is essential and holds sensible society together (Watson, 2016). The settler colonial project bred this perception and exploited it to entrench white supremacy and the moral superiority of Christianity into welfare and educational institutions, embedding the goals of the Colonial Project.

The idea of Indigenous savagery (Federici, 2004, p.262) was so ingrained into settler perceptions of white racial superiority, and afforded sinister levels of violence. Settler authorities used biometrics as a justification for the necessity of the colonial project, as it propped up eugenics, racial hierarchy and blood quantum (Bignall, 2020). While completely unfounded and functionally false, they provided the justification they required for civilising laws that would produce well-behaved and palatable subjects of the colonial state (Rao and Pierce, 2001). The normalisation of the authority of law up to this point meant that if a practice was legal then it must be morally right and just. The clear prerogative was to create a legal arena whereby their actions were backed up by Christian morality to justify their biological racism. This can especially be seen in the commodification of indigenous human remains by Australian colonial authorities, with the intention of proving racial inferiority, as indigenous Australians were seen to be the 'lowest scale of humanity (...) a form of animal life below humanity' (Bignall, 2020, p.113). The erasure of First Nations identity was normalised not only through similar forced removal practices as enforced in North America, but also in the abuse and objectification of Aboriginal remains, and essentially wide-spread grave robbing from sacred burial sites. The stolen remains were then sold off in the West for the purpose of studying anatomical and physiological differences (Huffer and Chappell 2014, p.133). Thereafter, remains were sold at private auctions for the purpose of asserting white supremacy on biological grounds. This was yet another way in which settler colonial ideals were ingrained into social norms. Not only were racial distinctions and derogatory differences justified on theological grounds, but even the heretic could justify his racism as racial distinctions could be 'proven' (Huffer and Chappell 2014).

As a result of the Australian government enacting military raids to pillage sacred ancestral remains, measurements of racial distinction were found and used to show that the natives, including Aboriginal Australians, were 'naturally suited to slavery' and would eventually die out if emancipated (Bignall, 2020, p.115). Under political sanction, ancient remains of indigenous people were reduced only to commodities for display, informing early modern legal precedents that allowed institutions, including the University of Edinburgh, to not only take part in the colonial collection of human remains, but continue to hold a collection from a violent colonial past. The Museum accrued the skulls of over 1600 individuals and the remains of at least six hundred Aboriginal people by 1939 (Fford, 2004 cited in Bignall, 2020, p.123). The University acknowledges that William Turner, former Principal and Professor of Anatomy, procured 'a large number of skulls' (Dick, 2024) for display in the University's Anatomical Museum. However, despite having taken part in the repatriation of aboriginal remains since 1940, the University still possesses a 'skull room', which contains unrepatriated native skulls. For the Australian Yorta Yorta tribe, the exploitation of their ancestral remains deprived these individuals of burial practices significant to their spiritual beliefs. It is important to recognise the scale and breadth of the acts that the 'universalising figure of law' (Rao and Pierce, 2001, p.161) justifies and encourages. Devaluing the physical body of the Indigenous person, inflicts immense grief on communities, facilitating egregious violations of the dead and reducing them to 'museum curiosities' (Watson, 2003, p.33). It is clear that the wrath of colonial law knew no borders.

Conclusion

Postcolonial societies claim to have transcended their violent settler past, yet the persistence of these violent practices refute this notion. Pseudo-legal practices, and their deeply flawed moral backings, were directly responsible for the proliferation of embedded racial inequality; from the inception of the notion, and fed directly into the present, through violent enforcement. Enshrined legal definitions and their justifications of religious moral absolutism allowed settler colonial authorities to perpetuate and rationalise their discharge of colonial policy and white supremacy, racialising the psyche of Indigenous children, to whom the condemnation of their identity became all consuming. Settler colonial authorities endeavoured to perpetrate forced assimilations, using threats of physical violence as well as insidious spiritual warfare in the form of forced conversions and religious outgroup persecution. These practices, along with the continuous disregard for Indigenous cultural tradition, upheld the ideas of the native body as sub-human, thus justifying the commodification of human remains as crucial in the study of phrenology. When one's own culture is misappropriated, labelled as heretical and demonic, and said theft is codified into law and enforced physically, the ability to resist large-scale persecution becomes even further out of reach.

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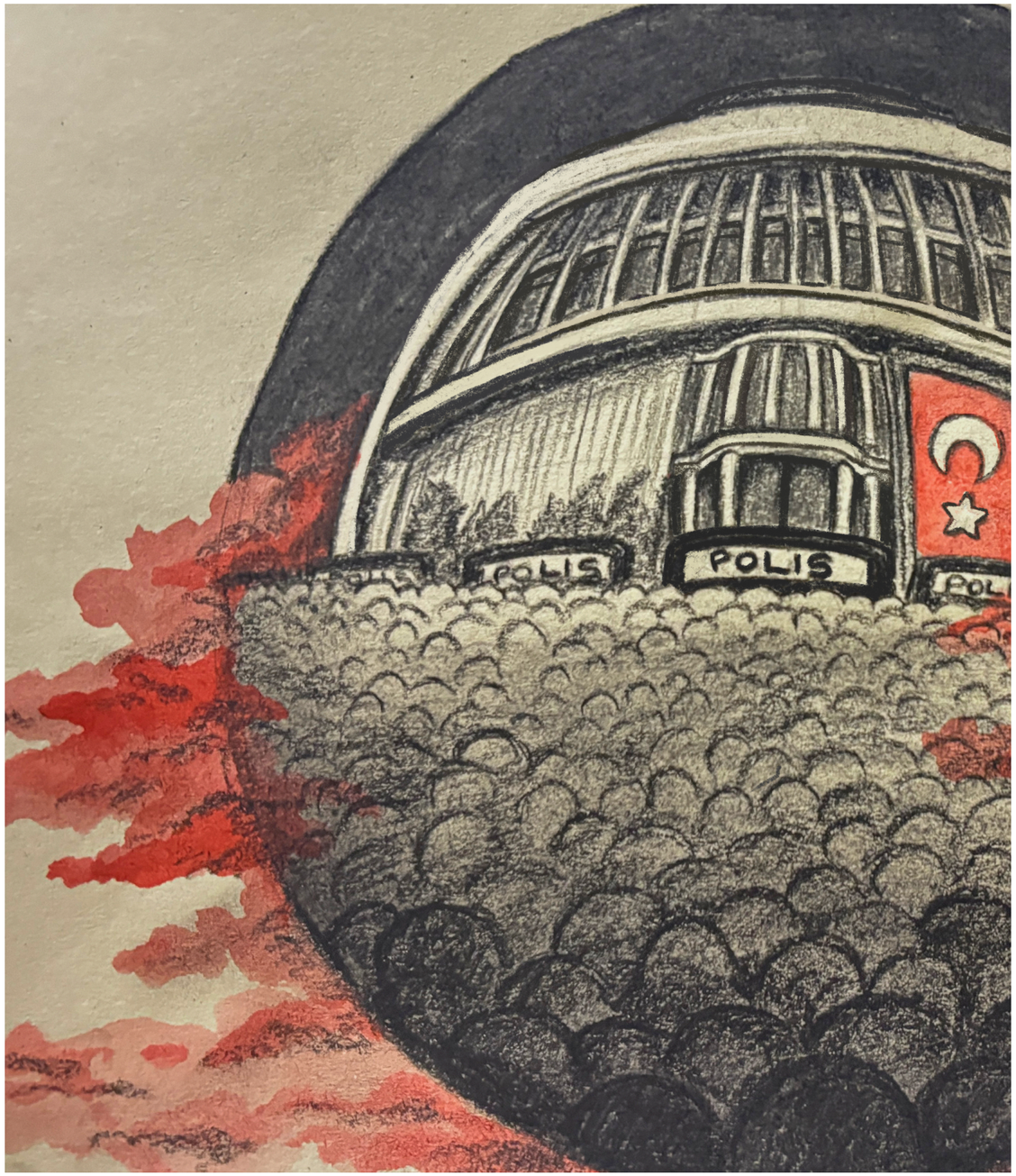
POISONED AT THE CORE

by Arın Koç
Illustration by Tea Hamitaj



The Compartmentalisation of Violence in the Turkish State

Condemnations of political violence are rife across the contemporary Western media landscape; these statements are not a rejection of violence as a whole, but rather of specific kinds of impermissible violence. The banal, everyday brutality perpetrated or sponsored by the state is distinct from the political violence of individuals. Banal state violence is compartmentalised conceptually and cultivated among citizens, allowing the state to rid itself of the optics of violence and maintain power over its people. This is exemplified within the violence of the Turkish state, occupied currently by the Erdoğan regime, which facilitates both physical and structural violence against its citizens in maintenance of its national order. In analysing its ability to act in this manner, it becomes clear that this violence does not stem from any external factor, but is instead inherent to the state-structure around which the world is organised. The Turkish case is not unique, rather, the entire structure underlying these phenomena facilitate and compartmentalise such violence. Therefore, understanding the compartmentalisation of the Turkish state's physical and structural violence is crucial to understanding the compartmentalisation of violence in the global state structure as a whole.

Seeds of Brutality: The Violence of the Law

The normalised nature of state violence is a well-discussed phenomenon. Most famously, Max Weber (1991, p.117) described the modern state as 'a compulsory association which organizes domination' that '[is] successful in seeking to monopolize the legitimate use of physical force as a means of domination within a territory'. This monopoly does not simply relate to the legitimacy of direct violence by entities like the police or the army, but also encompasses the mechanisms through which this violence is distributed. The state's legislation, for example, is able to criminalise and marginalise its citizens, making them victim to either the state's direct violence or the indirect violence of exclusion and neglect (Cover, 1986, pp.1607–1609). The inherent connection between violence and the existence of the state makes clear the implicit understanding shared by the public that legitimates state violence. The neutral and uncontested image of laws and their enforcement grants the illusion that their inherent violence is separate from other forms of unlawful violence—they are, in a word, compartmentalised.

Evidencing this is the case of the Turkish police system. As Zeynep Gönen (2017, pp.124–126) points out through the example of metropolitan İzmir, recent decades have seen police violence become progressively more wide-reaching and widely supported than ever before. This has been achieved through political narratives of rising crime and the need for further police activity, causing a rise in the public's trust for the institution particularly in the past three decades. Such narratives have become a useful tool to the Turkish state, as they have provided a framework to shut down criticisms of violence framed as legitimate. In this system, protest is framed not as credible opposition, but as criminality to be eliminated by the police. This method has become habitual to President Recep Tayyip Erdoğan; during the 2013 Gezi Park protests, for example, the then-Prime Minister's main rhetorical attacks on the protestors victimised by police brutality was to label them not as dissidents but as '*çapulcus*', or looters (Walton, 2015, p.59). Over a decade later, in the crackdown on the 2025 Saraçhane protests, statements from the President and his supporters were almost identical: protestors were accused of disrupting the peace and obstructing the judicial process, while the police brutality used against them was framed as a reaction to their transgressions (Boyd and Hamsici, 2025). In both cases, the manner in which President Erdoğan utilised the normative compartmentalisation of violence is the same. With the consensus that state violence is permissible to use against individuals, particularly by law enforcement, painting those engaging in acts of protest as criminals provides the grounds to legitimate violence against them.

Roots of Rot: The Violence of Statebuilding

It is crucial to understand that the source of this compartmentalisation lies within the building blocks of the state itself: the narratives crafted around the concepts of the nation and the law, and the constitution that binds them. Ninet (2013, pp.8–9) describes this connection as a 'political theology': the fetishisation of constitutions and the law

into a pseudo-religion, where protecting the sanctity of a platonic constitutional ideal is held above all else, both by the state and by the people. The state may go to any length in this patriotic effort, including direct violence that often surpasses the level allowed by the constitution. In Turkey, where the Kemalist ideals upon which the Constitution is built have become their own form of secular religion, devotion to ideas of democracy and secularism are taken to the extreme (Kentel, 2021, pp.90–93). This devotion is exemplified by the traditional attitudes towards amendments of the Turkish Constitution, despite its recently tumultuous role in Turkish politics. Not only are its first three clauses unamendable by the letter of the law, but even those which should legally be amendable are fiercely shielded from change or the mere suggestion of change by politicians and the public alike (Olcay, 2018, pp.324–325).

Here, constitutional sanctity encompasses the entire state apparatus. The constitution, by rallying and categorising a group of people into citizens of the state—in this case, the diverse peoples of Anatolia being rallied around the label of 'Turk'—is crafting the backbone of that state and creating a unified 'political theology' that protects and legitimates its violence. This sanctity, however, does not only relate to direct physical violence, but is also itself an insipid and hidden form of violence. By categorising its citizens into one unified identity, the system erases cultures and inherently subjugates those who do not conform; that is to say 'the illiterate, the poor and other "subnational" identities or peoples' (Ninet, 2013, p.32). In Turkey, this most famously relates to the Kurdish people, whose culture and history have been erased within the unamendable constitutional clauses. The only valid category of citizen recognised by the Constitution is 'Turkish', thus Kurdish people are legally made Turk and their language is replaced with Turkish, the official language of the state (Yeğen, 2018, p.289). Assimilation in this sense has also historically been enforced by the state through direct violence, with several genocidal massacres throughout the twentieth century (Üngor and Işık, 2021, pp.24–28).

Cultural erasure, however, is not without opposition. Founded in 1978, the Kurdistan Workers' Party (PKK) has engaged in both armed and political conflict with the state since its inception, fighting for the recognition and liberation of Kurdish people, and the formation of Kurdistan within the region (Aydın and Emrence, 2015, pp.44–46). This conflict has been useful to the state in consolidating the legitimacy of its structural violence. By painting oppositional political entities such as the PKK as aggressors whose violence is unprecedented and unreasonable—despite the state's own legitimate and implicit violence creating these entities—the Turkish state is made an innocent victim of violence threatening to tear it apart. Any military action taken against those threats, therefore, is simply in self-defense.

Bad Apples: Looking Beyond Corruption

Some scholars would argue that the Turkish state's violence stems from its institutions being corrupted by bad-faith actors, and is not a feature inherent to its structure. Tezcan Gümüş (2023, p.237), for example, points to a lineage of corruption in Turkish leadership, a pattern of autocrats taking hold of the state's democratic institutions, and undermining them to dominate the people. There has undeniably been a throughline of violence in Turkish governments throughout the state's history; what Gümüş fails to reconcile, however, is that the state is not a neutral party in this narrative. The state does not exist as a tool corrupted in the hands of a few bad apples, but as the main driver of the compartmentalised violence faced by Turkish citizens throughout history. To understand this, it is critical to analyse the continuity of violence perpetrated by various Turkish regimes and identify the central strand that connects them: not that the system has been corrupted, but that violence is part of its design.

The state's violence is rooted centrally, not as a flaw or oversight in its construction, but a feature.

In 2023, Turkey and Syria suffered a large earthquake that took the lives of thousands, and continues to impact the lives of those who reside within the areas affected (Nasır et al., 2025, pp.1–2). The actions and inactions of the Erdoğan regime, both before and after the disaster, played a major role in this devastation. This can most prominently be seen in the rampant corruption that it has facilitated over the past two decades by providing amnesty to construction companies that have failed to meet safety regulations (Cifuentes-Farua, 2025, pp.1–4), and by merging non-profit governmental organisations responsible for emergency response like the Turkish Red Crescent with for-profit private corporations (Yetişkin, 2025, p.9). In this structural violence, the state has woven around itself a cocoon: its legitimacy protected by a layer of non-state actors to bear the burden of blame. While the state, in theory, is a mechanism of accountability, the wilful negligence of corporations can be legislated and regulated out of memory. The system, therefore, has insulated itself against retribution and facilitated a brutality that would remain.

This description is not a hypothetical scenario. Looking back twenty years before the 2023 earthquakes, the Turkish government faced similar criticism under almost identical conditions: corruption and inaction leading to mass casualties and destruction in a pair of earthquakes that devastated the heavily populated northwest (Miller, 2006, pp.47–48). The most prominent critic, who massively benefited electorally from his vocal opposition to the corruption and inaction on display was Erdoğan himself (Akarca and Tansel, 2016, p.329). One corrupt group of politicians replaced another, as Gümüş (2023, p.237) included in his narrative of authoritarianism. The crucial detail that dismantles Gümüş' theory, however, is that this replacement was democratic and fair. President Erdoğan did not overtake the state by violence, nor did he rig his inaugural elections, he won the election and went on to strengthen Turkey's democratic institutions in his first years (Gümüş, 2023, p.186). This was not, however, just a means to secure further authoritarian power, as Gümüş (2023, p.187) argues: strengthening the institutions of the state and increasing their legitimacy is also an end in itself.

The regime change that brought President Erdoğan into power was accompanied by policies like a new 'earthquake tax' so that the state would never allow devastation on the same scale to happen again (Yetişkin, 2025, p.10). However, after the 2023 disaster, there was no available evidence of how these funds had ever been utilised (Yetişkin, 2025, p.10). The earthquake tax case exists, among others, demonstrating that the violence of the Erdoğan regime, those which came before and, undoubtedly, those which will come after, are intrinsically tied to and make use of the same compartmentalisation provided by the state. The legitimacy generated or the taxation collected by one government is utilised by another to maintain the state and its violence, as it was constructed and still exists, through the compartmentalisation of direct and indirect violence, police brutality, and negligent disaster responses. The state's violence is rooted centrally, not as a flaw or oversight in its construction, but a feature. State violence will always harm those living in its walls so that the lineage of those who built it continue to profit: not just because they have autocratic tendencies, but because the state's structure invites their violence itself.

Concluding Remarks: A World Compartmentalised

At the end-point of compartmentalisation, the Turkish state not only harms its citizens through acts of direct violence, but also enacts violence on a structural level, whether that be by facilitating the violence of non-state actors that it finds beneficial, or through the segregationist violence built into its constitutional core. This violence is legitimated by relegating the violence of its victims to the status of being political, granting the state's violence legitimacy in contrast. Understanding this tactic provides the basis for understanding the violence at the heart of the state system. The compartmentalisation utilised by the Turkish state is not unique, and is, in fact, inherent to maintenance of authority within the state system as a whole. Therefore, analysing how the Turkish state legitimises its own violence through the idea of its statehood opens the doors to analysing this violence on a larger scale: by understanding the compartmentalisation of the Turkish people, it becomes possible to understand the compartmentalisation of the world.

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SILENCE OR SURVIVAL

The Cost of Speaking Out

by Catherine Meneghetti

Illustration by Sara Paruta

The murder of Charlie Kirk in the United States (U.S.) has prompted debates regarding the limits of free expression in American democracy (Eidelmen and Wizner, 2025). A myriad of higher education faculty, as well as media personalities, have been fired, suspended, or disciplined for their remarks, where they either openly celebrated Kirk's death, justified his assassination by citing his politics, or encouraged further political violence (Davis et al., 2025). For many Americans, this has become a turning point: critics, often conservatives, argue that their previously safe and secure freedom of expression has been jeopardised, to reveal a new era of reputational sanctioning of speech by private corporations. But framing this as something new or unprecedented dismisses the context of the story. These developments within the American public sphere are seen as unexpected because they arise in a democracy that has long considered itself stable and institutionally secure (Carrier and Carothers, 2025). By contrast, Mexico has an ongoing history of journalists facing violence and corruption, which effectively silences them and limits freedom of speech. Mexico offers a crucial point of comparison because it is the Latin American country where threats, intimidation, and violence against journalists are most prevalent (Reporters Without Borders, p.15; Amnesty International, 2024). This is observed in a report by Article 19 (2023), where the number of aggressions against the press in Mexico in 2022 exceeded all previous records, with a documented attack every thirteen hours. Threats to freedom of expression in Mexico have emerged in a joint space where the state and organised crime coexist in perpetuating violence, in contrast to the developing side effects of polarisation and privatisation of the media in the U.S. Utilising Jürgen Habermas' (1992) theory of the public sphere, this article thus argues that non-central government institutions, such as the media and organised crime in the U.S. and Mexico, respectively, erode freedom of speech and therefore sever the connection between citizens and the state, thereby undermining the foundations of liberal democracy.

Theoretical Framework: Habermas and the Public Sphere

These contrasting experiences in the United States and Mexico highlight how threats to free expression are not simply a reflection of formal institutions, but rather are deeply connected to non-governmental structures that allow public discourse to flourish. Jürgen Habermas' (1992) concept of the public sphere, originally published in his 1962 book *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft*, provides a framework for analysing how information can circulate and how citizens form collective judgment, highlighting how threats to such processes affect democracy. It is well known that liberal democracies require elements of effective government institutions, such as free and fair elections and the rule of law (O'Donnell, 2004). However, these top-down mechanisms are not the only prerequisites for a stable democracy. Bottom-up elements, such as the involvement of the people and public discourse, are also fundamental for effective ruling (Habermas, 1992). Habermas describes the public sphere as a social space where citizens can gather to discuss matters of public concern and form a public opinion that can influence political issues (Habermas, 1992, p.30). In this way, the public sphere acts as a mediator between society and the state. Habermas highlights how electoral accountability depends on citizens having access to independent and reliable information. Without it, they cannot evaluate government performance, scrutinise political actors, or make informed decisions when voting. He further notes that information can only be accessible to the public when political control is aligned with the 'democratic demand', that is, the continuous need for rational and inclusive public deliberation among citizens to legitimise political decisions (Habermas, 1992, p.210). An argument is made whereby, if journalists are killed or silenced, the public sphere collapses, and, by extension, so does the democratic system. This dynamic is illustrated in Article 19's 2023 report that documents how escalating violence and intimidation against journalists in Mexico have eroded key channels of communication, weakening the conditions necessary for the formation of a healthy public sphere.

Collapse of the Public Sphere: The Case of Mexico

In Mexico, the relationship between the media and politics is fragmented, in part because organised criminal violence threatens the lives of local journalists who attempt to cover political stories that are critical of the government. The main catalyst for this has been the War on Drugs that began in 2006 and marked the beginning of the government's fight against leading drug cartels (Pritchard, 2024). Since then, various cartels and private militia groups have fought for control over drug trafficking routes, leading to widespread violence, torture, and disappearances (Smith, 2021). Given that local journalism is the primary means for media outlets to report on these operations, Mexican journalists became the main victims of this violence, turning local 'journalism itself into a deadly profession' (Trejo and Skigin, 2024, p.5). Journalists act as intermediaries between citizens and the state: they collect and disseminate information that otherwise would not be accessible to the public. When they are silenced through fear, coercion, or assassination, the flow of credible information necessary for public discourse is interrupted. In its absence, citizens are left with fragmented or erroneous information regarding the actions of political actors and widespread criminal activity. As such, this information vacuum makes it impossible for the public to make informed political judgments and consequently form a public opinion. For this reason, the collapse of media freedom in Mexico does not simply represent a weakened public sphere; it reflects a deeper democratic crisis in which citizens are denied the capacity to meaningfully participate in public discourse. Without a functioning public sphere, the democratic avenues through which citizens influence governance—voting, oversight, and civic engagement—lose strength.

Mexican journalists are also victims of the corruption that arises when authorities suspected of working with criminal organisations attempt to shut down their investigations (Trejo and Skigin, 2024, p.20). In an article by Vázquez and Macías (2020), interviews were conducted with journalists regarding the laws and plans meant to protect them. The interviewees reported that those conducting the attacks often belong to powerful groups like organised crime, businessmen, and syndicates, who are colluding with local and federal governments. This collaboration blurs the boundary between state authority and criminal power by redefining the idea that organised crime is strictly a non-state activity. When public officials in Mexico receive direct orders to ignore or block complaints made by journalists against the government, they validate the efforts of non-governmental groups in silencing speech. As highlighted by Trejo and Ley, this collusion creates an 'ecosystem of coercion, corruption, and criminality', where the interactions between state agents and cartel groups give rise to organised crime (Trejo and Ley, 2020, p.37). Through this, the public sphere becomes manipulated, as those in power—both non-state and state actors— prevent the circulation of information between society and the state. Likewise, another strategy frequently used in Mexico to control the media is through threats, which pressure journalists either into silence or into reproducing narratives favorable to these groups (Simon, 2014, p.39). The murder of two reporters from *El Diario de Ciudad Juárez* prompted the newspaper to publish an editorial directly asking the traffickers 'What do you want from us?' (Simon, 2014, p.39). This public plea recognised that cartels, rather than the state, exercised ultimate authority over news coverage in the city (Simon, 2014, p.39), thus proving that, in fact, non-state actors in Mexico jeopardise freedom of speech. In this environment, journalists, and by extension the public sphere, fall at the mercy of criminal groups, producing only the information sanctioned by them and reinforcing the narratives they wish to promote. As such, it clearly weakens, if not altogether destroys, the public sphere as Habermas conceptualises it: rather than journalists acting as mediators between citizens and the state, they become compelled to negotiate their survival and freedom of expression with criminal groups. This results in the flow of information being contingent upon cartel approval, narrowing the scope of discourse and narratives that are permitted to enter the public debate and inform public opinion.

These problems reveal the paradox within Mexico's political system. While Mexico is generally considered a democracy because it holds regular elections, other factors enable criminal attacks on journalists and reinforce its status as an illiberal democracy. Trejo and Ley (2020, p.71) argue that Mexico's democratisation in the late 1990s and early 2000s did not dismantle all authoritarian practices of the one-party state, but instead decentralised them while allowing local political elites to maintain their alliances with criminal groups. This has allowed the government to sustain the narrative that the murder of journalists is untargeted and apolitical (Bartman, 2018, p.1097), even as the system continues to tolerate the killing of those who challenge it. This introduces a new perspective to the notion that the state and organised crime are separate spheres by implying that state support ontologically constitutes organised crime by offering state protection to conduct their activities (Trejo and Ley, 2020, p.38). These relationships eventually cascade into government structures, such as elections, compromising democracy at higher levels due to the lack of legitimacy stemming from an uninformed voting system lacking meaningful citizen participation (Habermas, 2022, pp.150–151). Thus, state entanglement with non-central government institutions, like organised crime, limits freedom of speech and prevents the emergence of local public spheres, undermining national deliberation.

As such, the public sphere in the U.S. has been limited, not by threats of physical harm like in Mexico, but by private hierarchies that have the power to define what becomes news and how it is interpreted.

In an attempt to protect the lives of journalists, the Mexican government created a federal protection system in 2012: the Mechanism for the Protection of Human Rights Defenders and Journalists. It was designed to prevent, protect, and reduce risks faced by vulnerable journalists and activists (Amnesty International, 2024). On paper, this represents an institutional commitment to journalists' rights. In practice, however, a 2024 study by Amnesty International and the Committee to Protect Journalists has reported that the Mechanism's response is 'slow, bureaucratic, and lacking empathy' (Amnesty International, 2024, p.13). Moreover, the Special Prosecutor's Office for Crimes Against Freedom of Expression (FEADLE) has reported 86 journalist killings since 2012, in comparison to the 48 confirmed killings of journalists from 2006–2011 (Amnesty International, 2024; O'Connor, 2012). These statistics suggest that, despite the Mechanism's existence, the annual rate of journalist killings has not declined, and that the Mechanism itself serves more as an institutional facade signalling state commitment to press freedom rather than as an effective system capable of preventing violence and safeguarding the public sphere. Thus, repression of speech in Mexico stems from a collective problem: the collusion of state actors in organised crimes and the persistent lack of accountability that enables them. For Mexican journalists, danger comes not only from cartels or violent non-state actors, but from the resulting political culture and system that fails in its duty to protect the public and instead becomes a silent accomplice to human rights violations.

United States: Soft Censorship and Polarisation

In the U.S., the silencing of dissent in the public sphere does not emerge from state coercion, whether direct or indirect, but rather from hierarchical and social pressures that have taken place within a polarised system. As Benkler, Faris, and Roberts (2018, p.4) argue, leading media networks developed echo chambers during and after the 2016 presidential elections, where ideological alignment was often preferred over factual rigour. Echo chambers refer to situations where people's beliefs are amplified and reinforced by a closed system of like-minded individuals, often disparaging or ignoring different opinions (Al Atiqi, 2023, pp.1–2). These segregated information spaces prevent meaningful deliberation of differing ideologies, fracturing what would ideally be a shared and open public sphere. At the same time, the American media reflects what Noam Chomsky and Edward Herman (2002, p.4) describe as the propaganda model: media ownership relies on advertising and 'official' sources, while also navigating financial and reputational risks that discipline differing perspectives. This institutional design led to increased moderation and censorship by journalists, where they prioritise elite actors rather than openly challenge them. McChesney builds on this in his 1999 book *Rich Media, Poor Democracy: Communication Politics in Dubious Times*, pointing out that media ownership and reliance on advertising revenue functioned as a form of soft censorship, whereby journalists must self-censor in order to maintain employment or social standing (McChesney, 2015, pp.3–10). Consequently, the public sphere in the United States is shaped primarily by private control, where corporate ownership defines the boundaries of permissible discourse. In this way, even without direct state repression, communication structures that are meant to support civic participation are undercut by private power and non-governmental institutions. This is evident in the aftermath of Charlie Kirk's assassination, as media corporations and public figures, worried about facing reputational or financial backlash, increasingly avoided coverage or commentary that could be construed as sympathetic to Kirk's critics. As such, the public sphere in the U.S. has been limited, not by threats of physical harm like in Mexico, but by private hierarchies that have the power to define what becomes news and how it is interpreted (Herman and Chomsky, 2002, p.12).

Two Paths to a Weakening Public Sphere

The cases of the United States and Mexico illustrate how the public sphere is not guaranteed by democratic institutions alone; it depends on non-central government structures that allow citizens and journalists to communicate and access reliable information. In Mexico, these risks are life-threatening, with journalists facing harassment and assassination as consequences of entrenched state corruption and a weak rule of law. This leads to suppression of information at its source, undermining the structures necessary for citizens to deliberate and hold power accountable. By contrast, the U.S. poses a different threat, manifesting not through state repression but by corporate hierarchies and media ecosystems that privilege certain voices while muting others.

This analysis demonstrates that, when the public sphere collapses—whether through assassination, corruption, or media control—citizens lose the ability to rationally form collective judgment. This leads to a hollowing of democratic institutions, as they lose their legitimate foundations and are no longer reliable to represent public interest and respond to public needs. These findings also suggest that, while Habermas' conception of the public sphere remains a vital tool, it must be adapted to account for conditions that, albeit not inherently democratic, are present in modern-day democracies, like criminal governance and state-criminal collusions, which reshape how freedom of expression must be understood in political theory. Moreover, it demonstrates the need for a civil society that actively and continuously defends freedom of expression while resisting the power resting in the hands of cartels, government officials, or corporate media networks. By examining these two countries, this article shows that power is shifting away from traditional political settings and toward non-state actors who control what can be said, by whom, and with what consequences. Though they utilise different strategies, non-state actors in Mexico and the US still inherently achieve the same goal of limiting freedom of speech. Thus, this article shows that the survival of democracy hinges as much on the health of the public sphere as on formal institutions such as elections and the rule of law.

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LESSONS FROM (ANOTHER) GENOCIDE

A Collapsing United Nations?

by Kate Taylor

Illustration by Robin Lind-Reme

The genocides in Rwanda, Sudan, and recently Palestine serve as a reminder of how the 1945 *Charter of the United Nations* has failed to fulfil its original commitment of advancing human rights and preventing mass atrocities. In the wake of the atrocities and genocide of World War II, the United Nation General Assembly (UNGA) was designed to act as a political deterrent to against international aggression, alongside the legal deterrent of the International Court of Justice (ICJ), with the United Nations Security Council (UNSC) to provide mid-stream intervention (*Charter of the United Nations,* Chapter 7, 1945). However, these functions are not power-neutral, with the power hierarchy prominent in the five permanent members of the UNSC (P5)—China, Russia, the United States, the United Kingdom, and France—and the veto power bestowed on them (*Charter of the United Nations*, Article 23, 1945). This hierarchy has remained persistent, in part, due to the lack of military force within the United Nations (UN) to hold nation states accountable to their commitments. The complicated tension between individual state sovereignty and collective UN legal and political powers severely limits the UN's ability to respond to genocide, particularly when the perpetrator is connected to a P5 state. The UN defines genocide as 'any act committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group', heavily based on the definition theorised by Polish-Jewish lawyer Raphael Lemkin in response to the massacre of Armenians by Ottoman forces during World War One (The United Nations, 2025; Facing Ourselves and History, 2016). The repeated failure to reform the immense powers held by the unelected P5 states has delegitimised the UN. While the UN has served an important purpose in the international realm through the advancement of social, political, and economic human rights norms, the UNSC's failure to prevent and control genocides and atrocities committed undermine its central commitments, thus making it unfit for purpose.

Legal and Political Power

Though the UNGA and UNSC hold different levels and forms of power to characterise an atrocity as a genocide, their power remains political, not legal, and often deferent to each state's distinct domestic process for acknowledging genocide (Robinson, et al., 2023). This structural inefficiency creates a significant delay in UN intervention, as the appropriate court cases often take several years to reach verdicts. Indeed, P5 leaders have repeatedly shown hesitancy to use the term genocide due to its complicated legal-political nature, as seen in backlash to Joe Biden's description of Russian actions in Ukraine as 'genocidal' in 2022 (Washington Post, 2022). While the UNSC can act without a legal ruling of a genocide, often the political consensus needed for such action requires a legal ruling first. In this way, swift collective action to prevent genocidal escalation is prevented by both legal delays, and geopolitical complications. The ICJ has only ever declared one genocide, in Srebrenica,in *Bosnia and Herzegovina v. Serbia and Montenegro* (2007). In this case, NATO intervened in the genocide, sidelining the UN as reluctant or unable to act, reducing the legal legitimacy of UN mid-stream intervention. Similarly, where UN forces have been deployed, in the Rwandan genocide, UN peacekeepers had a limited mandate to stop the killing, although in this case the UNSC did act to establish an international tribunal which would later find genocidal acts (United Nations Security Council, 1994; *Prosecutor v, Jean-Paul Akayesu*, 2001). This complicated and politically charged process makes the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide* empty; if no action to address genocide can happen until after the fact, then the UN can only hope to punish genocide instead of preventing it.

The Veto

Each of the P5 countries hold the right to veto resolutions, preventing imminent action from the UN (*Charter of the United Nations*, Article 23, 1945). This is the most activist form of objection from P5 states, who are also able to simply abstain from votes or attempt to persuade non-permanent members to vote against a resolution. This veto power becomes a direct conflict of interest when acts of aggression originate from one of the P5 (Novak, 2023, p.224). The UNSC has taken little action in response to the Russian invasion of Ukraine in February 2022, due to Russia's ability to veto resolutions that would place sanctions on itself. As a result, international responsibility to protect Ukraine has fallen to other international groups, particularly the European Union, who have imposed heavy sanctions on Russian gas and steel (Erameh et al., 2023, p.312). The action taken by a smaller and less powerful supranational organisation exposes the structural failures of the UNSC in holding its member states accountable. Additionally, this unrestricted power of the P5 states allows them to strongly influence the voting behaviours of non-permanent members, an effective 'hidden veto' when they feel that the political repercussions of vetoing a resolution would be high (Nahory, 2004). The evidence of potential 'vote buying' of non-permanent members is therefore hugely alarming (Hwang, Sanford and Lee, 2015, pp.257–258). Hwang, Sanford and Lee's (2017) study draws a positive correlation between alignment

with P5 nations, particularly the USA, in the UNSC and the support received from the International Monetary Fund and the World Bank. In these cases, it is evident that the UNSC acts only as an extension of national political motives, rather than a tool for the protection of human rights internationally.

The use of veto power to prevent necessary action extends beyond aggression from the P5 states themselves. P5 nations have consistently proven unwilling to pass resolutions against political allies, suggesting that they apply selective security as opposed to the UN concept of collective security (Roberts and Zaum, 2009, p.37). While Resolution 377A, Uniting for Peace, sets out procedures for such situations, including convening an emergency UNGA meeting when the UNSC is unable to reach a consensus, its effective application is limited based on the reluctance of the P5 to concede their powers (Binder, 2017). The P5 states often appeal to state sovereignty to protect their allies,, making UN attempts to interfere less legitimate, particularly without the legal confirmation of genocide by the ICJ.

A prime example, the U.S. has vetoed resolutions against Israel in relation to treatment of Palestinian civilians on 33 occasions, seeking to maintain an important ally in the Middle East (O'Dell, 2023). The decision to commit a genocide in Palestine is presented as being predicated on the contested ownership of the Holy Lands surrounding Jerusalem (Times of Israel, 2025). This tension is complicated further by the lack of recognition of Palestinian statehood and sovereignty by the UN, allowing Israel to claim legitimacy as the only internationally recognised sovereign state in the territory. However, Israel's decision to engage in ethnic cleansing and genocide is clearly also rooted in economic goals (Robinson, 2024, p.491). These plans include oil extraction off the Palestinian coastline to rival sanctioned Russian oil and the creation of a shipping channel on a similar magnitude to the Suez Canal (Robinson, 2024, p.493). The connection between the Israeli government's economic motivations and the unwillingness of the U.S. government to intervene is made apparent by the 24 billion U.S. dollars of Israeli capital currently invested in the U.S economy (U.S. Embassy Jerusalem, 2025). This investment reveals the alignment of interests between the two nations and the self-interested motivations of the U.S. in refusing to intervene in the genocide in Palestine. Similarly, Russia vetoed and China abstained from a resolution to demand the end of violence against civilians in Darfur, Al Jazirah State and Sennar State, despite the 'grave humanitarian situation' (Hassler, 2013, p.27; The United Nations, 2024). The proposed embargo would have negatively affected both economies, with China in particular having oil and commercial interests in Sudan (Hassler, 2013, p.27). In this scenario, there is a clear link between veto usage and the potential political and economic implications of the resolution passing. Indeed, this further illustrates the idea that P5 states act purely in self-interest within the UNSC and not for the prevention of human rights violations. In retreating from the concept of collective security in favour of selective security, the aims and objectives of the UN to protect human rights and prevent atrocity are fundamentally undermined.

The gross imbalance of power undermines the potential for effective checks on the application of resolutions, especially when the fault lies with a P5 member state.

The structural inefficacy of the UN is reinforced by the fact that even resolutions that have been passed can be disregarded by P5 states. The gross imbalance of power undermines the potential for effective checks on the application of resolutions, especially when the fault lies with a P5 member state. If a state within the UN chooses to violate a resolution of the UNSC, various punishments can be administered, including sanctions and verbal condemnation (Blum, 2013, p.71). However, the UNSC holds this authority to apply appropriate sanctions, and the power of veto prevents any sanctions being applied if the violation is by the P5. After the arms embargo imposed on Bosnia and Croatia in 1991, it was proven that the U.S. aided both countries with the illegal acquisition of weapons (Roberts and Zaum, 2009, p.70). Whilst not directly supplying the weapons, the U.S. allowed the flow of weapons from Iran and other Middle Eastern countries, acting explicitly against the UN resolution (Roberts and Zaum, 2009, p.70; United Nations Security Council, 1991). Despite this violation of the resolution, the U.S. Select Committee on Intelligence's (1996, p.25) investigation found that the U.S. government did not break national law in its actions. This disconnect between domestic law and UN resolutions, as well as the primacy placed on domestic law highlights the lack of authority that UN legislation has over member states. Their compliance with these resolutions therefore operates on a voluntary basis, facilitating the prioritisation of P5's personal interests over UN interests (Select Committee on Intelligence, 1996). As unelected and irremovable parts of the UN, the UNSC has become a vessel for the political interests of the P5 to assert their dominance over global politics while neglecting their commitment to human rights.

A UN Army?

One frequently proposed solution to the UN's failure to respond effectively to genocide is the creation of a standing UN military force (Kaysen and Rathjens, 2003); however, closer examination reveals that such a proposal is neither politically viable nor normatively desirable. The ineffectiveness of the UN in responding to genocide is further highlighted by the lack of military force behind their political power. It is largely accepted by scholars that negotiation with a genocidal perpetrator are only effective prior to its start; once the genocide has commenced, military intervention is the only way to stop further violence (Peak, 2023, p.798). Instead of committing immense financial resources to maintain a standing army, the UN relies on the willingness of individual states to use their militaries in the name of the organisation. This, once again, appears as a state-level rejection of collective sovereignty, with efforts to keep defence a national sovereignty issue. Relying largely on ad-hoc donations from states also makes funding such an army immensely difficult (Telhami, 1995, p.674). Morrison (1994, p.86) highlights that smaller UN states oppose the concept of a standing army due to fear that it would act in the interest of the P5 states, resulting in complete political and military dominance. However, structural inequality in the UNSC already gives the P5 disproportionate power, which is only exacerbated by the UN's reliance on their funding and troops in order to act. During the 1994 Rwandan genocide, the Belgian government offered its military to act as peacekeepers in the region. These efforts were ultimately derailed by British and American refusal to provide military resources, forcing withdrawal and failing to end the genocide (Melvern, 2007, pp.251–252). Even if the UNSC can initially agree on a course of action, the strength of military intervention is extremely limited, preventing the effective protection of human rights. While this remains true, the inherent dangers of creating a hegemonic P5 with both political and military dominance make the creation of a UN army an unsuitable solution.

Conclusion

The analysis of the structural inequalities and issues of the UNSC makes it evident that the UN cannot effectively act in response to genocide. The inability of the UN to declare an event a genocide prior to its conclusion hinders its capability to act quickly and mitigate its effects. This is exacerbated by the unchecked veto power of P5 states, which protects themselves and political allies from sanctions. Further, the UN's lack of military power prevents any significant action once a genocide has commenced. For an organisation like the UN, the presence and unchecked perseverance of hierarchical power structures undermine its core commitment of upholding global human rights and promoting peace, demonstrating that it is not fit for purpose.

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THE WEAPONISATION OF CITIZENSHIP

by Grace Hitchcock

Illustration by Vik Balt

Passportisation and the Proliferation of Russian Sovereignty

Passports are often a symbol of exclusively guarded access: granting entry, rights, and obligations to citizens. However, Russia's 'passportisation' or 'the mass conferral of naturalisation to people residing outside of Russia's internationally recognized borders' (Khoshnood, Raymond, and Howard, 2023, p.5) contorts citizenship into a tool of war. Since 2022, occupying forces have distributed more than 1.5 million Russian passports to Ukrainians living in Russian-occupied territories in the Eastern oblasts of Luhansk, Donetsk, Kherson, and Zaporizhzhya (Khoshnood, Raymond, and Howard, 2023, p.4). The campaign has effectively consolidated Russian authority in the occupied territories, reducing barriers to naturalisation via the removal of language or meaningful connection requirements (*Liechtenstein v. Guatemala*, 1951), by constructing new passport offices in occupied villages and, in some cases, going door-to-door pressuring rural and elderly residents to sign citizenship documents (Khoshnood, Raymond, and Howard, 2023, p.4).

The phenomenon of passportisation, especially in the current context of Russian warfare in Ukraine, is widely recognised as violating the Hague Convention of 1907, the Geneva Conventions, and various human rights obligations, as Russia contravenes its obligations as an occupying power (Khoshnood, Raymond, and Howard, 2023, p.4). However, the coerced transformation of Ukrainian citizens into Russians and the distortion of citizenship into a tool of war goes beyond a flagrant violation of international humanitarian law. Passportisation further challenges the traditional international legal notions of statehood as the legitimate political authority over a population within a 'strictly bounded territory' (Agnew, 2005, p.437). Although other states have employed lenient citizenship laws to encourage citizenship amongst diasporic populations (Bescotti et al., 2022), the nature of the campaign in Russian-occupied territories in Ukraine following the full-scale invasion in 2022 takes on a particularly coercive and forceful form. This campaign becomes an apt case study to analyse President of the Russian Federation, Vladimir Putin's, distortion of international law as a method of warfare.

Deepening the analysis beyond mere violations of international law, this article argues that Russia's policy of passportisation in the occupied territories of Ukraine manipulates foundational international legal concepts—including sovereignty, territoriality, and citizenship—to expand Russian sovereignty extraterritorially. Thus, the phenomenon of passportisation is emblematic of how Putin exploits law, both domestically and internationally, to secure geopolitical, expansionist aims. This article first analyses how these challenges to the international legal norms of citizenship, sovereignty, and territoriality are situated within the Kremlin's wider rhetoric on international law. Secondly, the analysis problematises these coercive measures and distortions of international law by examining how the domestic legal framework of passportisation extends Russian sovereignty beyond its internationally recognised borders. Ultimately, passportisation is emblematic of a deeper phenomenon beyond violations of international law; it is a new form of warfare that challenges the very underpinnings of modern statehood in contemporary international law.

Putin's 'Satirisation' of the International Legal Framework

In the current context of Russia's ongoing full-scale invasion of Ukraine, the expanding phenomenon of passportisation not only uses the legal frameworks of citizenship and humanitarian intervention to establish de facto control in Russian-occupied territories, but it fundamentally challenges these international legal concepts as they are traditionally understood. As Dunn and Bobick (2014) attest in their ethnographic study of passportisation in Georgian and Moldovan separatist regions, Putin's rhetoric on international legal obligations regarding citizenship 'satirises' the West's, especially the United States', often selective and hypocritical adherence to international law. By 'satirisation', Dunn and Bobick (2014, pp.406–409) refer to Putin's manipulation of international legal norms for self-serving purposes, simultaneously legitimising and rejecting specific norms as they suit the Kremlin's agenda. Such satirisation is a rhetorical tool that shields the Kremlin from legal retribution: the strategy delegitimises critiques of Russia's actions using the language of international legal norms, while concurrently shining the critical spotlight back on the West.

However, scholars such as Remler (2020) and Mälskoo (2015) believe that Putin and the Kremlin do take the international legal framework seriously. Following Russia's 2014 invasion and annexation of Crimea, when asked to 'guarantee that the Lugansk Region, the Donetsk Region, won't become part of Russia, and will remain part of the territorial integrity of Ukraine,' then-Prime Minister of the Russian Federation, Dmitry Medvedev, responded: 'We don't have to guarantee anything to anyone, because we never took on any commitments concerning this' (Medvedev, 2014). In addition to refusing to recognise the sanctity of Ukraine's territorial sovereignty, Medvedev clearly rebukes any commitment to international legal obligations, as he subsequently requests that the European Union (EU) and United States 'guarantee that they won't interfere in Ukraine's internal affairs' (Medvedev, 2014). Medvedev's somewhat contradictory statements that Russia need not respect territorial sovereignty but the EU and United States must reflect the Kremlin's self-serving and weak stance on international legal obligations. Such rhetoric affirms the idea that Russia sees itself as both exempt from and in opposition to 'ever-expanding' Western norms and influence (Remler, 2020, p.4). Crucially, Russia often interprets its international legal obligations in the narrowest form possible and, as some scholars note, applies international law differently between the global stage and former Soviet states (Remler, 2020, p.5; Mälksoo, 2015). However, as Mälskoo (2015, pp.148–149) notes, the Kremlin does not categorically reject international law, often claiming to defend international law in foreign policy and diplomacy discourses. Ultimately, scholarly analysis of Putin's rhetorical stance on international legal norms reveals a fundamentally self-serving, though somewhat satirical, tactic of critique; he flips the narrative from Russia's own obligations and, often, its violations, onto the West's.

Understanding Russia as critical of the international legal order raises an important question about the academic literature on passportisation, which primarily focuses on the international illegality of such actions. Applying Remler (2020) and Mälskoo (2015) to the phenomenon of passportisation and Putin's wider foreign policy agenda suggests that Russia's perspective on international law is one of distortion. While simultaneously critiquing Western and American violations and contradictions of international law, the Kremlin develops a legal framework that violates obligations under international humanitarian law and, furthermore, contravenes the most basic

concepts of international law: sovereignty and territoriality. Investigating how passportisation challenges the concepts of sovereignty, territorial jurisdiction, citizenship, and humanitarian intervention demonstrates how these challenges to international legal norms serve to justify and consolidate the violent annexation of Russia's neighbouring territories. Ultimately, this distortion constitutes a distinct geopolitical tactic in its own right.

Citizenship in the Occupied Territories

Passportisation builds on Putin's critique of international law and distortion of foundational international legal concepts, including sovereignty, territory, and citizenship. Previous instances of passportisation, particularly naturalisation en masse in the separatist regions of Abkhazia and South Ossetia in Georgia in 2008, similarly reflect Russia's post-USSR challenges with international legal norms around territoriality. Those in Abkhazia and South Ossetia willingly accepted the offer of Russian citizenship after refusing Georgian citizenship following Georgia's independence (Littlefield, 2009). The scale of mass naturalisation in these regions still violates the duality of territoriality and sovereignty in international law, as Russia contravened Georgia's right to govern those living within its borders (Littlefield, 2009). Though residents in these separatist regions of Georgia were given the choice between Georgian and Russian citizenship, such a scheme effectively legitimised de facto Russian authority in territory that was, in fact, Georgian. Echoing the 'Responsibility to Protect' (United Nations General Assembly, 2005) narrative often used by Western nations to justify interventions in the domestic politics of non-Western states (Moravcová, 2014), the mass naturalisation of Georgian separatists legitimised Russia's military actions within Georgian territory, claiming that the Kremlin had a valid and justified need to intervene on behalf of its citizens (Littlefield, 2009). Such actions further exacerbated the conflict and complicated the question of which sovereign authority governed those regions. However, the coercive nature of the passportisation campaign in the occupied territories in Ukraine post-2022 exemplifies far deeper challenges to the concepts of sovereignty, territory, and citizenship.

Using open-source data, researchers at Yale University identified a coordinated campaign to leave Ukrainian residents in occupied territories no choice but to adopt Russian citizenship, including requiring the renouncement of their Ukrainian citizenship (Khoshnood, Raymond, and Howard, 2023). In addition to the ready accessibility of Russian passports through reduced barriers to naturalisation in domestic law, access to humanitarian aid, social services—including pensions and public health facilities—as well as certain employment opportunities, have been restricted to Russian citizens. This effectively requires Ukrainian residents to adopt Russian passports if they wish to continue living in these oblasts (Khoshnood, Raymond, and Howard, 2023, p.4). Furthermore, since Russia's full-scale invasion of Ukraine in February 2022, the Kremlin has enacted a series of laws with increasingly severe consequences for declining both Russian citizenship and loyalty to the Kremlin (*О гражданстве Российской Федерации*, 2023). Consequences include detention or deportation from the occupied territories and removal of Russian citizenship in the event of disobedience, effectively rendering even those who do adopt Russian citizenship in a permanent state of 'probation' and, in some cases, stateless (*О гражданстве Российской Федерации*, 2023; Khoshnood, Raymond, and Howard, 2023, p.10). For an already-vulnerable population, the Russian domestic legal framework of coerced naturalisation in effect requires that those living in occupied territories swear allegiance to a hostile power. In addition to violating Article 45 of the *Hague Convention* (1907), such a policy forcibly reduces, on paper, the number of Ukrainian citizens in the occupied territories and legitimises Russia's claims over those regions, however precarious for those residents. Though a legal scheme that may render individuals stateless seems to contradict the Kremlin's aims to create Russian citizens in occupied territories, the legal implications of statelessness further dissolve the links between Ukrainian sovereign authority and the occupied territories.

> *Concerningly, Russia's passportisation scheme allows it to effectively transform Ukrainian citizens into Russians, a method of annexing a population that uses laws and citizenship to achieve geopolitical ends.*

In contrast to the Georgian separatist conflicts in 2008, in which separatist actors willingly accepted Russian passports after accepting Georgian citizenship upon independence, the nature of the passportisation campaign in Ukraine's Russian-occupied territories reduces acceptance of Russian citizenship to a matter of survival and safety. Such laws demonstrate the clearly coercive nature of the passportisation scheme to extend Russian citizenship into Russian-occupied territories that are part of Ukraine's de jure sovereign jurisdiction. In effect, Putin uses the mass naturalisation over residents of occupied territories to consolidate power without the direct use of force, transforming passports into tools of war.

Naturalisation by Force and International Legal Norms

Beyond the humanitarian implications of passportisation on daily life in occupied territories, the phenomenon itself transgresses the international legal norms of sovereignty, territoriality and citizenship through its coercive and extraterritorial means. Several international legal scholars maintain that customary international law indicates that states cannot naturalise citizens without their consent (Spiro, 2019). However, as Fripp (2025) notes, 'passportisation has in part been able to metastasise because international law exerts very limited restraint upon the power of states to extend their nationality to an individual'. As the current international legal regime is more concerned with the denial of nationality, passportisation exploits the international legal grey area to allow Russia to assert its sovereign jurisdiction extraterritorially. This precarious and unresolved tension within international citizenship law thus leaves the door open for exploitation by the Kremlin to reinforce their military incursions into Ukrainian territory.

Moreover, passportisation exemplifies Putin's distinct manipulation of not just specific treaties or provisions, but foundational international legal concepts to achieve imperialistic foreign policy objectives. Concerningly, Russia's passportisation scheme allows it to effectively transform Ukrainian citizens into Russians, a method of annexing a population that uses laws and citizenship to achieve geopolitical ends. As Ukrainian residents are left with no choice but to accept Russian citizenship in order to survive in the occupied territories, Putin is able to further subvert Ukrainian sovereignty to bring residents explicitly under Russian jurisdiction, domestic law, and control. Due to the permanent probationary state of naturalisation acquired in occupied territories and the consequences for any forms of disloyalty to the Kremlin (*О гражданстве Российской Федерации*, 2023), it is impossible to know how residents of these regions perceive their nationality. This coerced and policed allegiance to the occupying power demonstrates how Putin continues to stealthily chip away at Ukrainian sovereignty and territoriality. In this way, passportisation violates modern international law's underpinnings of statehood as the convergence of legitimate political authority and physical territory (Agnew, 2005, p.437). Challenging this trifecta of territory, authority, and citizenship that form sovereignty, passportisation effectively and unilaterally expands Russia's jurisdiction beyond its territory with forceful, complex legal mechanisms of naturalisation.

Passportisation and 'The Putin Doctrine'

Such distortions of sovereignty and territoriality through passportisation serve the Kremlin's wider foreign policy objectives, using the rhetoric of citizenship, in particular, 'compatriots', to justify extraterritorial use of force. Writing in 2014 in the wake of Russia's annexation of Crimea, Dunn and Bobick (2014, p.410) characterise Putin's strategy as 'occupation without occupation' and 'warfare without warfare'. By using the protection of Russian 'compatriots' to justify invasion, violence, and control of neighbouring territories, Putin exploited 'international law as a means of securing strategic needs' (Dunn and Bobick, 2014, p.410). The language of 'compatriots' or *sootechestvenniki* has been used since the fall of the USSR to identify the wider Russian diaspora living beyond Russia's borders (Delwaide, 2011). However, as Grigas (2016, p.57) notes, 'Its usage has been broad and malleable', allowing the exact meaning of the term to be molded to serve the geopolitical aims of the time. Remarking on the collapse of the Soviet Union, in 2005, Putin stated: 'Tens of millions of our co-citizens and compatriots found themselves outside Russian territory. Moreover, the epidemic of disintegration infected Russia itself'. Such language reflects Putin's aims of 'reunification' of the Russian people, stretching beyond the state's de jure borders established in 1991. As several scholars have noted, Russian civic national identity is a crucial component of the Kremlin's post-Soviet imperial aims (Littlefield, 2009, p.1462). As passportisation demonstrates, forcing residents of occupied territories to adopt Russian citizenship coercively assimilates those populations under the authority of the Russian Federation (Grigas, 2016, p.57). Where 'compatriots' once referred to ethnic Russians living in other states after the collapse of the Soviet Union, the term and the laws of coercive naturalisation are now far removed from Russian cultural identity and deeply entangled in the legal and jurisdictional authority of the Federation.

Passportisation, therefore, reflects the convergence of national identity, historical imaginaries and geopolitical aims (Dunn and Bobick, 2014, p.405). Most interestingly, passportisation enables Russia to simultaneously maintain three, arguably contradictory roles, in its regional conflicts: 'the roles of aggressor, provocateur, and peacekeeper' (Dunn and Bobick, 2014, p.406). Thus, the campaign of coercive citizenship allows Putin to invoke the 'Responsibility to Protect' (United Nations General Assembly, 2005) as justification for its aggression, as he has done since Russia's involvement in the Eastern separatist regions of Ukraine since 2014. Rather than relying exclusively on armed intervention to achieve annexation, the Kremlin has created a coercive legal framework for naturalisation that simultaneously justifies previous and future uses of force. Where Western states use the 'Responsibility to Protect' as rhetorical justification for intervention in foreign countries' domestic affairs (Moravcová, 2014), the Kremlin has created a self-reinforcing cycle of using the very same rhetoric to justify invasion and, following military force, create Russian citizens to 'protect'. This strategic tool enables Russia to both delegitimise and circumvent Ukrainian sovereign authority on Ukrainian territory.

As Littlefield (2009, p.1462) remarked on passportisation in the earlier Georgian separatist conflicts, 'The citizens in "need" of protection were thus only Russian through prior infringements of Georgia's sovereignty'. Thus, the new swaths of 'compatriots' forcibly brought under Russian governance by passportisation offer pretexts for further and future incursions into Ukrainian sovereignty. This evolution of the definition of 'compatriots' and its prevalence in Russian foreign policy rhetoric further evidences Putin's distortion and satirisation of the international legal framework as a weapon of war. The construction of a satirical and self-serving justification for passportisation, which mirrors the post-Soviet rhetoric of the 'compatriot', reinforces Putin's status as an elusive and subversive character in the international legal framework. As the term 'compatriot' is malleable, so is territory and sovereignty to Putin and the Kremlin.

Conclusion

The phenomenon of passportisation in Russian-occupied territories in Ukraine serves the wider aims of the Kremlin in forcibly assimilating occupied territories into the Russian Federation. Through the process of passportisation, territories in which the population is forced to renounce Ukrainian citizenship and adopt Russian passports, Russia constructs and expands its ability to lay claim to 'its own citizens' and utilise interventionist justifications for military might. This form of particularly coercive citizenship that has taken shape since the 2022 invasion, supports both the Kremlin's geopolitical aims to extend the de facto boundaries of the Russian Federation and the propaganda narrative that Russia's extraterritorial use of force is a legitimate intervention to protect Russian nationals. Crucially, for international and humanitarian actors, passportisation challenges the foundational concepts of international law that are often presumed to be uncontested: the nexus of sovereignty, territoriality, and citizenship as the cornerstones of the modern nation-state. By shattering, distorting, and manipulating the nexus of these three components of statehood, Russia has weaponised passports as a tool to consolidate its power as the sovereign in a territory where boundaries are contested. As Dunn and Bobick (2014) note, the danger of passportisation lies in its ability to make existing conflict intractable, as claims over the national belonging of the occupied population persist and become questions of survival and safety. Citizenship has effectively become a coercive tool in Putin's wartime strategy, simultaneously supporting the assimilation of occupied territories into the hostile power's domain and creating justification for further incursions into neighbouring states' territory and sovereignty. The phenomenon challenges

the solidity of foundational international legal norms, and coercive passportisation represents the culmination of the Kremlin's manipulation of international law to reinforce military campaigns, enabling hostile powers to blur the lines of territorial sovereignty in Ukraine and beyond.

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CONCLUDING REMARKS

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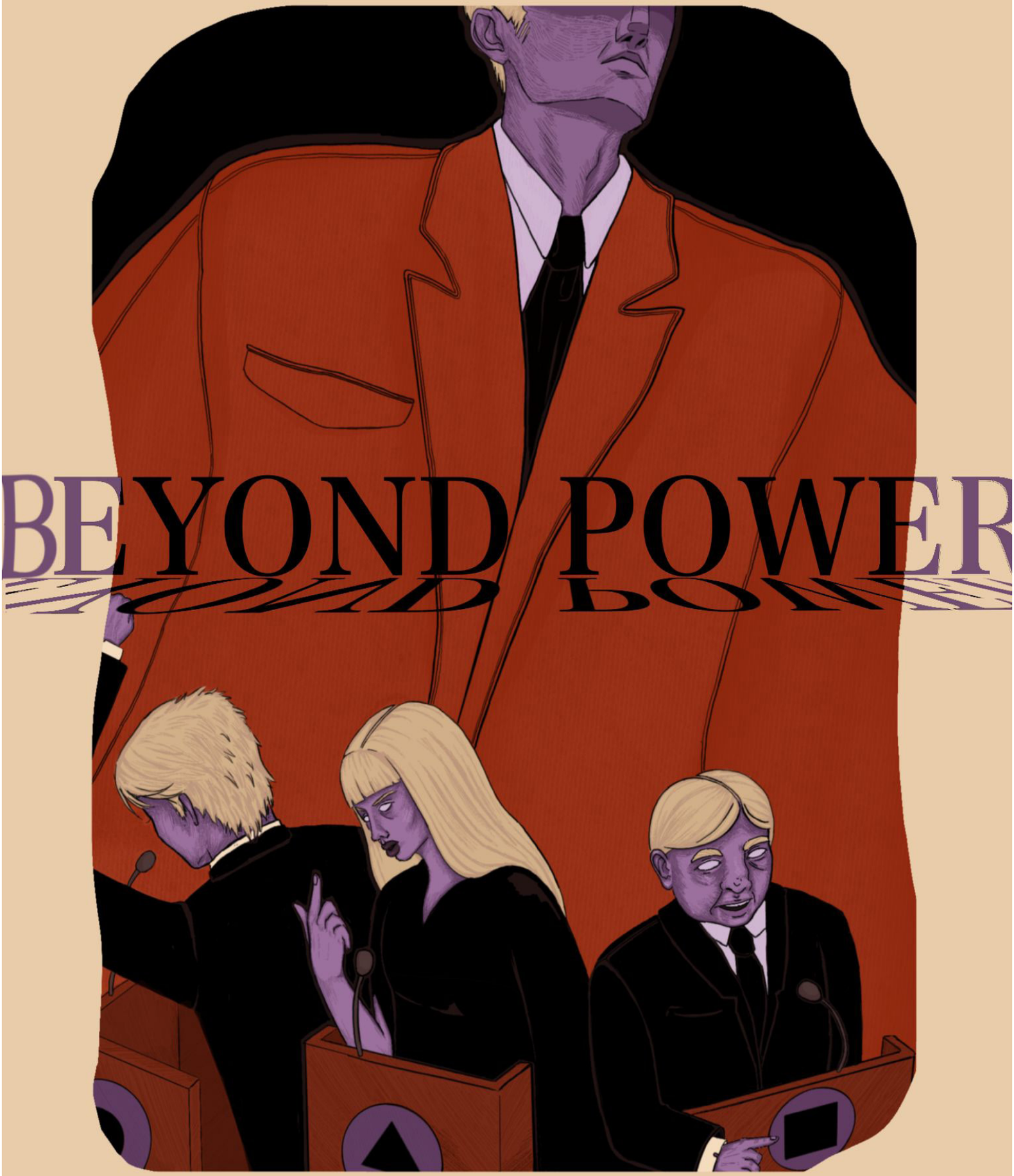
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