30 Years of the Visegrad Group

VOLUME 1

Political, Legal, and Social Issues and Challenges

edited by

Ewelina Kancik-Kołtun

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Contents

Introduction

The year 2021 marked the 30th anniversary of signing the declaration on cooperation between Poland, Czechoslovakia and Hungary in Visegrad. The form of regional cooperation known as the Visegrad Group was initiated exactly on 15 February 1991, when the then presidents: Polish – Lech Wałęsa, Czechoslovakian – Václav Havel, and the Hungarian Prime Minister József Antall entered into an agreement defining cooperation's objectives and terms. Since its establishment, the Visegrad Group has succeeded in implementing a number of projects, two of which were its priorities, namely the accession of the Member States to NATO and to the European Union. However, new problems and challenges are constantly emerging, which must be tackled not only by individual V4 countries, but also by the Group as a whole. They concern, among others, economic and social issues, sustainable development and environmental protection, transport and energy, internal and external security. Recently, such problems as ecological transformation, digitalization, rebuilding economies after the COVID-19 pandemic, corruption and disinformation have gained importance.

This collective monograph is an attempt to diagnose and reinterpret selected issues relating to the Visegrad Group and its member states. The volume consists of analyses of practical and theoretical aspects of contemporary national policies and regional cooperation. The intention of the authors representing various research centers from Poland, the Czech Republic, Slovakia, Hungary, Ukraine and the Netherlands was to present the most important, in their opinion, matters concerning the Visegrad Group. The book results from scholarly interest in the problems and challenges of the V4 countries and, thus, constitutes the first volume of a publication devoted to the 30th anniversary of the alliance.

In the first chapter, in their article *Territorial Administrative Division of the Czech Republic: Completion of the Reform after 20 Years?*, Pavel Ptáček and Josef Smolík address the issue of the territorial administrative division of the Czech Republic in the period 2000–2020, taking into account decentralization, local government and legal acts.

The second chapter, by Eva Taterová, entitled *Pro-Israeli Diplomacy of the Czech Republic as the Exceptional Case in the European Union: Historical Context, Interpretations, Current Challenges* concentrates on the topic of relationships and diplomacy between successive governments in the Czech Republic and Israel.

The author explores the history of diplomacy and good relations between the two countries.

Michal Ševčík's paper, *The Illiberal Left in the Czech Republic*, is devoted to the history of left-wing parties in the Czech Republic, as well as their liberal discourse and contemporary development towards the culture of liberalism – progressivism.

Matúš Béreš in his text *Disinformation in the Czech and Slovak Political Environments* deals with the issue of disinformation as a timeless political instrument, with the mass media, especially social networks, exerting a profound influence on the spread of disinformation. The paper attempts to present disinformation as a political tool and to highlight specific manifestations of the use of disinformation in Czech and Slovak politics.

The next article, by Hanna Melehanych, *The Role of NGOs and Other Organizations in Supporting Ukrainians in the Czech Republic*, shows how the contemporary Ukrainian community in the Czech Republic functions and, thus, reveals how NGOs and various integration structures are favored by Czech politicians in terms of activating the Ukrainian community.

Yeva Kish's paper *Ukraine's Foreign Policy with the Visegrad Countries at the Regional Level* focuses on Ukraine's foreign policy in the Central European region, taking account of its low level of relations and lack of dynamic and effective development of a regional system of international cooperation with the Visegrad Group countries, which makes Ukraine fail to take advantage of its geopolitical position. The author discusses the current international position of Ukraine, which, remaining outside the process of European integration, was forced to be only an observer.

Sándor Fekete in his contribution *Conflicts in the Hungarian Local Government System* takes a closer look at the development of the administrative system in Hungary with special attention paid to the processes of centralization and decentralization, and presents the latest changes under Viktor Orbán towards a stronger centralization of the administration.

In the chapter entitled *Populism and Internationalization in Poland and Hungary (Comparative Studies)*, Dachi Korinteli pays attention to the comparison of the populist parties and EU-scepticism in Poland and Hungary. He explores the effectiveness of political leaders in both countries by studying the statements made by Viktor Orbán, Andrzej Duda and Jarosław Kaczyński during the election campaigns and by checking if they manipulate different types of minorities from various ethnic and religious groups.

Tomasz Wicha in his work *The Evaluation of the V4 Cooperation in the Context of the Political Conflict in Contemporary Poland* raises the issue of evaluating the Visegrad Group cooperation in the context of political discord in contemporary Poland, and demonstrates the most important aspects influencing the cooperation of the Visegrad Group countries in the last three decades.

Finally, Krzysztof Kołtun in his chapter *Polish Legislation and the Safety of Domestic Violence Victims*, approaches the problem of the safety of family violence victims under Polish legislation. The author considers legal aspects related to the victims of violence as stipulated in the Constitution of the Republic of Poland and lower-order laws, i.e. acts, among which the most important is the Act on Counteracting Domestic Violence.

PAVEL PTÁČEK, JOSEF SMOLÍK

Territorial Administrative Division of the Czech Republic: Completion of the Reform after 20 Years?[1]

Abstract: This article focuses on the development of territorial administrative division in the independent Czech Republic in the period 2000–2020. Political discussions concerning decentralization, self-government, regional self-government system in the Czech Republic and basic characteristics of territorial self-government units are described. Some legislative documents and issues that are under the competence of individual regional self-government bodies will also be presented. The text describes the establishment of regional self-government units in 2000, but also the competences of regions and SO ORP and the solution of the current unsatisfactory state of public administration by the new law in force since 2021. The discussion will also concern the current perception of the administrative division of the Czech Republic from the point of view of the public, which is manifested, for example, by activism, which takes the form of defining the Czech-Moravian border. These activities are publicized and widely discussed, especially on social networks.

Introduction

A modern state is divided either into territorial-political units that have constitutional political features of a state, or into territorial-administrative units, which are more or less subordinate to the centre and through its bodies the state administration is performed [Jehlička et al. 2000: 237].

In democratic countries, relations between the state and territorial self-government units are based on the principles of decency, justice, responsibility and the need for macroeconomic control. The state cooperates with the territorial self-government unit, through its central bodies and institutions, and provides it with professional and methodological assistance, assistance in education and training of employees

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of territorial self-government; the state also provides the self-government unit with financial resources, etc. [Peková et al. 2012: 153].

From the second half of the 1990s, the issues of self-government, decentralization, regionalism, regional politics and regional development have been gradually coming to the forefront of the interests of politicians and experts in various professions in the Czech Republic. This text will try to briefly summarize the development of the regional establishment in the independent Czech Republic in the period 2000–2020. The paper will focus on political discussions concerning decentralization, self-government, regional self-government in the Czech Republic and the basic characteristics of territorial self-government units. At the end of the text, the issue of identities related to the Czech and Moravian part of the Czech Republic will be discussed, which mainly takes the form of activism or rivalry as well as jokes and hacking between individual parts of the country or between specific cities (Prague – centre, Brno – periphery).

Self-government and its forms

The tradition of self-government in the Czech lands dates back to the middle of the 19th century, local self-government units were established as a direct result of political changes in 1848. Self-government is the right of a certain social organism to perform a legally limited range of activities separately, relatively independently of the wider social organism of which it is a part. Self-government, either in the form of *territorial* (local, regional) self-government or *interest* (group) self-government, is an important factor in civil society democracy and an inherent part of decentralized modern public administration. Self-government is carried out by other public entities than in the case of state administration. These are mainly entities of a corporate nature. The citizen as a subject of self-government has a different relationship to these two forms of self-government. In the case of territorial self-government, the citizen is automatically included in this system according to their place of residence and the intensity of their real participation in self-government is up to them. The citizen enters the system of self-government based on their own choice, i.e. voluntarily.

Historically, one of the reasons for the emergence of territorial self-government in Europe was the effort to allow citizens of the state to influence the performance of state administration in some way, i.e. to enable them to administer. The relationship between the state and the self-government unit is often conflicting; already due to the fact that the existence of self-government limits the government bureaucracy. Self-government leads to a plurality of powers, thus, it contributes to greater freedom of the individual. Without self-government (especially territorial), we cannot talk about a fully democratic and free system of governance. The need for territorial

self-government is supported by the principle of subsidiarity, which aims to ensure that all measures are taken as close as possible to the citizens, i.e. at the lowest level of administration that allows their implementation or enforcement. Modern states are usually not able to ensure the exercise of public power only through central state bodies, they need to have public administration offices spread throughout the territory [Balík 2009: 12].

Tradition of regional system in the Czech Republic

The tradition of regional system in the Czech lands dates back to the 13th century. Regions existed within the historical lands and their number has changed significantly. For example, in Bohemia the number of regions ranged between 12 and 16. In Moravia, regions were established earlier, in the 16th century, as part of the defense against the Turkish danger. In Silesia, we can see some development especially after 1742, when only a small part of it remained in the Czech lands, and the rest became affiliated to the then Prussia. After 1848, when local self-government units appeared, the regions performed the function of, especially, state administration and there were two tracks of the state administration and self-government bodies functioning. Self-government is characterized by elected representatives and has three levels, namely the municipality, the country, and the entire monarchy. State administration is more complicated and has four levels (the district, the region, the country, and the whole monarchy). Since the establishment of the independent Czech Republic, territorial division has been closely connected to the political administration of the state. Since 1918, there has been a dispute between the supporters of the provincial and the regional establishment, the course and results of which determined the territorial division of the state [Pavlíček et al. 2001: 437]. One of the basic conflict areas of the First Republic (1918–1938) was the problem of the organization of Czech-Slovak relations. The national question complicated the establishment of the independent state and transferred into it one of the key controversial moments of the Habsburg monarchy. The solution was supposed to be the *idea of Czechoslovakism* as a practical embodiment of "the issue of the necessary majority". The so-called Czechoslovak nation was supposed to take over the leading role in the newly created state both quantitatively and with reference to historical developments and constitutional rights. The artificial idea of the Czechoslovak nation, however, greatly complicated the relationship between the Czech and Slovak representations [Balík et al. 2003: 79]. From the point of view of the territorial-administrative arrangement, the process of gradual destruction of central institutions started at the beginning of October 1938 in favour of the Slovak and partly also Subcarpathian authorities [Balík et al. 2003: 96]. In the protectorate era, the territorial self-government basically ceased to exist [Balík et al. 2003: 103].

The regional system was used more after 1948, when on 1 January 1949, the land system in the Czechoslovak Republic was abolished and the regions gained greater importance [Act No. 280/1948]. They were both part of the state administration and the self-government (there were elections into so-called regional national committees). There were 13 regions established in the Czech lands, the centers of which were the same as today (only Prague was a part of the Prague region) and the historical state borders were broken. In Slovakia, six regions were established (Bratislavský, Nitranský, Žilinský, Banskobystrický, Prešovský and Košický regions). Another major territorial reorganization started to take place in 1960 [Act No. 36/1960], when the total number of regions (but also of districts) was significantly reduced – in the Czech lands, there were seven regions, in Slovakia – three [cf. Balík et al. 2003: 156–157].

Decentralization and democratization of public administration and renewal of territorial self-government after 1989

In 1989, extensive and political changes began in the then Czechoslovakia, which included the renewal of territorial self-government [Spáč, Voda, Zagrapan 2016]. On 1 July 1990, regional national committees were abolished, but regions remained territorial units with the competence of state institutions (e.g. courts and police, statistics). In connection with the renewal of territorial self-government, the self-government functioned in the territory of the Czechoslovak Socialist Republic and later the Czech Republic as a two-tier (i.e. the state and more than 6,000 municipalities). Municipal self-government was renewed in accordance with the Act on Municipalities No. 367/1990.

Discussions on new political units also concerned regional policy, regional development and the definition of regions in general [Spáč, Voda, Zagrapan 2016]. After 1989, Czech society had to deal with everything that belongs to the processes of political transition, democratization and subsequent consolidation of the political regime. One of the processes was a new division into political administrative units. Discussions concerning the regions can thus be recorded already in the period after 1990, the reform steps themselves were not implemented until 1997–2003 [Illner 2015: 18–36].

The reform of the regional establishment was preceded by a long-lasting debate as to whether the regional or provincial form of higher self-governing units should be adopted. After the division of the Czechoslovak Socialist Republic, there were fears that the restoration of the provincial establishment would necessarily lead to a similar dualism which eventually led to the demise of Czechoslovakia, and, therefore, the negative view of the restoration of such establishment prevailed. However,

the individual actors of political life differed in the process of creating these units. The establishment of self-governing regions was primarily supported by the then President Václav Havel and small coalition government parties, the Christian Democrats (KDS) and the liberal Civic Democratic Alliance (ODA) accompanied by a group of large cities. The process of decentralization and the establishment of self-governing regions was also quite positively assessed by the social democracy, which did not specify the number of regions and the position of historical countries. The Communist Party of Bohemia and Moravia (KSČM) took an unclear position, supporting the establishment of such units without their specific form. A clear critic of any division of the newly formed unitary state with a minimum of decentralized powers was the dominant Civic Democratic Party (ODS), which, through Prime Minister Václav Klaus, promoted a strong state and the most important element of self-government was for them the municipality. This loudest critic was joined by trade unions, employers' interest organizations and representatives of medium-sized and smaller towns and municipalities, who saw the emerging regional self-government as a threat and interference in their own environment [Illner 2015: 18–36].

The issue of territorial self-government, including the establishment of higher territorial self-government units – countries or regions – became an important topic of the campaign even before the elections to the Czech National Council in 1992. At the time, most political parties and their representatives expressed their views on it, but no agreement was reached and the problem of establishing a higher member of the public administration remained open for a long time. The deadlock was overcome only after five years – in 1997, among other things, with regard to the planned accession of the Czech Republic to the European Union (EU), which expected decisions in the matter of "country or region" [Ryšavý et al. 2015]. The establishment of a higher level of self-government was discussed for several years, as the number, boundaries and competences of units were not clear [Chytilek et al. 2009: 317].

The Constitution of the Czech Republic of 16 December 1992, which entered into force on 1 January 1993, stipulated in Chapter 7 "Territorial Self-Government", Art. 99 that the Czech Republic is divided into municipalities, which are basic territorial self-governing units, and that higher territorial self-governing units are countries or regions. In Art. 100 and 101, the Constitution further specified that territorial self-governing units are territorial communities of citizens who have the right to self-government and that "territorial self-governing units are public corporations that can own property and operate according to their own budget, and that the state can intervene in their activities only when the protection of the law so requires, and in a manner prescribed by law" [Pavlíček et al. 2001: 439].

Based on the relatively loose specification of the establishment of higher territorial self-governing units, specific measures in this matter were not implemented until

the end of the 1990s. This also led to various discussions, and political parties found it difficult to find a compromise that would lead to the creation of self-governing regions [Eibl et al. 2017: 26]. However, the negotiations were not easy – former and potential new regional cities competed with each other for the role of regional capitals, arguing with the geographical location and population size of cities, their historical or current role, scope and quality of infrastructure, etc. [Ryšavý et al. 2015: 29].

Finally, regions as higher territorial self-governing units were territorially defined by a list of territories of individual districts. The territory of a district means its territory as of the effective date of the cited Constitutional Act. The territory of regions, similarly to the territory of districts, can only be changed by law. Regions cannot be merged, joined or divided. The regions are, among other things, delimited by the territory of the region, which is delimited by its borders. Despite relatively complicated and to some extent lengthy political debates, regions were established on January 1, 2000, with the first regional elections taking place on November 12 of the same year [Ryšavý et al. 2015: 29; Petrůj 2014: 27; Wokoun et al. 2008: 399].

Since 2000, it has, therefore, been possible to speak of the establishment of regions and related regional policies; the development of these higher territorial self-government units has been relatively calm. The most significant changes included minor adjustments to individual regions. Unfortunately, the establishment of the regions in 2000 did not respect a number of natural administrative and communication routes, and a number of regions were treated insensitively. Contemporary regions were, thus, created as an artificial, ahistorical element, which does not respect the settlement/administrative and spatial catchment areas. This fact is subsequently evidenced by the efforts of a number of municipalities to move to a neighboring region and the subsequent renaming of some regions (Vysočina, Jihočeský, Moravskoslezský, Jihomoravský) [Pink, Smolík 2016: 840].

In the past, the boundaries of individual regions changed. In 2004, there was a significant change in the affiliation of some municipalities to higher territorial self-governing units. A total of 28 municipalities changed their regional affiliation. These were 25 municipalities that moved from the Vysočina region to the Jihomoravský region and 3 municipalities from the Moravskoslezský region that moved to the Olomoucký region. In total, there were 11,500 inhabitants [Balík 2005: 206; Ryšavý et al. 2015: 29]. New regions were created mainly on the basis of the spatial structure of economic and social relations, which were manifested primarily by the catchment areas of large urban centers – future regional capitals [Ryšavý et al. 2015: 33].

The Constitutional Act created 14 higher territorial self-governing units. These are 13 regions and another higher territorial self-governing unit, which is the capital city of Prague [Pavlíček et al. 2001: 443; Petrůj 2014: 81–82; Eibl et al. 2017: 26] (see more in Figure 1).
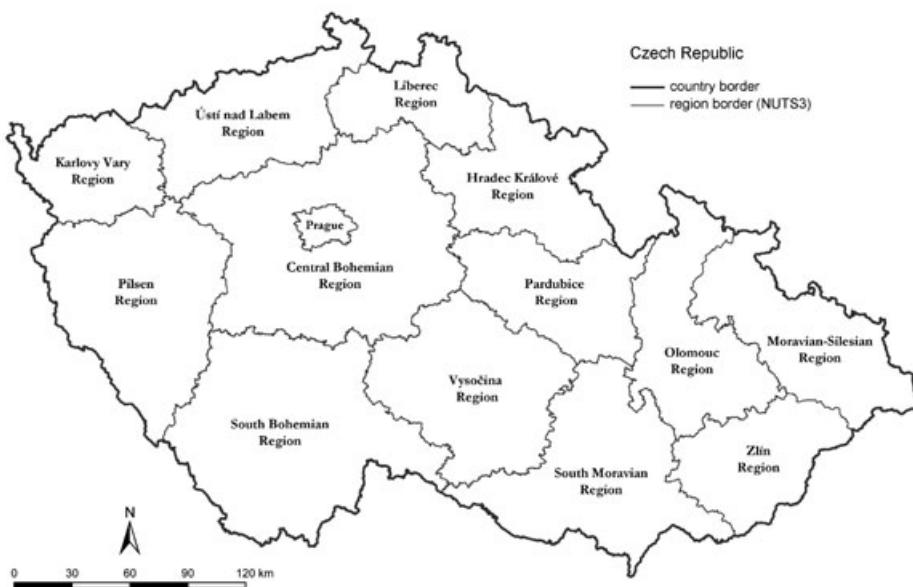
Figure 1. Division of the Czech Republic into 14 self-governing regions

Source: [Kostin, Halounová 2019].

As a result of the regional elections, which have been regularly repeated every four years (since 2000), several hundred deputies draw legitimacy, who subsequently elect a governor and regional leaders [Eibl et al. 2009: 9].

In the second phase of the reform, i.e. in 2002, district offices were abolished as deconcentrated territorial bodies of general state administration. There was a transfer of some of their existing powers performed on behalf of the state to both regional authorities and two types of municipalities: municipalities with an authorized municipal office and municipalities with extended powers, which perform delegated functions in smaller municipalities in their territory [Ryšavý et al. 2015: 29]. As a result, the role of districts has been reduced only to units for territorial-statistical needs, or some specialized offices, such as the social security administration, operate within them. In addition to districts with centers in the so-called municipalities of type II (i.e. in district towns), 205 municipalities with extended powers (so-called ORP or municipalities of type III) were determined. Both the establishment of the regions and the administrative district SO ORP were justified by professional as well as political arguments.

One of the last adjustments, which concerned the regional level, took place on 1 January 2009, when the former regional police administrations became 8 regional police directorates, and subsequently created 14 regional police directorates, whose territorial districts coincide with the territorial districts of the regions. This logical

transformation achieved a relationship in which each regional police director had a cooperator in the person of the governor, with whom it was possible to solve the specific security situation of the region [Smolík 2020: 70].

Logic of the establishment of regions and SO ORP from the spatial point of view: expert arguments vs. political decisions

Experts were also invited to take part in the political debates on the reform of local self-government, but their arguments were often used purposefully. The most elaborate professional methodology for the regionalization of the territory was provided by the team around Prof. Martin Hampl from Charles University. Politicians were explained the basic principles of defining and functioning of the so-called socio-geographical regions, which were to support the logical definition of higher territorial self-governing units in the Czech Republic [Hampl 2005]. The main principles of defining regions were that they are defined on the basis of natural socio-geographical processes, which are mainly the spatial mobility of the population and not detached from reality by a mere political decision. Spatial mobility is represented by two "measurable" processes, namely daily commuting (especially for work and school) and migration. Commuting integrates the basic building block of socio-geographical regions, the so-called micro-regions, where most of the daily activities of the population take place. These micro-regions are then further integrated on the basis of other types of spatial mobility, represented by non-daily commuting (e.g. to universities, specialized services, including health services) and migration regions. These types of regions have been given the name "mesoregions" and their centers and catchment areas can be more or less identified with regions and regional centers from the point of view of the territorial reform.

Based on this methodology, 12 mesoregional (regional) centers were then identified in the Czech Republic, which create their sphere of influence, i.e. the mesoregion, which is in a sense the basis for the territorial delimitation of the region. Mesoregions then consist of micro-regions, which were identified in the Czech Republic on the basis of methodology and according to data from the 2001 Census of Population, Housing and Dwellings [Hampl 2005: 86].

These arguments, together with the political pressure to create a rather larger number of higher territorial self-governing units, were taken into account in the final decision on the number and territorial scope of higher territorial self-governing units. Jihlava was missing among the centers of mesoregions in the professional argumentation, and there were also debates about the inclusion or non-inclusion of Karlovy Vary. In the case of SO ORP, their number increased, compared to micro-regions, by a political decision – from 144 to 205. The system of regions and SO ORP

(these are often called "small districts" due to their complicated and long name) is, thus, close in its definition and number to units existing between 1949 and 1960.

Unfortunately, the basic compositional unit was considered to be the still functioning districts (or district authorities), the definition of which quite often did not respect the natural catchment areas of municipalities. In short, districts were too large and too artificial compositional units compared to natural socio-geographical micro-regions. This eventually led to rectification on 1 January 2005, when the greatest illogical aspects in the delimitation of regions (see above) were reformed. The reason was that the creation of regions preceded the reform of state administration at the district level.

Overall, it can be said that the territorial delimitation of regions in comparison with socio-geographical regionalization reduces mesoregions especially in the strongest regional centers (especially in Prague and Brno) and expands the territory of relatively weaker centers or creates these centers. According to the logic of socio-geographical regionalization, for example, the entire northern half of today's Jihočeský region (Písek, Tábor, Strakonice areas) or parts of the Ústecký region (Šluknov area, etc.) would be part of the Prague mesoregion. Likewise, for example, the Třebíč area, the Žďár area or parts of the Svitavy area would be parts of the Brno mesoregion. From this point of view, however, the argument for strengthening and administrative expansion of smaller regional centers is understandable.

The combined (mixed) model of public administration can be described as one of the most important elements of the reform taking place in 1997–2003. The state has delegated part of the performance of state administration to local government authorities. Thus, there was no separation of state administration and, therefore, self-government, municipalities and regions perform not only their self-governing functions but also their delegated powers (see Figure 2 for more details).
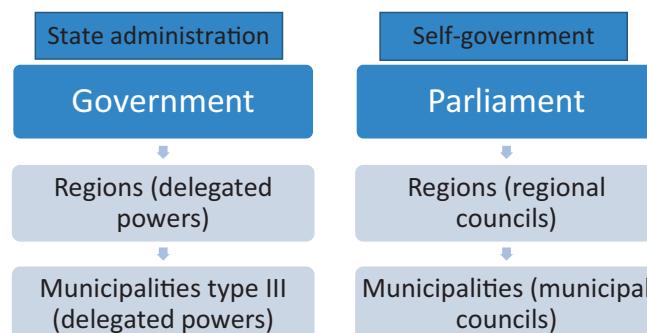

Figure 2. Model of state administration and self-government
in the Czech Republic after 2003

Source: Authors' own study.

Is there a need to complete the reform of public administration and self-government even after 20 years?

It follows from the above that the last reform has not been completed and does not have a uniform legislative basis [Ministry of the Interior 2019]. During the operation of the new model of public administration and self-government, certain changes were needed, which mainly reflect the need for legislative steps. Václav Jaroš and Petr Svoboda [2020] mention in particular the following three problems:

1) Double delimitation of regions – in addition to the current higher territorial self-governing units, there are also hitherto existing but competently emptied regions from 1960 created by Act No. 36/1960 Coll.

2) Existence of districts – district authorities were abolished and their powers were transferred to SO ORP authorities (type III municipalities) or to regions. However, the division into districts is still used for record-keeping or statistical purposes.

3) Non-composition of the state division – this means in particular the fact that the administrative district of an administratively lower unit lies in more than one administratively superior unit. An example is the situation when an SO ORP belongs to more districts. This is due to the fact that the existence of districts was not taken into account for the future planning during the territorial reform. This discrepancy was gradually corrected (the most significant changes took place in 2007), but at present (2020), there are still 33 municipalities with this discrepancy. The desired state is that the SO ORPs lie entirely on the territory of one district.

In addition to the system of general division of the state, incompatible territorial divisions have different state administration bodies. There are, thus, many different types of detached workplaces in the area (tax offices, labor offices, cadastral offices, social security administrations and others). The territorial division of these bodies is governed by their own regulations, which are not affected by the legislation concerning the general division of the state. A very specific case is the territorial division of courts and public prosecutor's offices [Jaroš, Svoboda 2020].

In February 2020, the Act on the territorial administrative division of the state and on the amendment of related acts No. 51/2020 Coll. was approved, with effect from 1 January 2021, which is to address most of these discrepancies. The main principle of the new law is the maximum use of the existing administrative structure and for the vast majority of citizens, with the exception of the above-mentioned 33 municipalities, nothing changes [Jaroš, Svoboda 2020]. This is the completion of public administration reform after 20 years. The Act follows the main line in the division of the state for the performance of public administration in the axis state – region – administrative district SO ORP – municipality. Districts will be preserved as registration and statistical units and regions which existed between 1960 and 1990, according to Act 36/1960 Coll., are repealed by this act. The new act intentionally

does not address the performance of public administration at a lower level than municipalities with extended powers. The main positive impact is a significant increase in the comprehensibility of public administration.

In relation to the European Union and the historical traditions of the division of the state, some other issues can be mentioned, which are repeatedly discussed. After the regional elections, there are periodical discussions about a possible reform of the number of regions in the Czech Republic and their powers. So far, these ideas have been the most intense after the 2012 elections [Deník 2012]. The main proposals include arguments about reducing the number of regions. For example, the then chairman of TOP09, Karel Schwarzenberg, had the idea of reducing the number of regions to nine, more or less a return to the model that existed between 1960 and 1990, plus maintaining and possibly expanding the region with its centre in Central Moravia (Olomouc). The main arguments included the unbalanced population size of regions (e.g. the smallest Karlovarský region is 4.5 times smaller than the most populous Středočeský region) and incompatibility for the implementation and optimization of a number of public services (especially in education and health) [Pink, Smolík 2016]. It was also pointed out that the regions as NUTS3 units are too small for EU statistical purposes and, especially, for drawing of EU funds. Here it is necessary to group them into so-called cohesion regions (NUTS2 units) so that they are entitled to draw EU funds. However, politicians do not see it as a continuous reduction in their numbers, but rather a revision of the double-track state of state administration and self-government and a possible merging of agendas [Smolík 2020]. At the same time, compared to the surrounding countries (especially if we compare the situation in Germany and Austria with the Czech Republic), the level of decentralization and transfer of powers to the regional level is very limited and the Czech Republic is one of the most centralized countries in Europe. This also has negative effects on the territorially balanced socio-economic development of the entire state. (An example can be not only the definition of powers, but especially the share of the regional budget in the total public budgets in the Czech Republic in comparison with the federal states in Germany or Austria.)

As already mentioned, regionalization experts have a number of factual arguments for maintaining the number of regions at the current level [Hampl 2005]. The only exception discussed is the existence of the Vysočina region, where Jihlava is not a sufficiently strong mesoregional (or, if you like, regional) centre. All other solutions and proposals will always be a political decision. For the time being, all strategic documents still count on maintaining the current state of 14 regions [Ministry of Regional Development 2019].

Nevertheless, especially in Moravia, there are still efforts to respect the historical division of the state into countries that existed in the "Czech lands" from the establishment of the Czech state until the administrative reform in 1949. So far, the

last example is a highly publicized case of a group of activists who, on the historical borders of Bohemia and Moravia, drew warnings for passengers on the main roads that they are crossing this border (Figure 3).

Figure 3. Historical division into Bohemia and Moravia on the roads of Vysočina

Source: [Vysocina-news 2020].

The mentioned activity aroused lively discussions about the role of historical regions in the current territorial-administrative division. Most opinions are in favor of respecting historical borders, and their reminder in the landscape, rather than renewing the debate on the territorial establishment of the Czech Republic. The protagonists of the event want to draw attention to the gradual Czechization of Moravia, especially in areas that are now administratively affiliated with non-Moravian regions [Vysocina-news 2020; Idnes 2020]. In the case of the Pardubický region, this initiative received support and Governor Martin Netolický met with the initiators of the event from the Moravian National Community and promised to mark the historic borders with signs that draw attention to the tourist destination [Latislav 2020].

Efforts to preserve the identity of historic regions are not unique in Europe and in many cases have led to a dampening of political tensions within countries. But especially at a time when countries are reaching historic crossroads, or in times of economic hardship, they can act as an argument for breaking these ties or even leaving the single state (we certainly do not have to mention the examples of Catalonia, Scotland or Belgian Flanders in Western Europe and a number of "successful" examples of independence, e.g. in the territory of former socialist countries).

Conclusion

The relatively hectic development in Czech society at the beginning of the 1990s was partly reflected in the gradual and, to some extent, ambiguous creation of Czech regional policy. The decentralization of regional policy would undoubtedly be a positive phenomenon if this process were not accompanied by some problems related to the too rapid transfer of powers in this area to the regions without significant financial security, and by the "disruption" of the central role of regional policy, which was given not only by the coordinating role for the use of EU assistance, but also by government support for problem regions and coordination in this area [Wokoun et al. 2008: 424]. Clear powers of the regions were regulated by Act No. 129/2000 Coll. However, it was especially important to transfer a number of powers from the district authorities, which expired on 31 December 2002. These were mainly healthcare, education and gradually also transport [Eibl et al. 2017: 26].

Returning to the regional level, in conclusion, the question for the future is to what extent the current regions and the existing regional elites and their practices will contribute to the establishment and stabilization of civil society in the regions [Kostelecký et al. 2007; Putnam 1994].

The cases from Italy show that regionalization and decentralization can be both beneficial and harmful. It can lead either to better use of regional benefits and accelerate socio-economic development (as in northern and central Italy), or to the fixation of unhealthy vertical socio-economic links, as was the case of the Italian south.

At the same time, it turns out that the tradition of the historical land establishment is still alive and in the future, it will still be necessary to take it into account in certain circumstances [Putnam 1994]. Therefore, efforts to preserve identity at the level of historically existing regions cannot be ignored, and even in the Czech Republic it is necessary to address this issue in the future as well. Ignoring the problem will not cause it to disappear, or it will disappear only temporarily, and in the future, it will manifest itself at most inopportune time and with even greater intensity.

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EVA TATEROVÁ

Pro-Israeli Diplomacy of the Czech Republic as the Exceptional Case in the European Union: Historical Context, Interpretations, Current Challenges[1]

Abstract: Since the end of the Cold War, the Czech Republic has developed an extraordinary friendship with the State of Israel that is rather unique in the European Union. This study examines and interprets the most frequently discussed factors for the friendly attitude of Czech diplomacy towards Israel that has been characteristic for all Czech post-communist governments: history of relatively good relations between Czechs and Jews; historical parallels in political developments of both countries; and a low level of anti-Semitism in contemporary Czech society.

Keywords: Czech Republic; Israel; foreign policy; Middle East; special relationship

Introduction

At present, the Czech Republic is generally considered one of the closest allies of Israel in the European Union. The pro-Israeli orientation has been dominant for all post-communist governments of Czechoslovakia/Czech Republic since the Velvet Revolution (1989). This extraordinary friendship is in contrast to the traditional pro-Arab positions of the western European countries. What is even more remarkable is the fact that Czech foreign policy towards Israel has not changed after the Czech Republic joined the EU in May 2004. On the contrary, the Czech diplomacy has been active in promoting the pro-Israeli agenda even at the European Union level in some cases in cooperation with the other Visegrad Group (V4) countries but sometimes as the only member state [see Kalhousová, Rubínová 2020].

In April 1990, only two months after the diplomatic relations between the Czech Republic and Israel were re-established, Czechoslovak President Václav Havel as the first head of state from the former Eastern Bloc made a state visit to Israel. This visit was followed by many other meetings between Czech and Israeli top political

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representatives, including the visit of Israeli President Chaim Herzog to Prague in November 1991. Already in the early 1990s, it was evident that gradually the two countries get closer to each other not only politically, but also in terms of business exchange, cultural activities, and, last but not least, scientific cooperation which all were to flourish in the coming years [Embassy of the Czech Republic in Tel Aviv 2020].

The decade of the 1990s is known as "the decade of hope" in the Middle East due to the ongoing peace process between Israel and the Palestinians aimed at ending the long-term Arab-Israeli conflict. Since the first round of negotiations, Czechoslovakia/Czech Republic encouraged the effort to reach peace while slightly favoring the Israeli side [Dienstbier 1999: 85–87]. As early as February 1990, Václav Havel made a public speech to support Israel's request to repeal the UN General Assembly Resolution No. 3378 issued in November 1975 that proclaimed Zionism as a form of racism and discrimination. At that time, the Czech Republic offered to both Israeli and Palestinian delegations to have peace talks in Prague with Czech diplomats as the mediators. The lack of diplomatic experience together with the internal issues connected with the uneasy process of transition to democracy and capitalist economy, however, made Czechoslovakia not realize this ambitious plan. Instead, the mediators of the Arab-Israeli peace process became firstly Norway, and then the United States of America (USA) [see Ross 2005].

Although the peace process collapsed after the failure of the Camp David Summit in 2000, the Czech Republic maintained a very active Middle East foreign policy with a special emphasis on Israel as the most important Czech partner in the region. Czech diplomacy focused not only on deepening the bilateral relations with the Jewish state but also on promoting the pro-Israeli policies at the international level. Since the accession of the Czech Republic to the European Union (EU) in May 2004, the Czech Republic has been boasting actively the Israeli interests at the European level.

To give few examples out of many, there was, for instance, a plan to launch the EU-Israel summit during the Czech EU presidency in the first half of 2009. This summit aimed to discuss the opportunities of the mutual EU-Israel relations and to deepen the cooperation of both sides [Euroskop 2008]. For two main reasons, this summit did not take place as originally planned. Firstly, during the EU presidency, the Czech government was distrusted and then replaced by the interim government – this political instability also endangered the ability of Czech diplomacy to promote the high-level political agenda in the EU. Concurrently, in 2009, there was another crisis in the Gaza Strip, the Palestinian Hamas-controlled territory, which escalated into Israel's military operation against Hamas. While the Czech Republic supported the Israeli position, the majority of European countries criticized Israel for this intervention. As a result, the crisis in Gaza led to the increasing estrangement between

Israel and the EU, and under these circumstances, there was a lack of political will to organize the summit [Zenker 2013]. Czech diplomacy – again in contrast to the political positions of the majority of EU member states – adopted similar pro-Israeli policies also in the future clashes between Hamas/Hezbollah and Israel.

Czech support for Israel was reconfirmed in a discussion regarding the labeling of goods produced in the Jewish settlements in East Jerusalem, West Bank, and the Golan Heights. In 2015, the EU issued a resolution requiring the special labeling of these commodities in terms of their origin so the European consumers might choose whether they want to buy the products made in the Jewish settlements located in the disputed territories. Czech parliament not only rejected this EU resolution but many of its members criticized the EU for discriminatory policies towards Israel. The representative of TOP09 political party Frantisek Laudat commented that this decision "may evoke awkward reminiscence of marking Jewish people during World War II" [Weinthal 2005].

Another example of the Czech Republic's diplomatic support for Israel can be the Czech response to the suggestion of the UN General Assembly in 2012 to give the Palestinian Authority the status of the UN non-member state. The Czech Republic was among the eight countries in the world, and the only EU country that voted against this resolution [Winfrey, Muller 2013]. In October 2016, the Czech parliament voted against the draft of the UNESCO Jerusalem resolution that, according to Israel, ignored Jewish ties to the Temple Mount as the neutral narrative of this resolution was questioned [Lazaroff 2016]. Just recently, in March 2021, Czech Prime Minister Andrej Babiš opened the Czech diplomatic office in Jerusalem. This diplomatic mission does not have a status of an embassy – the embassy of the Czech Republic in Israel remains located in Tel Aviv – however, its opening is generally interpreted as a willingness to move the embassy to Jerusalem in the future and, thus, officially recognize Jerusalem as the capital of Israel [České noviny 2021].

In May 2012, Israeli Prime Minister Benyamin Netanyahu during his short state visit to Prague expressed his gratitude for long-term Czech support for Israel. At the press conference that he attended together with his Czech counterpart Petr Nečas, Netanyahu said: "Israel has no better friend in Europe than the Czech Republic" [Government Information Service 2012]. The relationship between the Czech Republic and Israel since the end of the Cold War is truly characteristic for the unique friendship especially in the European Union context, yet, the reasons for such a special relationship have not been sufficiently explained. This article aims to introduce, discuss, and evaluate the three most common factors that are typically seen as the crucial preconditions for the extraordinary friendly Czech-Israeli relations: 1) History of relatively good relations between Czechs and Jews, 2) Historical parallels in political developments of both countries, 3) Low level of anti-Semitism in contemporary Czech society.

History of relatively good relations between Czechs and Jews

The history of mutual relations between Czech and Jewish nations is long and eventful. Since the Middle Ages, there has always been a Jewish community in the Czech territory, and even though the local Jews suffered from oppression and inequality for many centuries, in comparison to other European countries for most of the time they lived in relative prosperity and safety. Similarly, like elsewhere in Europe, anti-Semitism also existed in Czech society. However, in most of the cases, there were not many violent incidents (pogroms) or frequent pressure on local Jews to leave the country. In the 19th century, all Jews living within the territory of Austria-Hungary received full citizen status which allowed them to fully participate in civic and political life. Many of them became the new political and business elites of the society at the turn of the 20th century [see Pěkný 2001].

The First Czechoslovak Republic (1918–1938) was a multinational state where people of various ethnicities and religions cohabited together. The coexistence brought many challenges, however, all minorities were protected by the Constitution which at that time made Czechoslovakia one of the most democratic countries in Central/Eastern Europe. Concurrently, Zionism was perceived relatively well by contemporary Czech society as the right for self-determination of the nations was the key argument that Czech nationalists used just a very short time ago to separate Czechoslovakia from the Austro-Hungarian Empire. Last but not least, some respected top Czechoslovak politicians, including the first president, Tomáš Garrigue Masaryk, publicly supported the vision of the independent Jewish state. Masaryk was the first head of a state who visited Mandatory Palestine in the 1920s [Radkovičová 2015: 8–10].

The supporting attitude of Czechoslovakia towards the Jews and Zionist movement was interrupted during the Second World War (WW2) when the Czech part of the country was annexed by Nazi Germany and Slovakia established a puppet fascist semi-independent state. Both the Protectorate of Bohemia and Moravia, and Slovakia adopted the anti-Jewish racist laws which, in consequence, led to the extermination of the major part of the local Jewish communities [Kárný 1991: 110–115]. The tragedy of the Holocaust that led to the death of more than 6 million people even strengthened the argument of the Zionist leaders to create an independent Jewish state that would guarantee the safety of its citizens so the genocide of the Jewish nation could never repeat. After the end of the war, it was the first time when the major part of the international community reached a consensus to support the creation of Israel.

The renewed Czechoslovakia was one of those countries that provided significant official and unofficial support to the Zionist movement/Israel in 1945–1948. Czechoslovakia was a member of United Nations Special Committee on Palestine (UNSCOP) and the Czechoslovak representative Karel Lisický voted for the UN

Partition Plan (1947) that suggested the establishment of two states in the disputed territory which was the solution preferred by the Zionists [Zbořil 2010: 276]. Next to the diplomatic support, Czechoslovakia also secretly delivered the weapons to the Zionist movement despite the existing UN embargo and provided military training to more than 1,200 Jewish volunteers [Dufek, Kaplan, Šlosar 1993: 51]. In May 1948, Czechoslovakia was one of the first countries that officially recognized the newborn state. For example, the story of how the Czechoslovak arms helped Israel to win the First Arab-Israeli war is still perceived as a major moment in mutual Czech-Israeli relations that is accentuated both by the politicians as well as the major part of Israeli society.

The era of extraordinary friendship, however, did not last long. At the beginning of the 1950s, it was already obvious that Israel had no ambitions to implement socialism, so the state most probably would not become a Soviet satellite in the Middle East anytime soon. Altogether it had led to a severe disillusionment of the Eastern Bloc that revised the mutual relations with Israel. In this context, Czechoslovakia followed the Soviet leadership and stopped the extensive cooperation with Israel. It was soon obvious that the Czechoslovak attitude to Israel got colder as the country did not approve the further supplies of weapons and other military equipment. Concurrently, Czechoslovakia started to focus on bilateral relations with the Arab countries, especially Egypt [Taterová 2016: 60–61].

Shortly afterwards, the situation even worsened due to Rudolf Slánský's trial. Rudolf Slánský, in the postwar years, one of the most powerful communist leaders of Czechoslovakia, was blamed for espionage and treason. These deliberate charges were interpreted as the result of Slánský's Jewish origin that allegedly made him disloyal and untrustworthy. His trial was an anti-Semitic campaign not only during the court proceedings but also in the state-controlled media. It was the beginning of the massive political processes that targeted the Jewish population in Czechoslovakia [see Kaplan 2009: 149]. Slánský's process was for sure a breaking moment in mutual Czechoslovak-Israeli relations which remained hostile for the rest of the Cold War.

The animosity of Czechoslovakia towards the Jewish state was confirmed in June 1967 when Czechoslovakia, in response to the Six-Day War (1967), broke off the official diplomatic relations with Israel. The Czechoslovak attitude towards the conflict complied with the approach of the Soviet Bloc that – except for Romania – not only declared the ultimate support for the Arab side but also condemned the diplomatic relations with Israel. The hostile attitude towards Israel was to endure for the rest of the Cold War and was even intensified by the growing Czechoslovak support for the Palestinian national liberalization movement whose leaders were often hosted by top Czechoslovak leaders in Prague in the 1970s and 1980s.

What is important to emphasize is that public opinion might have differed from the official attitude of the Czechoslovak political regime. That was, in particular,

true in regard to the interpretations of the Six-Day War. While the Czechoslovak authorities strongly supported the Arab coalition and labeled the Israeli military operation as "the act of aggression", at least a part of Czech society saw the story differently. It was one of the important issues discussed at the Fourth Meeting of Czech Union of Writers in June 1967 where many delegates publicly supported Israel. The support of Israel was quite often used as a way of opposing the communist regime in Czechoslovakia, especially in times of normalization in the 1970s [Koutek 2017: 42–43]. Following the change of regime after the Velvet Revolution in November 1989, one of the priorities of the post-communist Czechoslovak government was to renew diplomatic relations with Israel. This finally happened in February 1991, followed by the official opening of the Czechoslovak embassy in Tel Aviv and the Israeli embassy in Prague. Since that time, the mutual Czech(oslovak)-Israeli relations have been developing rapidly.

Historical parallels in political developments of both countries

A very influential narrative in the mutual relations of the Czech Republic and Israel deals with historical parallels in the political developments of both nations in their modern histories. From the scientific point of view, such comparisons are almost always troubling as they are imperfect and often based on oversimplifications. Concurrently, in many cases, these historical parallels work with some preferred interpretations of history or national myths rather than with the precise historical data. Nevertheless, pointing out to these allegedly similar moments in political histories of the two nations has been a favorite strategy of many politicians of how to justify the close partnership with a concrete nation in the current days. At the same time, these oversimplifying narratives can be quite popular in society as they are generally easy to understand.

In the context of Czech-Israeli relations probably the most significant historical parallel is the story of the two small nations that had to fight hard against much bigger empires with the aim not only of establishing their states but also of dealing with many obstacles to maintain their independence in the following decades. What makes their effort even more complicated according to this narrative is that both Czechs and Israelis have done their best to create democratic states, while their opponents were/are the undemocratic authoritarian actors who do not hesitate to violate the international law by applying the aggressive foreign policy instruments. The position of small democracies that are in a difficult geopolitical situation, with regard to their much stronger neighbors, is often used by politicians from both countries. This assumption has been emphasized especially by the former Israeli Prime Minister Benyamin Netanyahu who, during his visit to Prague in 2012,

claimed: "The Czech people understand what it's like to be a believer in democracy in a hostile region" [Davidovich 2012].

The Czech case refers to the historical experience in the late 19th and 20th centuries when firstly the Czech national movement had to fight for decades to enforce the right to self-determination of the Czech nation. Even though the Czech nationals came with quite a few compromise solutions asking for partial autonomy of Czech lands from Austria-Hungary, these suggestions were never approved by the leadership of the Habsburg Empire. In the end, it was the effort of Czech political exile and Czech volunteer military units (so-called Czechoslovak Legions) that during the First World War (WW1) helped to persuade the Triple Allies that Austria-Hungary lost the legitimacy to their peoples so there is no other way than to divide the huge multinational empire into a couple of successor states, including Czechoslovakia [see Zeman 1971].

This story is sometimes compared to the effort of the Zionist movement to build an independent state for Jewish people in their biblical homeland. Since the end of the 19th century, when the Zionist movement founded by Theodor Herzl started promoting the vision of the Jewish nation returning to their biblical homeland, the international community has been divided when it comes to their attitudes towards the establishment of the independent Jewish state located in the Middle East. The Zionists had to deal with the resistance of the great powers that had sovereignty over the territory of the Holy Land, firstly of the Ottoman Empire, then of Great Britain. All along, there was also the disapproval of the local Arab population of annually increasing Jewish emigration to Palestine. The declaration of the independent State of Israel in May 1948 resulted in the First Arab-Israeli War (1948) where Israel reached a major victory that confirmed the sovereignty of the new state [see Morris 1999].

After the declaration of independence, both countries, however, had to deal with major political and security challenges. Czechoslovakia was in a difficult geopolitical position as the great powers competed over political influence in Central/Eastern Europe. This competition was not only about geopolitics in a traditional way but also about the clash of different ideologies. At first, Nazi Germany initiated the partition of Czechoslovakia at the Munich Conference in 1938 with the argument of protection of the German minority, so-called Sudeten Germans, living especially in border regions of Czechoslovakia (Sudetenland) which in few months, resulted in the collapse of the state. After the end of WW2, Czechoslovakia was renewed as an independent state. However, in the coming years, it became an integral member of the Soviet Bloc (1948–1989) which again undermined the factual sovereignty of the country [see Orzoff 2009].

In the Israeli case, the creation of the State of Israel in May 1948 in the former British territory of Mandatory Palestine, despite the reluctance of the Arabs, significantly polarized regional and international politics. Israel did not only have to

defend the sole existence of the newborn state in the First Arab-Israeli War but, in the following decades, was under a constant threat of another military conflict with the Arabs. The feeling of the permanent danger from a much bigger Arab coalition, in terms of population, armies, and economic resources, resulted in the concept of Israeli foreign policy always expecting the worst possible scenario. The general distrust is targeted not only at the other Middle Eastern states or non-state actors such as Hamas and Fatah but also at the Arab population living within the territory of Israel who is suspected to be disloyal and untrustworthy [see Navon 2020].

In this aspect, the status of Palestinians may be compared to the status of Sudeten Germans in Czechoslovakia before WW2. However, for many reasons this comparison sounds controversial. First of all, such a narrative may indicate that Palestinians may be manipulated by the neighboring Arab countries not for the protection of their human rights but rather for having a justification for a territorial expansion. Secondly, the attempt to make such a historical parallel might also imply that Czechoslovak history has already proven that the expulsion of other ethnic entities was a suitable solution. Finally, it would also serve as a justification of guilt by association with a concrete nation: in the case of Sudeten Germans – as collective responsibility for Nazism; in the case of the Palestinians – as collective guilt for Arab radicalism and extremism.

Because of these controversies, the parallel between Sudeten Germans and the Palestinians is not used very often by the politicians in the public. There is, however, one remarkable exception of a very controversial statement made by the former Czech Prime Minister Miloš Zeman during his state visit to Israel in 2002 where he compared the leader of Palestinian Authority (PA) Yasser Arafat to Nazi criminal, Adolf Hitler. In an interview for the Israeli newspaper *Haaretz*, Zeman made the following proclamation:

> At the time [during Holocaust], Hitler was the biggest terrorist in the world. Then, there was no call to conduct negotiations with him, just as today negotiations should not be conducted with terrorists. – Are you comparing the head of the PA to Hitler? – Of course. Indeed, it is not my duty to pass judgment on Arafat, but anyone who supports terrorism, anyone who sees terrorism as a legitimate means, anyone who uses terrorism that causes the death of innocent people is a terrorist in my eyes. [Melman 2002]

Zeman's statement was immediately condemned both by the international community and by other top Czech political leaders, including President Václav Havel. Such a comparison was perceived as too extreme, however, the other historical parallels in political developments of both countries are still frequently used. For instance, Israeli Prime Minister Benyamin Netanyahu, during his visit to Prague

in 2012, likened the contemporary situation in international relations to the policy of great powers towards Czechoslovakia in the late 1930s:

> Seventy-four years ago, in 1938, in Munich, leading powers of the world forced this proud democracy to sacrifice its vital interests. The international community applauded almost uniformly without exception. They hailed this as something that would bring peace, peace in our time they said. But rather than bring peace, those forced concessions from Czechoslovakia paved the way to the worst war in history. [Prime Minister's Office 2012]

His statement referred to the General Assembly's recognition of Palestine as a UN non-member state despite the protests of Israel that Netanyahu interpreted as unacceptable outside interference in the ongoing Israeli-Palestinian conflict.

Low level of anti-Semitism in contemporary Czech society

Nowadays, the Czech Republic is classified as a mono-cultural society with the dominance of ethnic Czechs. Seventy-two percent of the population do not identify with any religious group. As a consequence of the Holocaust, the Jewish population in the Czech Republic declined dramatically, and currently it is very small. The estimations vary from 1,100 to about 12,000 people depending on various ways used for defining the term "Jewishness". It can be noted that the Jewish population in the Czech Republic counts up to thousands, therefore, it is a minority in a nation of more than 10.6 million [The Jewish Virtual Library 2019].

As regards the phenomenon of anti-Semitism, it is generally defined as hostility to or prejudice against Jews. In 2016, the International Holocaust Remembrance Alliance made a non-legally binding working definition that is currently used by many countries, including the Czech Republic: "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities" [Holocaust Remembrance 2016].

Today most anti-Semitic manifestations in the Czech Republic take place on the Internet and the number has been growing annually. Typically, anti-Semitic proclamations appear on websites or blogs of extreme groups/individuals, social networks, but also on the discussion platforms of mainstream Czech media. Typically, their number increases immediately at times of military conflicts in the Middle East where Israel is involved, when the international community discusses some breaking issues in regard to Arab-Israeli conflict, and during Czech/Israeli leaders' state visits to the other country. In other cases, there may be more long-term sources of

anti-Semitism blaming the Jews/Israel for many global problems such as inequalities between the rich and poor, alleged responsibility for the plagues such as HIV and COVID-19, and, last but not least, the attempts to rule the world politics by Jewish leaders, such as the famous businessman and philanthropist George Soros, and many other conspiracy theories.

Every year, there are also other types of anti-Semitic incidents outside the Internet, especially attacks on property, threats, and harassment. In-person threats or physical assaults on Jewish people have been rather rare, and so far none of these incidents have resulted in death or serious physical injury. What is more frequent, however, are the attacks on synagogues, Jewish cemeteries, monuments of the Holocaust, statues of well-known figures of Jewish origin, houses inhabited by Jews, and drawing of anti-Semitic slogans in public space. Annually, there are also reported threats to the Jewish organizations or individual Jews through anonymous e-mails, phone calls, and letters. Figure 1, based on the annual reports of the Federation of Jewish Communities in the Czech Republic [FZO 2018, 2019a, 2019b, 2020], shows recent trends in anti-Semitism in this country.[2]
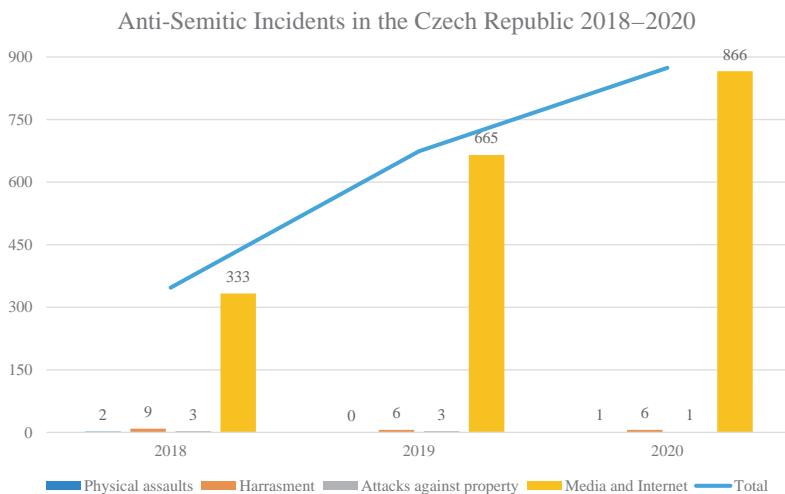
Figure 1. Anti-Semitic incidents in the Czech Republic in 2018–2020

Source: [FZO 2020].

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[2] It is important to emphasize that these data serve rather as an expert estimate as it is very difficult to measure anti-Semitism scientifically. There are limits – e.g. that not all victims of anti-Semitic attacks report them. Concurrently, due to the great number of online platforms (websites, blogs, social media), it is impossible to monitor all anti-Semitic incidents taking place on the Internet in a specific year.

Although in recent years the rate of anti-Semitism in the Czech Republic has been increasing year on year, we can state that the conditions for the life of the Jewish community in the Czech territory are still very favorable, and, thus, the Czech Republic can be seen as one of the safest countries in Europe for Jews. Anti-Semitism is mainly associated with the marginal groups, especially with the extreme right-wing and the extreme left-wing groups. None of these groups has yet been able to gain real political power. The only political subject that has been known for an anti-Semitic attitude is the political party National Democracy (*Národní demokracie*) established in 2005 by the leading Czech anti-Semite, Adam B. Bartoš, who was repeatedly charged with anti-Semitism. The party, however, has never been able to succeed either in national or in EU elections. All Czech parliamentary parties officially reject anti-Semitism of any kind [FZO 2019b].

Due to the long-term Arab-Israeli conflict, anti-Semitism is sometimes linked to the political activities of Israel.[3] As result, not only leaders of Israel but also the Jewish diaspora are sometimes claimed responsible for some controversial Israeli political acts. In extreme cases, even the Jews living outside of Israel might become the targets of anti-Semitic incidents. In recent years, such incidents appeared especially in countries with a significant Muslim community whose members sometimes might become radicalized.

In comparison with western European countries such as Belgium, Germany, and France, the Czech Republic does not have a numerous Muslim community. The estimation assumes that there are about 20,000 Muslims in the country and their level of radicalization seems to be low. Thus, in recent years, there have been only rare cases of Czech Muslims accused of anti-Semitism.

Conclusion

The very friendly and supportive bilateral relationship between the Czech Republic and the State of Israel in the post-Cold War era is a remarkable case study not only in regard to the foreign policy of both countries but also in the context of contemporary international relations. The two small countries, both in terms of their territories and populations, located in different world regions, thousands of kilometers from each other, pursue rather unrelated national interests. At first sight, there appears to be no great potential for the development of a special relationship of any kind. Both the Czech Republic and Israel have good relations with different

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[3] In 2004, Natan Sharansky defined a new type of anti-Semitism. In comparison with the "classical" type, the so-called "new anti-Semitism" targets exclusively at the Jewish state rather than individual Jews.

countries that may be important in terms of business activities or cultural exchange. So what makes the relationship between the Czech Republic and Israel so special?

This study examined three most commonly emphasized factors used as an explanation for the extraordinary friendship between the Czech Republic and Israel after the end of the Cold War: history of relatively good and friendly relations between the Czech and Jewish nations; historical parallels in political developments of both countries; and, last but not least, low level of anti-Semitism in contemporary Czech society. Each of these categories can, to a certain extent, refer to the relations of Israel with many countries in the European Union. For sure, some European nations have a history of not completely bad relations with Jewish people, some historical parallels in the political development of two countries can almost always be found with a portion of willingness and creativity, and finally, there are more countries in Europe than just the Czech Republic that can proudly claim that the local level of anti-Semitism is very low. A detailed examination of these three categories applied to Czech-Israeli relations does not provide a coherent explanation. From the Israeli perspective, a pragmatic interpretation may be simply to get as many allies worldwide as possible as the political support provided by them is valuable in regard to the decades-long Arab-Israeli conflict.

From the Czech perspective, however, the explanation seems to be much more complicated. It is not possible to claim unequivocally that the history of mutual relations in the 20th century presupposed the existence of the present friendship between the two nations. The short era of cooperation in the interwar period and then again in the late 1940s was replaced by the open hostility for almost further four decades due to the Cold War polarization when the two countries were the members of the opposite blocs. The historical parallels in political developments of both countries are often used by Czech and Israeli leading politicians in their public speeches. However, they seem to be rather a figure of speech that gains popularity. The long-term low level of anti-Semitism in Czech society is a fact but it does not imply whether a majority of Czech people feel genuine support for the Jews/Israel or whether it is simply indifference.

Undoubtedly, the extraordinary friendship between the Czech Republic and Israel does indeed exist and it is a very important line of their mutual diplomatic relations. It is for sure a result of combinations of aforementioned reasons together with a constant political effort on the part of top political leaders from both countries to maintain the close friendship. We might assume that more than 30 years after the renewal of the mutual diplomatic relations, the friendship and close cooperation between the two countries became somehow a tradition and this tradition might be the reason why this extraordinary relation between the Czech Republic and Israel has been a typical line of foreign policy for all post-communist governments despite their different ideological perspectives on both internal and foreign policy issues.

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MICHAL ŠEVČÍK

The Illiberal Left in the Czech Republic

Abstract: The illiberal, non-communist left has its own tradition in the history of the Czech lands, especially in the last decades of the Dual Monarchy and during the existence of the Czechoslovak Republic (1918–1938). The Communist Party of Czechoslovakia followed a specific illiberal, or more precisely anti-liberal, path from 1929 until its constitutional end in the events of November 1989. Today's left is fragmented, and a large part has embraced the liberal discourse of the alliance between cultural liberalism (progressivism) and the big business. A program of social justice through the nation-state and classical authority appears to be the left's chance without liberalism, even though the nation-state and the family are seen by many statesmen and intellectuals as an artifact for our century, and *de facto* something lifeless.

Keywords: liberalism; illiberalism; progressivism; minorityism; big business; conservative socialism

> In a socialist state every individual must be formed to be a suitable and effective component of the whole social organism, to limit his own self voluntarily where the interests of society require it, to stand above all for the interests of society by the emotional and intellectual side of his morality, and to coordinate his own interests with it at any time. This was the greatest deficiency of liberalist morality.
>
> Otakar Machotka [1946]

Introduction

The first political theory and its condition is currently a very topical issue throughout Europe. Western-style constitutional democracy, often referred to as liberal democracy, is considered by some authors, such as Ryszard Legutko [2017], Alexander Dugin [2020], Alain de Benoist [2018], Jan Keller [2020], Patrick J. Deneen [2019] or Michal Ševčík [2021a, 2021b], as a problematic and ideological alliance between a constitutional system and a political ideology that pursues the goals of selected social groups who represent minorities. In an era of rapid modernization and digital thinking, liberalism is the main paradigmatic foundation of a specific

intellectual schematism that understands the world in quantitative variables, in measurability and utilitarianism. The three main modern political theories, i.e. conservatism, socialism and liberalism, have their desirable and decadent forms, as Plato and Aristotle rightly predicted for any constitution that implicitly involves rise and decline. Francis Fukuyama's utterly erroneous secularized prophecy of the end of history, due to the end of the anti-capitalist power bloc, rather points to the correctness of the thinking of Eric Voegelin and Carl Schmitt, at least in the sense of political theology and the need for an enemy. Liberalism, in its present final phase, is a secularized, specifically Western theology of liberation. We can call the final phase of liberalism as progressivism, but it does not speak of progress as we know it from the bourgeois and socialist revolutions of the 19th and 20th centuries, but of a progress that has and, in fact, cannot have any boundaries, because boundaries and delimitation are perhaps the greatest neurosis of progressist ideology. Why? It considers the boundary as an end, a violent termination, but not the boundary of something particular, beyond which something else can exist. Liberalism guards "freedom" so jealously and decisively that it creates a new totalitarianism that is invisible even to some educated social scientists. Metapolitical perspectives are so far removed from today's experts that for them the only manifestations of totalitarianism are formations benefiting from the historical legacy of Nazism, Fascism or some forms of Marx-Leninist systems (Stalinist or neo-Stalinist mutations). Totalitarianism of all colours is the legacy of modernity. Twenty-first-century liberalism is the great inheritor of voluntarist medieval nominalism and modern empiricism. It believes in automated and planned freedom, it believes in ones and zeros, as Prof. Anna Hogenová [2020] rightly points out. It is mathematical, quantitative, bounded in its unboundedness, but it is especially voluntarist and allows for boundless commodification. This is why Keller [2020] and Ševčík [2021b] rightly point to the non-random necessity of a strong alliance between minorities and the big business. To protect its business well, the big business must diversify its product portfolio. This diversification is mediated by the political and social emphasis on minorities, whether ethnic, sexual or other. These are opportunities. Minorities, after years of self-restraint (in the words of liberals, oppression), revel in exhibitionism, while this economically costly spectacle is ably assisted by ideologues from social science faculties who cultivate utterly implausible and the ballast-like disciplines contaminated by ideology that have nothing to do with the cultivation of critical thinking.

For the purposes of this text, what is crucial is the process by which the last stage of liberalism, i.e. progressivism, penetrates and contaminates other political theories, in this case, socialism. The socialist political tradition has its non-liberal and non-communist branches, which are also quite different. The Czech socialism – we are talking about – has its own social democratic, national socialist, but also even fascist and communist history. However, the illiberal left should not only remind the

inquisitive scholar and reader of fascist or communist socialism (totalitarian variants), but also of the forms in which socialism respected and separated the most precious heritage of the Great Greece, i.e. the division of the public and domestic spheres and their fundamental importance for the existence of the *polis*. The ideologies and political theories of modern and postmodern times tend to penetrate into the domain of private space, where the politics simply does not belong because it undermines the freedom of the individual and, consequently, of society as a whole. The economic liberalism of the last century understood this boundary, while today's liberalism, for better social control, has "invented" the social domain, i.e. the space where ideology and its moral appeals, without democratic legitimacy, have a privileged social position and encroach not only into the public sphere but also into the private one. Political NGOs, or non-governmental political organizations, whose activities are funded by public budgets, meet the definition of a hybrid actor; they are paid from the public budget, for which they lobby the legislator, they are involved in the executive branch as an official, and they eventually blackmail local municipalities. It is liberal, i.e. ideological. Like any declining ideology, it is not interested in social and cultural reality, but in the need for a diligent transformation and reconstruction for better conditions, i.e. the education of a better man unburdened by yesterdays. Cancel culture is one of the tools of progressivism – the past is seen as a burden and a dangerous inspiration. Progressivism does not see man as a spiritual being, but as an unwritten blackboard, into which, just like into a laptop, a new operating program can be inserted, and that is it. The big business, the greatest enemy of the left and social justice, is counting on this. There is no left and right, there are only political entities with a declarative right-left identification in the grand and final narrative of liberal ideology. They often differ only on the subject of taxes or smoking in pubs [cf. Ševčík 2021a; Deneen 2019].

The left has a central theme of social justice, at least the left that wants to decontaminate its identity from liberalism [Drulák et al. 2021]. How to get there is the biggest challenge not only for the Czech, but also for the European left.

The problem with liberalism

What is liberalism? We mention it as the first modern political theory that came with the bourgeois revolutions, and conservatism and socialism as a reaction to it. Today's proponents of liberalism accuse illiberal and anti-liberal thinkers (of conservatism and socialism) that they often talk and write about liberalism in relation to today's narrative, but that the term has no meaning and is not what is really behind today's narrative. They also reject the revelation of the alliance between the big business and progressivism as something integral and liberal at its core. Some see liberalism as the emancipation of individuals and groups through capital, but call it something else,

finding various neologisms with short service life and speculative content. After all, to be "in" or to speak in the narrative of the day lies in the falsification of any theory, it is the only way it is temporally valid. The age of post-truth is the age of separation from the real world [Ševčík 2021a].

The history of liberalism consists in the emancipation of the third class, and the hard conquest of the fourth class. The reaction to the buying and exploitation of the wage-labor lies in the response of the old aristocracy and the workers. Each social class comes from a different critique of liberalism. Today, the vast majority of society is composed of wage laborers; there is nothing left of the aristocracy except their bourgeois remnants in Western Europe. The workers' (historically, socialist and leftist in the most original sense of the word) critique of capitalism comes to life in the form of a completely unsentimental, rational and normal defense of the institution of the state, the family, and blood ties, as well as opposition to big business and its inhuman goals. If one stands up to liberal minorityism and corporate capitalism, one is necessarily illiberal in the proper sense of the word. If the conservative protects the family as a sacred symbol, the socialist protects the family as the most inherent relational bond, without intellectual or religious speculation. The socialist, as opposed to the conservative, understands that minorities have historically been constrained by the upper class either by Puritan morality or by the capital that wanted to please the conservative and wealthy classes of patriarchal societies. This is often downplayed or completely ignored by the conservatives because they do not forget the times when they ruled hard with capital. The socialist minds all those who have been constrained and exploited by force. But that does not mean that the socialist accepts the rule of minorityism and capital, especially since socialists fought to ensure that minorities were not terrorized by the state or the conservative sections of the societies of the time. The minorities, or rather the exhibitionist and political part of them, which is heavily supported by the capital, whether morally or financially, have forgotten the working majority that used to fight for them. Socialists and workers fought for equal rights and equal access to the wealth of society for minorities because they believed that the obstacle to participation in public life and its wealth was not their otherness but the old Puritanism. Puritanism, however, was turned against the majority of society by minorities. Now those who are part of the majority are moralized, often for little political involvement on behalf of minorities. Moreover, the humanist dimension of socialism (after merging with the liberal mainstream) has completely disappeared, namely socialists were not looking for deviancies but for the human being, which is why they defended minorities. Minorityism is not looking for a person, but for deviations and their exclusivity, i.e. what is practically irrelevant about a person. This is something that liberalism has adopted into its decadent and final phase. This is not the legacy of socialism and labor, and never has been unless the history of the labor movement is rewritten [cf. de Benoist 2018; Legutko 2017; Ševčík 2021b].

Progressivism as the final form of liberalism

No one will dispute the fact that liberalism, as the oldest political theory of the bourgeoisie, has changed a lot over almost 200 years. But as it is a general rule, every political theory carries its end in its doctrine. Voluntarism, the nominalist heritage that has morphed into contemporary cultural relativism, was present in liberalism from its very beginning, and, of course, empiricism, standing above all, and many other derivatives. Carl Schmitt [2007] posed a right question: What does the liberal bourgeoisie actually want? It wants a monarch without power (the constitution), democracy only for those who enrich themselves from bribes, the aristocracy of money; it does not want the sovereignty of the king or the people, so what does it actually want? I will answer the question of this brilliant thinker. It wants power through bargaining, and that has not changed at all since the beginning of liberalism. The scenery is changing: instead of a rising bourgeoisie and a trading petty nobility, and a vast proletariat living in poverty, we now have emancipated minorities as a consequence of the 1960s in the West, who are becoming the new elites in close collaboration with those old corporations who (not so long ago) subsidized Hitler, Churchill and Roosevelt in the bloody Second World War. Capital is not an end in itself, it is a tool; once it becomes a value in itself, it will happen exactly what has happened to the West. It starts making money on anything, it pretends to be ethical (Code of Conduct, etc.) and abiding the written law, but it is only interested in business opportunity without a tinge of political affiliation. It used to fly US flags and swastikas, now it flies rainbow flags. It does not really care. Liberalism, which is the oldest advocate of big business in politics, promotes progressivism, minorityism, and presentism. All these "-isms" have one common denominator – they are not about the individual, but about voluntarist ideas about what a person should look like, and what his function should be. It is a new form of totalitarianism. A very dangerous one, because the Bolsheviks and the Nazis also wanted new people, but their fantasies of transforming man did not go as far as the fantasies of progressists. There is still one important phenomenon in progressivism. There is a seemingly self-confident idea among the various insiders of this current, which has implacable camps, that there is no such thing as progressivism or liberalism. That there are only people who see the objective consequences of social development, which they want to accept and reinforce, or *vice versa* – those who naively resist them, while thinking that this is human voluntarism. These arguments need to be addressed, especially in the critique of the nominalist lapse in the form of objectivity.

The left without liberalism (can the right be without it, too?)

The history of the Czech left has been largely influenced by Austrian and German social democracy. Assessing how much the left was contaminated by liberal theory in the 19th and early 20th centuries is at least related to its relationship with the Communist Party of Czechoslovakia, especially after its Fifth Congress in 1929. Based on the available material, there were many trends of opinion in Social Democracy, especially in the period from the Dualism to the end of World War I. The emancipation of the workers was a major issue: reform or revolution? Which way to go? This question was answered by the formation of the Communist Party of the Czechoslovak Republic (KSČ) in 1921 and later confirmed by the aforementioned Fifth Congress of the KSČ. The social democratic left was very lukewarm about the national question in the 1880s and 1890s. Its agenda was often dominated by Austro-Marxism, and the issue of national settlement or state law was more than marginal; the class question was predominant. For almost two decades, a specifically illiberal and national current of the Czech workers developed and constituted itself, and on 4 April 1897, it was transformed into the formation of the National Workers' Party, for whom the questions of Czech state law and workers' rights were communicating vessels that could not be divided. They were also alien to the dialectical and historical materialism of Marxism. They saw their historical role in the continuity of God's warriors, i.e. the Hussites, and social justice derived from the Gospel. In Czechoslovakia, we have three main left-wing political parties: the Czechoslovak National Socialist Party, the Czechoslovak Social Democratic Workers' Party and the Communist Party of Czechoslovakia. Each of these subjects regarded socialism as something slightly different, but each of them knew that big business was the enemy of the workers, and (in the case of the National Socialists) even of small capital and the self-employed tradesmen [Machotka 1946].

Today, big business cooperates with the politics of politicization of various social minorities. Left-wing political parties are engaged in rainbow marches, support the possibility of the adoption of children by same-sex couples, acceptance of mass immigration, social inclusion agenda and, above all, a complete disregard for the fact that this agenda suits a small percentage of the wealthiest people. The left has fallen into the liberal trap – and does not understand it. And some liberals who consider themselves socialists even claim that emancipation is possible through big business. One big lesson from such statements is that the so-called liberals of the left are people who not only fail to understand the mechanisms of big business, but admit that their academic degrees and speculative social science serve not to promote social progress but rather cover up the true nature of capitalist globalism. Fortunately, workers are not affected by the so-called academic ideology, and can evaluate things without being contaminated by the ideological sophisms of today's

universities. That is why these voters are being taken over by the political right, which collaborates with domestic capital (which is infected with "klausism") and promises workers the protection of the nation, the state and the family, but does not add that workers will continue to be without the possibility of influencing the economic policy of the country, which belongs only to domestic capital and the so-called capable people. The national right is not to be trusted, because it has learned one important thing from the liberals and capital: to use the scenery to gain the trust of the voters. Liberals (left or right) do not need voters, they offer them products where voting is simply not possible, either because of poor diversification or because of the principle of (in)affordability. Moreover, in liberalism everything is a product and everything can be controlled; the person, the child, the state and the political (not to mention the commodification of human relations and sexuality) [Ševčík 2021b].

So what to do? As the current political establishment claims, globalization has no alternative, and it is an objective process. Some Czech leftist thinkers are offering to purge the left of liberalism and re-propose what the left grew up on, i.e. social justice and humanism. In contrast to the liberal privileging of minorities and the inhumanist conception, identity is constituted by otherness and not by humanity. This left builds on the primordial socialist tradition of the Fourth Class, which in certain circumstances, because of its authenticity, could be an ally of the Metternichian reaction against bourgeoisie and liberalism. I could not help to mention this ahistorical digression because some authors see the possibility of cooperation between the illiberal left and the so-called Alt Right. I do not think this alliance is possible because this right is shaped by decades of collaboration with capital, and the resulting sentiment for that period (similarity to "klausism"). The only real political right is the one that defends aristocratic privileges and opposition to greedy buying (i.e. capital). But there is no such a right, because the aristocracy has become deformed into the bourgeoisie! Indeed, it would be an honour to disagree with such a right, because such a right cannot be bought [Hořák 2021].

How to achieve social justice? The abandoned values of liberals, such as the nation-state and the family, or the abandoned values of socialists, such as employee self-management or proven forms of participatory ownership (cooperatives), show the possibility of how social justice can be approached. However, the enormously powerful liberal paradigm must not ridicule these lost positions as irretrievable or developmentally outdated. With Hegelian certainty, they bury the function of these political and social entities as something quite ancient by the very evolution of society, something that could only exist at a particular moment in time and space. Liberals believe that tomorrow is always better. Liberalism must be defeated from below – *with the people for the people*.

The Czech illiberal left and its possibilities in the 21st century

Czech intellectuals such as Václav Bělohradský and Jiří Pehe are convinced that if you strip the left of liberalism, you create new version of fascism. It must be admitted that the political phenomenon of fascism, which is so unique and typical of Italy (a *sui generis* phenomenon), had its core in socialism. And if we have said A, we must also say B. When fascism came to power, it threw away all the original and pure socialist demands in order to please Italian big business and the Vatican. Fascism, before it came to power, was socialist. And the moment it became a state, it was capitalist. Although it pretended to be corporativist. But it was upheld in Italy in much the same way as Hitler's anti-Semitic racial laws during the war. So much for the complaint about the deliberation of the left. In fact, there is capital standing behind fascism, and if one sees economic democracy or economic sovereignty (in this case as a tool to curb liberalism and, thus, capital) as a threat to freedom, one is in fact protecting capital. This is the reality, and this is what thinkers like Petr Drulák et al. [2021] have in mind.

It is not enough to write interesting thoughts and observations, although it is very important. It is necessary to start making alliances abroad and building the base of the socialist party from below. The means to fight for social justice is to have a political party. The Czech Social Democratic Party is in such a deep ideological and personal crisis that aspiring to be the leader of the Czech left (especially, the illiberal left) is out of sight. The Communist Party of Bohemia and Moravia, as an authentic parliamentary illiberal political party (which is entangled with the support of oligarchic political primitivism in the form of ANO 2011), is limited in its coalition potential. While it has many good ideas, it has not rid itself of the religion of Marxism and has not understood some of the serious deformations of its predecessor party that ruled Czechoslovakia from 1948 to 1989. However, it has a chance to get into the Chamber of Deputies of the Czech Parliament in the 2021 elections. The once great historical political party, the Czech National Social Party, is fading on the margins of political interest. A party that combines a national and social element with the fate of the small Czech person (smallness is not and was not understood here as moral smallness, but as material). Otakar Machotka's manifesto *Socialism českého člověka* [*Socialism of the Czech Man*] [1946] speaks in detail about the incompatibility of Marxism and the Czech element, about the limitations of materialism, about the exaggerated communist trust in state ownership, etc. These timeless theses are represented by this very subject, which, however, is on the edge of its existence. Nevertheless, it appears as a worthy vehicle for a truly democratic, but consistently illiberal, left-wing politics that does not believe in the dogmas of Marxism or progressivism, is open to the popular classes, and, at the same time, has the pedagogical potential to cultivate that part of society that in its desperation

resorts to the political right, which takes it as a hostage. At the same time, this entity must be quite openly populist. Only then can we speak of a grassroots, socialist subject that exists and lives in social reality, and not on the campuses of social science institutions or in corporate management. In doing so, it is necessary not to be afraid to take inspiration from the past, from the National Socialist Party, the Social Democratic Party and the Communist Party. The new or old left illiberal subject should have the potential to understand the Marxist critique of social conditions, but not to profess their faith in it like in Jesus Christ or the Ten Commandments. Another significant factor is the feedback of the liberalism-contaminated left – it will call these efforts in Freudian terms, often resort to psychologizing labels, and probably not forget the depleted Theodor Adorno's term of "authoritarian personality" because the family smells of patriarchy and the nation-state smells of nationalism. A truly free-thinking socialist who is not indifferent to his family, work and state (because in the Central European milieu these are still functional entities) must only shake his head in disbelief at the constructs of Western progressivism, because making migrants, sexual minorities and the working majority actors in the costly social experiment of the world's richest people is, at the very least, an expression of cruel and reckless cynicism.

Conclusion

The meta-programmatics of the illiberal left is beginning to be created by Czech intellectuals. Czech workers are naturally illiberal and leftist for the most part, it is their nature. The articulation of social justice, which is a key concept for the left, is far from over in the Czech Republic. After all, the paths to a more just society lead through something that is common to every human being, regardless of leftism or rightism (no liberalism). These are normal institutions and institutes, i.e. those that exist in time and space, have continuity and some part of them is not constructed by man. The progressivists, in their campaign against reality, forget that they want to change existences that man has not created, whereas the socialists of the past only wanted to change the dominion of one over another, and for the sake of property, not for the sake of virtue or responsibility. The "new right" (which is a term that people from this background resist, much like progressives resist progressivism) has several things in common with the illiberal left; the means to achieve the objectives. Among the means to achieve the goal of social justice they count: maintaining the boundaries of the public and private spheres, the nation-state, and political non-intervention in the architecture of the institution of the family, while it is necessary and essential to start economic democracy; the means to achieve a traditional, ethnically homogeneous and naturally hierarchical society can also lead through

the same institutions and instances, with big business being the arch-enemy of both. For big business cannot bear the fact that there may be individuals that cannot be commodified. But the new right and the illiberal left count on such essences – even if their goals are quite different [cf. Michéa 2019].

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MATÚŠ BÉREŠ

Disinformation in the Czech and Slovak Political Environments

Abstract: Disinformation is not an invention of modern age, but it is an old and timeless political instrument. However, in the contemporary period, when mass media and social networks such as Facebook and YouTube have a huge impact, disinformation is being easily spread and can effectively address its target groups. Disinformation is also one of the tools of political struggle. Especially, among specific politicians and political parties, situated mostly on edges of political spectrum, it is a very popular way of communication with their voters. Neither Czechia nor Slovakia have been exempted from the effects of misinformation, even at the highest state levels. The aim of the contribution is to explain the use of disinformation as a political tool and to underline concrete manifestations of disinformation use in Czech and Slovak politics.

Keywords: disinformation; fake news; propaganda; Czech politics; Slovak politics

Introduction

Disinformation has been used as the political and economic tool for ages. There are several examples of its use. One of the most ancient examples of intentional disinformation is connected with the Egyptian pharaoh, Ramesses II. There are monuments praising him for his triumphs over nomads from Libya and against the Hittite Empire during the Battle of Kadesh. In fact, however, the Battle of Kadesh, widely known thanks to the first international peace treaty in history signed after it, resulted in stalemate [Duffeková 2019: 133]. There are various archaeological artifacts proving also that "Egyptians who lived in the late Bronze Age fortress at Zawiyet Umm el-Rakham were at peace with their Libyan neighbours. This contradicts the widely held belief that Ramses the Great was waging and winning fierce wars with his neighbours in Libya, Nubia, and the Near East" [Oakes 2018]. It results therefrom that stories and monuments telling about mastery of pharaoh from the 13th century BC are probably state propaganda – one of the types of disinformation. The very famous example of ancient disinformation comes from the Roman Empire. According to some historians, after the Great Fire of Rome that broke out in July AD 64, Emperor Nero blamed Christians for the fire [Klokner 2018] as a pretext

for persecution of Christians and Christianity – a new developing religion that questioned the official Roman religion system and, therefore, the Roman statehood itself. An interesting example of the use of disinformation in Slovakia was the cholera riot that took place in 1831. The riot broke out during the cholera epidemic that was raging in the then Abov, Šariš, Spiš and Zemplín counties. Local leaders, nobles and usurpers used despair of peasants, their permanent fear of invisible illness, number of deaths and restrictive measures adopted by the state and they intentionally alerted public opinion in order to strengthen their influence and change the society. The riot gradually evolved into a considerable uprising, involving more than 40,000 active participants. In spite of the high number of its participants, the uprising was violently repressed by official army, since rebels were not properly coordinated and trained. The result of the uprising was more than a hundred executed persons and about 4,000 people sentenced to physical punishment or imprisonment [Panczová 2017: 42–44]. In 1938, a big monument was erected to commemorate those who died during the uprising. The monument is located on the hill, above the Haniska town near the city of Prešov. As we can see, all these examples, although it happened centuries ago, have common attributes – the use of people's ignorance for political goals. The same logic we can see nowadays – there are certain politicians who resort to disinformation as an instrument in order to gain influence and popularity among ordinary people.

Belief in disinformation in Czechia and Slovakia

In some countries, disinformation is a very important part of their foreign policy. Especially as regards world powers, propaganda disinformation is used as a tool of soft power to improve its image in the world. Consequently, disinformation is an integral part of geopolitics regarding certain countries, cultures and world regions. A very interesting survey dealing with disinformation was conducted by the Slovak security think-tank Globsec. The survey was conducted in the V4 countries from February to March 2018 on the samples from 1,000 to 1,012 respondents, and was focused on one of the types of disinformation, namely conspiracy theories. According to the survey, the V4 country with most respondents believing in conspiracy theories is Slovakia:

> Slovakia is the most conspiracy-prone of all Central European countries with most respondents believing in conspiracy theories. Slovakia is the only country in Central Europe where most respondents (52%) believe that world events are not decided by publicly elected representatives, but by secret groups that seek to establish a totalitarian world order. 52% of Slovaks also agree with anti-Semitic conspiracy statements. [Globsec 2019: 12]
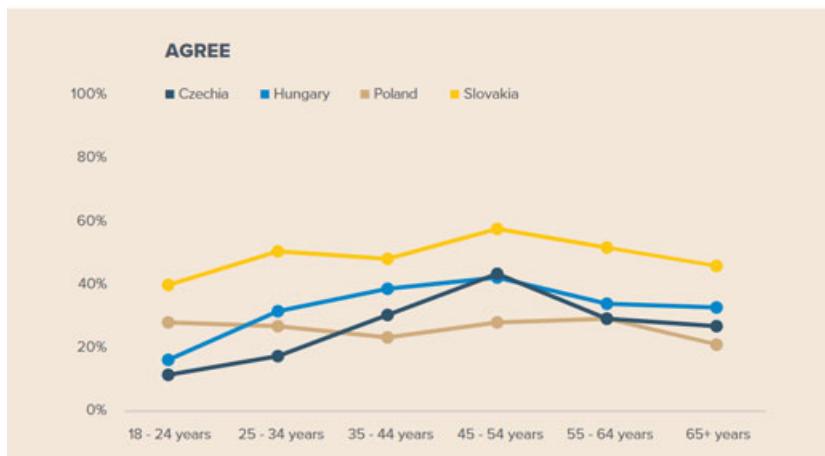
Figure 1. Belief in conspiracy theories in the V4 countries

Source: [Globsec 2019: 12].

As we can see in Figure 1, Slovak society is most vulnerable to conspiracy theories. In addition, there is a considerable difference between Slovakia and the rest of the V4 countries. Much better situation, regarding the belief in conspiracy theories, is, according to the diagram, in the Czech Republic. In addition, the smallest number of those who believe in conspiracy theories in Czechia is among younger generations. There is also a very interesting fact that people between 45 and 54 years of age are the most vulnerable group in all four countries. Conspiracy theories are strongly connected with anti-Semitism due to various theories about secret Jewish conspiracy which targets the whole non-Jewish world, whereas the aim of conspiracy is, according to theory believers, to control the world. There are also various historical examples proving a certain level of anti-Semitism in Slovak society and also among intellectuals and members of Slovak national revival, starting in particular from the 19th century. As we can see in Figure 2, the next question was focused especially on conspiracy theories about Jews and stereotypes connected with this nation. The most interesting result of submitted survey is that "[a]part from the youngest generation, Slovakia is the only country in Central Europe where those who believe in anti-Semitic conspiracy statement outweigh those who do not agree with it in every single age group. Furthermore, in Slovakia over 35% of respondents in all age groups think that Jews have too much power and secretly control the world" [Globsec 2019: 14]. Although the four curves are more or less similar, there is huge discrepancies among V4 countries, especially between Slovakia and the rest, and between

the Czech Republic and the rest – "Czechia is the only Central European country where a majority of respondents in all age groups disagreed with the anti-Semitic conspiracy" [Globsec 2019: 14]. The lowest rate of those who believe in anti-Semitic conspiracy theories in Czechia is in the youngest generation (18–24 years). As can be seen in the two submitted diagrams, despite the cultural closeness of the Czech Republic and Slovakia as well as the common history of two "brotherly nations" (the same European region, Slavic nations, similar languages, Western Christianity, Austrian Empire, Czechoslovakia), there are considerable differences regarding the belief in conspiracy theories in these two states.

Figure 2. Belief in anti-Semitic conspiracy statements in the V4 countries

Source: [Globsec 2019: 14].

Disinformation in the Czech political environment

Although there is a significantly lower number of disinformation-believers in Czechia than in Slovakia, disinformation is being used as a political tool also in the Czech Republic. Spread of misinformation, hoaxes and conspiracy theories is being related most often with the political party, Freedom and Direct Democracy (*Svoboda a přímá demokracie*, SPD) led by Tomio Okamura. Regarding the COVID-19 pandemic, the Czech think-tank European Values published the report *Rok 2020: Jak česká vláda prohrála s dvěma vlnami dezinformací o koronaviru* [*Year 2020: How the Czech Government Lost to Two Waves of Coronavirus Disinformation*]. The report contains the list of five most popular Czech politicians spreading disinformation. In

this list, four of them are members of SPD, while the fifth one is its former member. The names in the list from the first to the fifth place are as follows: Ivan David (member of European Parliament, member of SPD), Tomio Okamura (leader of SPD, member of Czech parliament), Radim Fiala (deputy leader of SPD, member of Czech parliament), Radek Rozvoral (member of Czech parliament, member of SPD) and Lubomír Volný (member of Czech parliament, former member of SPD) [European Values 2021: 5].

In March 2021, the Czech disinformation website Aeronet published a controversial article about mysterious planes circling over Europe, entitled *Z německého Lipska…* [Aeronet 2021]. As a reaction, the courier company issued a press release stating that it refuses any conspiracy theories about its aircrafts and the circling above Brno was caused simply by bad weather that prevented the pilot from landing [DHL 2021]. However, before the press release was issued, the Czech parliament deputy, Lubomír Volný wrote a Facebook post repeating a conspiracy theory made by Aeronet about possible spreading of coronavirus SARS-CoV-2 by the commercial cargo aircraft: "We know that Covid is an artificially made biological weapon […] Is somebody spreading this biological weapon intentionally around the world? The highest increase of »British mutation« cases is in Brno and nobody knows where it fell from and where it came from" [Lidovky 2021]. This example of hoax spreading is interesting since it combines coronavirus disinformation and the chemtrails conspiracy theory stating that aircrafts discharge polluting substances during flight that harm people health around the world. Since this was not the only disinformation spread by the member of parliament and Volný continued writing such Facebook posts, the social network deleted his fan page three months later, in June 2021 [Idnes 2021].

Another example of the use of disinformation in the Czech political environment is of a different nature, because in this case, the Czech government (probably unintentionally) spread disinformation produced by another country. In February 2021, when many European countries were trying to reach COVID-19 vaccines, Russian vaccine Sputnik-V has been widely considered as one of the possible solutions to fight the pandemic. However, the use of Sputnik-V meant a lot of political controversies. For example, the secret order of Sputnik-V vaccines made by the Slovak Prime Minister Igor Matovič and Minister of Health Marek Krajčí, highlighted a government crisis which led to resignation, first of Krajčí and later of Matovič. One of the biggest problems of the use of the Russian vaccine was the fact that it had no authorization of the European Medicines Agency (EMA). Moreover, the Gamaleya Research Institute of Epidemiology and Microbiology, which is the producer of the vaccine, did not even apply for approval to EMA. Later, in November 2020, Kirill Dmitriev, CEO of the Russian Direct Investment Fund, stated on state television channel Russia-24 that "[w]e applied for approval to the European Medical Association on 22 October" and on 9 February 2021, the state television announced that "[t]he proposal for registration

of the substance has been accepted by the European Agency for Medicinal Products" [Česká televize 2021]. However, as we can see, these are two different names of agencies/associations, but none of them is the name of EMA. Moreover, in case of the European Medical Association, its name is very similar to the European Medicines Agency and in addition, both use the same abbreviation – "EMA". In a press release from 10 February 2021, the European Medicines Agency stated that it "has to date not received an application for a rolling review or a marketing authorisation for the vaccine developed by the Gamaleya National Centre of Epidemiology and Microbiology in Russia, the Sputnik V vaccine (Gam-COVID-Vac), despite reports stating the opposite" [EMA 2021]. Here we can see, how the Russian state television spreads disinformation – the media in Europe was stating that the producer of Sputnik-V had not received approval yet and even did not ask for it, whereas the Russian television stated otherwise. In addition, before an official statement of EMA that it did not receive the application from Russian pharmacists, the Czech prime minister announced at the press conference that "as these vaccines are concerned, we received information that Russians asked for approval of Sputnik-V from the European Medicines Agency and we will see how it goes". Hence, the Czech government fell into the trap of Russian disinformation. Member of the Czech Academy of Science and biochemist Jan Konvalinka said: "I start to think that this is an intentional disinformation game, this is not just mistake and they try to pretend that they applied for approval, but in fact they do not really want to apply for approval, but this is just my speculation". In addition, the European Medical Association "never received any official request for the Sputnik V authorization" [Česká televize 2021]. Consequently, the Czech Republic did not order any Sputnik-V vaccines. Although there were probably two public lies in the Russian state television, its purpose is not completely clear for us. We do not assume that any government would order millions of vaccines during the world pandemic just because television from the state where the vaccine is produced provided important information. We strongly suppose that in case of such an emergency situation a state considers reliable sources and official statements of official institutions. It results therefrom that the purpose of the spread of disinformation mentioned above was definitely not to make the Czech government order Sputnik-V vaccines. The purpose of disinformation is not just to make somebody do something or vote for some political representative or buy some product. Very important sense of disinformation use, especially in case it is used by states, is to distort the unity – the unity of opinions, cultural unity, religious unity and, in particular, political unity. This could be reached even easier in case of small states like Czechia or other Central European states. Such subversion can lead to the governmental crisis or fragmentation of society and people's distrust in official institutions and government. As written by Dávid Gajdoščík, "the main objective of Moscow, which seeks to undermine confidence in democratic institutions and public authorities, is to create chaos and gradually destabilize the Central European region"

[Gajdoščík 2020: 61]. It is easier to affect or command such a state since it does not pose any potential danger (according to a realistic theory of international relations), which is, in fact, an ultimate goal of such a disinformation campaign. As it is stated in the 2015 annual report of the Czech Secret Service (*Bezpečnostná informačná služba*, BIS), activities of disinformation media lead to "information and disinformation overload of the audience, relativisation of truth and objectivity, promoting the motto »everyone is lying«" [BIS 2016].

Disinformation in the Slovak political environment

As the above-mentioned survey conducted by the Globsec says, there is a relatively high number of people that believe in conspiracy theories in Slovakia comparing with other V4 countries. There is also a significant correlation between the belief in disinformation and political preferences. According to the survey (see Figure 3) conducted by the Slovak Atlantic Commission in 2016 [Denník N 2016], the largest group of people watching "alternative" media is among the supporters of People's Party Our Slovakia (*Ľudová strana Naše Slovensko*, ĽSNS) and the second most numerous group consists of the supporters of the We Are Family (*Sme rodina*) party.
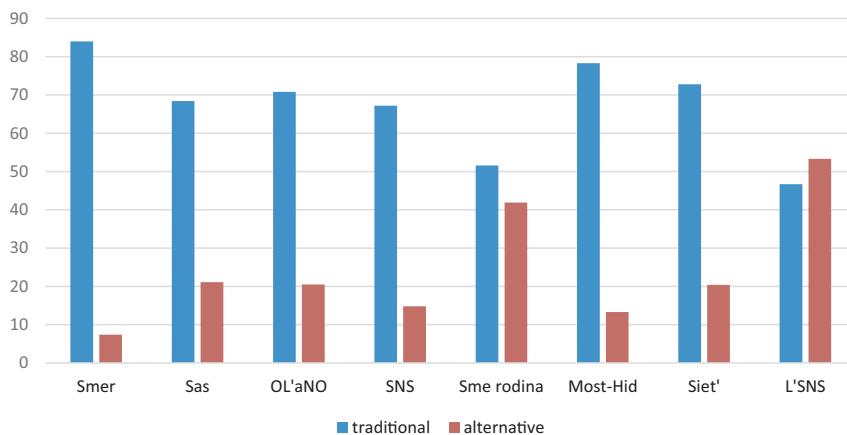

Figure 3. Trust in media among Slovak voters

Source: [Dennik N 2016].

The ĽSNS has its members in the Slovak National Council and the second of the two mentioned parties – also in the current Slovak government. As far as the issue of disinformation is concerned, we have to mention that there is a huge influence of social networks (Facebook, Twitter, YouTube) that can shape electorate and

political environments as such. It is because Facebook fan pages can "fully use their potential for effective communication with electorate" and fan page moderators can "speak to the younger generation using their own language" [Dvorský 2019: 227]. There are also lists of disinformation fan pages on Facebook. According to one of the lists made by a Slovak daily newspaper and a news website Denník N as well as two organizations – CrowdTangle and Socialbakers [Denník N 2020], the highest number of interactions (likes, comments and sharing) among disinformation fan pages in Slovakia is found on the page which belongs to the member of Slovak parliament, Ľuboš Blaha – member of the Direction – Slovak Social Democracy party (*Smer – sociálna demokracia*, SMER-SD). The number of total interactions in 2019 was 3,025,931. The fourth most interacted fan page is the one led by Štefan Harabin, the former minister of justice, the former president of the Supreme Court and the leader of party Homeland (*Vlasť*) that ran for the general elections in 2020 but did not succeed (total number of interactions – 940,063). Thirteenth place is occupied by the fan page dedicated to Marián Kotleba, the leader of parliamentary party ĽSNS, with 449,524 interactions in total, whereas the 14th place is taken by the fan page dedicated to Milan Mazurek, the member of parliament and the former member of ĽSNS, the current member of the Republic (*Republika*) party, with 393,769 interactions in total. The fan page dedicated to Martin Daňo takes 17th position. Daňo was an unsuccessful presidential candidate in 2019 (331,294 interactions). The rest of the list (27 places) contains names of fan pages without explicit names of politicians or political parties.

A lot of conspiracy theories are being made during social or political crises (disasters, assassinations, plane crashes, death of influential politicians, etc.). The murder of Slovak investigative journalist Ján Kuciak in 2018 caused such a social and political crisis. It led to the removal of Minister of Interior Robert Kaliňák and Prime Minister Robert Fico. Shortly after the murder, Bratislava regional office of opposition parliamentary party ĽSNS issued a Facebook post stating that "an international criminal who hacked private data, e-mails and private bank accounts protected by the law has been executed. Note that Kuciak was just white horse of Soros's destructive funds. There is also a video showing him welcomed into society dedicated to CIA information flows" [TV Noviny 2018]. Although the last sentence is hard to understand and we do not know, what the author meant by saying "CIA information flows", and the status has later been deleted by the authors, this example shows us the way in which the authors of conspiracy theories use a crisis situation in order to draw attention or to gain support for their favourite political entities. Since the murdered journalist wrote about connections between organized crime and corrupted governmental institutions, a huge wave of protests rallied across Slovakia after his death. There were not just representatives of opposition parliamentary political parties, who were using disinformation and conspiracy theories after the

murder, but also Prime Minister Fico tried to question huge anti-corruption protests connecting them with George Soros [Trend 2018].

Since the current president of the Slovak Republic Zuzana Čaputová is considered as a liberal politician, she meets with huge opposition in the disinformation environment. Before the presidential elections in March 2019, the Internet magazine Zem & Vek published an article stating that "the representatives of liberal evil sneakily try to rule Slovakia. Now they decided to focus on presidential palace. Besides huge and expensive campaign, there are also mainstream media that also supports these liberal ideologies that destroy the society. However, if people in Slovakia join together, they could commonly beat a liberal evil" [Zem & Vek 2019]. The article is considered as misleading since it showed an edited picture of the presidential candidate, Zuzana Čaputová, with bigger lips and a hooked nose, which was used "in traditional Nazi propaganda from the 1930s" [Media Diversity Institute 2020]. After being accused of using the photoshopped picture, the magazine replied that they had just downloaded the photo from the Internet and removed it some time later [Zem & Vek 2019]. In addition, the mentioned magazine published a Facebook post about Čaputová, which started with the following sentence: "Behind everything there is a Jew" [Media Diversity Institute 2019]. Although the status has later been removed from Facebook by its author, we can see that the creators of this misleading material referred to a relatively high rate of anti-Semitism in Slovakia (see Figure 1).

Just like in the case of the Czech Republic, there is also very much disinformation in the political environment related to the world COVID-19 pandemic spread not just by various partisan media, but also by politicians. In July 2021, the Ministry of Health of the Slovak Republic issued a Facebook post stating that Ľuboš Blaha MP spreads lies about vaccines. Blaha's false statements were confronted with the statements of famous virologists and epidemiologists [Ministerstvo zdravotníctva Slovenskej republiky 2021]. A great deal of controversy arose with regard to the law proposal in the National Council because it favours vaccinated people when compared to those who did not receive the vaccine. During the plenary debate, Milan Mazurek repeatedly called Minister of Health Vladimír Lengvarský (who proposed a law) "doctor Mengele" and he described the law proposal as fascist one since those who are not vaccinated were compared to "inferior people" [Národná rada Slovenskej republiky 2021].

Conclusion

Modern age enables people to use various technological innovations. Although almost all of us has unrestricted access to nearly all information about the world simply in our mobile phones, there are still timeless tactics and tricks (that can

attract our curiosity) which are continuously being used by some businessmen and politicians. Despite an increasing number of people who have access to reliable sources of information, solid knowledge, or good education, there are still old prejudices and conspiracy theories about secret societies ruling the world. These threats pose a serious risk for all modern democracies, as can be easily seen during various political crises around the world.

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HANNA MELEHANYCH

The Role of NGOs and Other Organizations in Supporting Ukrainians in the Czech Republic[1]

Abstract: The modern Ukrainian organized community in the Czech Republic has a long history. It was formed during several waves of immigration. This is the result of long-term development, often with regard to different political, economic, social, demographic, geographical and historical conditions. Due to the fact that Ukrainians have been coming to the Czech Republic for over a century or so under various circumstances, as of 2021 it is the largest national community, consisting mostly of those who have arrived here recently but for whom it is already a place of permanent residence. This is facilitated by the policy of the Czech Republic with its diverse integration structures and public organizations established by Ukrainians themselves.

Keywords: national minority; migrants; labor migration; Ukrainian community; public organizations of Ukrainians

Introduction

Ukrainians began to come *en masse* to the Czech Republic (formerly Czechoslovakia) in the early 20th century. Staying in a foreign country required some effort and uniting turned out to be helpful to support one another. Admittedly, the experience of uniting the Ukrainian community is a significant phenomenon. The first Ukrainian organization in the Czech Republic was formed by students – the Ukrainian community in Prague in 1902. Most of the emigrants were representatives of the intelligentsia and students who left their homeland for political reasons as well as for improving their educational level. Already then, a hundred years ago, the Czechoslovak government paid attention to this phenomenon and in 1921 it developed and started to implement the "Russian Assistance Program", which envisaged the provision of material support to Russian, Ukrainian, Belarusian and other emigrants and their organizations. They used to found their higher educational institutions, establish scientific circles, various organizations, cultural and

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educational societies and even the Ukrainian Community Publishing Fund. This group of Ukrainian emigrants was effective enough as it consisted of young people who actively participated in the social and political life of democratic Czechoslovakia. Due to favorable conditions, created for Ukrainian emigrants by the government of the First Republic, Czechoslovakia became the center of Ukrainian life in the interwar period.

By the mid-1950s, three "waves" of Ukrainian emigration to the Czech Republic occurred. Most of the pre-revolutionary emigrants were representatives of the intelligentsia and students, who considered their stay in the Czech Republic a good opportunity to raise the level of their education, receive a job corresponding to the level of their professional readiness, and elaborate programs for establishing and developing an independent Ukrainian state. Owing to these waves of emigration, in the Constitution of 1960, communist Czechoslovakia officially recognized the Hungarian, Ukrainian and Polish minorities.

However, the most numerous part of the diaspora was the one that arrived after the dissolution of the Soviet Union and the socialist camp, together with the so-called fourth wave of migration from Ukraine to the Czech Republic. They have been coming to this country in search of work since the early 1990s. And this is exactly the goal that remains primary for most Ukrainians in the Czech Republic today. In 2012, the number of Ukrainians with permanent residence accounted for more than 50% of officially registered stays of Ukrainian citizens in the Czech Republic; and since that time it has been constantly growing. In addition to the current circular migration, an attempt is being made to make up their residence more permanent and participate in various spheres of society. Today, researchers sometimes even talk about the fifth wave of migration that began in 2014 after the Revolution of Dignity, the annexation of Crimea and the outbreak of hostilities in eastern Ukraine which caused the economic crisis in this country. Since the mentioned period, the number of Ukrainians who seek temporary or permanent asylum has been only growing.

All these together led to the fact that today Ukrainians are the most numerous group of migrants. According to the data of December 2020, it included 165,654 persons registered in the Foreign Service of the Czech Republic [Czso 2020]. And the number of those who had permission for residence with duration longer than 12 months as of the end of 2019 stood at 142,916 [Czso 2019]. The authoress conducted her own study in the spring of 2021 as part of the project supported by the Visegrad Fund, which involved 450 people residing in the Czech Republic. It shows that almost 58% of respondents have a temporary residence permit, almost 29% – a permanent residence permit and just over 9% – Czech citizenship. Among the latter there were probably those who during the mandatory all-Czech population census conducted in 2011 made up 53,253 Czech citizens who indicated in the column (they were not required to fill it in) that they considered themselves Ukrainians. If we compare these

data with the 2001 census, the number of Ukrainians increased by 240.8% (22,112 which was 0.2%). But the peculiarity of that census was that 2,642,666 respondents left the nationality column empty at that time, and this is basically ¼ of the entire population of the country. This is presented in more detail in Table 1.

Table 1. The results of all-Czech population census conducted in 2011

Nationality	Number of persons	Percentage
Czech	6,711,624	64.30%
Moravian	521,801	5.00%
Silesian	12,214	0.10%
Slovak	147,152	1.40%
Polish	39,096	0.40%
German	18,658	0.20%
Roma	5,135	0.05%
Hungarian	8,920	0.10%
Vietnamese	29,660	0.30%
Ukrainian	53,253	0.50%
Russian	17,872	0.20%
Other	58,289	0.60%
Persons of dual nationality	163,648	1.60%
Not specified	2,642,666,25.3	25.30%

Source: [Czso 2014: 5].

Nevertheless, not fewer than 218,907 Ukrainians officially reside within the territory of the Czech Republic and constitute the largest foreign community. Such a large community clearly requires organization and a certain institutionalization in society. Dušan Drbohlav, Eva Janská, and Pavla Šelepová [n.d.] focused on this issue in the early 2000s. They point at that time to the specific "disorganization" of Ukrainians in the Czech Republic and the very limited "cultural life" of the community which leads to forming a separate immigrant community that is substantially different. Their understanding of organization was limited to contacting Czech institutions focused on the labor market because of abuse practised by employers or intermediaries.

Today, Ukrainians in the Czech Republic are divided into two main groups: 1) those who have resided there for a long time and have or do not have Czech citizenship, but by nationality they identify themselves as Ukrainians; 2) another (larger) group includes temporary migrants who have the right to temporary residence. Certainly, Ukrainians with the national minority status have more opportunities and they are formulated in the Law "On the Rights of National Minorities" which was approved in 2001. The law stipulates that

a national minority is a community of citizens of the Czech Republic residing in the present-day CzechRepublic, which differs from other citizens usually by a common ethnic origin, language, culture and traditions, comprises a large minority and at the same time demonstrates the will to retain and develop its distinctive character, language and culture, as well as to express and protect the interests of its historically formed community. [Zákony pro lidi 2001]

Admittedly, it is due to this defining as well as the fact that the Ukrainian national minority is recognized along with other minorities in the Czech Republic that the majority of Ukrainians have the right and opportunity to consolidate in this country. In order to strengthen its identity, the Ukrainian diaspora has established a number of public organizations. Most of them contribute to preserving the cultural, linguistic and religious identity of Ukrainians, and although Ukrainians are not always associated with one language or one church, this is a manifestation of a common awareness of mutual ethnonym, historical experience, values and aspirations, respect for the same symbols, love for Ukraine, etc.

Main part

This article attempts to characterize the development of public organizations and the participation of Ukrainians in the socio-political and cultural life of cities and villages of the Czech Republic, as well as the support provided by the state for their integration. Even before the law was passed, the Ukrainian community in the Czech Republic established the Ukrainian National Section of the Civic Forum [Leontiyeva et al. 2006: 38] a few months after the Velvet Revolution in 1989. The Civic Forum of Ukrainians revived the social life of Ukrainians in the Czech Republic and served as the basis for forming, in 1990, the first Organization of the Diaspora of Czech Citizens of Ukrainian Origin – the Association of Ukrainians and Supporters of Ukraine in the Czech Republic. However, the Ukrainian Initiative in the Czech Republic, which was established in 1994 by separating from the Association of Ukrainians and Supporters of Ukraine in the Czech Republic, organized its work more fundamentally, but both still operate today. These two organizations represent the Ukrainian national minority in the Council for National Minorities of the Czech Government, the Committee for Cooperation with Local Self-Government Bodies, the Grants Policy Committee, Advisory Units of the Ministry of Culture, and regional commissions for national minorities. One of the leaders of Ukrainians in the Czech Republic, Bohdan Raichynets, who heads one of the oldest Ukrainian organizations in the Czech Republic, the Ukrainian Initiative in the Czech Republic, was elected President of the European Congress of Ukrainians for the term of four years at the

end of 2019. Thus, Ukrainians in the Czech Republic are intensively cooperating with the authoritative international Ukrainian organization – the World Congress of Ukrainians – which unites non-governmental organizations of foreign Ukrainians and is an international coordinating superstructure of Ukrainian diaspora communities from more than 60 countries.

As of 2021, the website of the Embassy of Ukraine in the Czech Republic provides information on 24 non-governmental organizations of Ukrainians in the Czech Republic. However, this number is not complete, because some organizations operate without registration, simply as an initiative or informal association with a separate area: cultural (theater, dancing, folk groups), sports or charity, or focused on cooperation between the two countries, etc. On the one hand, it looks like the fragmentation of the Ukrainian community, but on the other hand, it is a desire to meet different needs in all areas of modern Ukrainians' social life in the Czech Republic. Some of the organizations have a long history (such as the NGO the Ukrainian Initiative in the Czech Republic, NGO the Bells of Hope, NGO the Forum of Cultures and others), and the formation of a number of new ones was caused by the sad events in Ukraine in 2013–2014 and it forced Ukrainians to unite (NGO the Ukrainian Initiative of South Moravia, NGO the International Association of Ukrainians Euromaidan and others). Some organizations have an international status, e.g. the Ukrainian European Perspective or only the all-Czech one – NGO the Association of the Ukrainian Community in the Czech Republic, NGO the Czech Association of Ukrainianists, NGO Ruta. Certainly, most organizations are registered and operate in Prague, where the largest number of Ukrainians reside, but the regions are also active. In particular, Ukrainian associations are successfully functioning in Brno – the Ukrainian Initiative of Southern Moravia, in Chomutov – the Bells of Hope, in Hradec Kralove – the Regional Ukrainian Society of Eastern Czechia, in Liberec – the Liberec Greek Catholic Charita, or Pardubice – the Ukrainian Memorial.

The main activities of non-governmental organizations of Ukrainians in the Czech Republic are aimed at supporting Ukrainian identity, language, culture and providing legal, educational or social support. Although these organizations pay considerable attention to adaptation of migrants and assistance to them, they are also successfully taking on other roles. It shoud be stressed that they stand for the protection of Ukrainians outside the Czech Republic too, for example, in Ukraine itself. They actively observed the events of the Revolution of Dignity and still volunteer to help soldiers in eastern Ukraine and civilians living there. Such communities united not only Ukrainians but also Czechs who were committed to the Ukrainian state. In this way, new challenges were overcome and new network connections within civil society in the Czech Republic were formed.

The preservation and development of Ukrainian culture, Ukrainian-Czech reciprocity, informing the majority about the Ukrainian minority in the Czech

Republic and Ukraine, suppression of xenophobic attitudes, assistance in integration, maintenance of traditions and many more events are annually held for the Ukrainian community according to Ukrainian church, state and cultural calendar. Traditionally, it is the celebration of the Old and New Year, Easter, the feast of Ivan Kupala, the celebration of St. Nicholas' Day. Among cultural events there are mainly the New Year's Ukrainian Ball "Malanka", Taras Shevchenko's Days, the Independence of Ukraine holiday, festive meetings and programs, charity events, scientific discussions and round tables. In addition, multicultural events are held annually in cooperation with other national minorities in the capital city of Prague (the festival "Prague Is the Heart of the Peoples", "The Meeting of Cultures") [Vlada 2020], and in Brno, "Babylon Fest" is conducted.

One of the most important months for Ukrainians is August, when Ukrainians all over the world unite to celebrate national holidays, including the Independence Day. Despite the quarantine period in 2020, at the initiative of the public sector and in cooperation with the Embassy of Ukraine in the Czech Republic, there were organized the exhibition of Yevhen Kukla's photographs about the events of the Revolution of Dignity, the concert of Oleh Liuklian's patriotic songs, a charity chamber music concert in eastern Ukraine, or intellectual discussion on the history of Ukraine. In Brno and Prague, mass events were held in local parks [Ukrajinci 2020: 3].

It should be noted that the government of the Czech Republic and the Embassy of Ukraine in the Czech Republic provide both financial and non-financial support to Ukrainian public organizations, and this is probably one of the most important factors which enables their functioning. Non-governmental non-profit organizations play an indispensable role in the integration of foreigners and this is recognized in the Concept of Integration of Foreigners. Funds are allocated from the state budget (subsidies provided by ministries), the European Fund for the Integration of Third Country-Nationals, the Asylum, Migration and Integration Fund, and local budgets.

The Ukrainian-language *Porohy* magazine (founded in 1992) and *The Ukrainian Magazine* (founded in 2005) are also published owing to the financial support of the Czech government. The *Porohy* magazine provides information about Ukrainian life in the Czech Republic and Ukraine, offers readers interviews, analyses and cultural services. *The Ukrainian Magazine* is an informational cultural and political monthly for Ukrainians distributed not only in the Czech Republic, but also in Slovakia and Poland. Notwithstanding the fact that online information resources are more popular today, these publications have their own audience.

In order to enable cooperation and effective communication of Ukrainians in the Czech Republic with the Embassy of Ukraine, the Coordination Council of Heads of Ukrainian Organizations in the Czech Republic has been established. This is an important achievement of recent years because previously each of the organizations of the Ukrainian minority operated more individually. They now have the opportunity

to join forces and implement joint projects. A special merit in this regard belongs to Yevhen Perebyinis, the current Ambassador Extraordinary and Plenipotentiary of Ukraine to the Czech Republic since 2017, who in the early months of his term initiated the establishment of this Coordination Council. In recent years, the Embassy, together with associations of Ukrainians, has also focused on supporting Saturday schools and Ukrainian-language camps, holding Ukrainian days, festivals, favoring Ukrainian-language publications and translations of Ukrainian works into Czech, and arranging Ukrainian memory sites in the Czech Republic.

Chronologically speaking, the unification of Ukrainians into formal organizations in the Czech Republic over the past 30 years has occurred in two waves:

1) the first (early 1990s) – after the dissolution of the Soviet Union and the formation of independent Ukraine and the division of Czechoslovakia into the Czech Republic and Slovakia, it mainly consisted of the emigrants and their children who arrived in different periods of the then existing Czechoslovakia,

2) the second (2014–2016) – after the beginning of the annexation of Crimea, Russia's invasion of the eastern regions of Ukraine and the economic crisis. These organizations have already been created with the participation of new migrants, including refugees from Luhansk and Donetsk regions.

It is worth noting that after the recent events in the Czech Republic, more attention has been paid to Ukraine (and the Ukrainians living in the country), in particular due to the activities of NGOs of the Ukrainian minority in the Czech Republic. According to Taťána Součková, despite the fact that Ukrainian immigrants do not form a homogeneous group, and their internal social stratification is very diverse, Czech society seeks to maintain widespread cultural stereotypes about Ukrainians, which are quite negative. Extensive discussions on those issues in Ukraine continued in the Czech media and among political representatives of the state. Ukraine and its citizens have also become a common topic for most of Czech society. In addition, the minority's attitude to the conflict in Ukraine was quite passive and the minority representatives were far from demonstrating loudly their ethnicity and pride in their country of origin. As a result of the rapid development of protests in Kyiv and the demonstrations that took place on the Independence Square in 2014, many Ukrainians living abroad began to express continuous support for the demonstrators [Součková 2015: 74]. In addition, the leaders of the Ukrainian movement in the Czech Republic have realized that if they do not take measures related to shaping the image of Ukrainians in the world, it will be done by the Russian propaganda. Ukrainian organizations are aware of the need to combat Russian aggression, get involved in the actions of providing aid to the frontline territories, and provide healthcare to Ukrainian heroes' children.

Organizations of Ukrainians in the Czech Republic also attempt to show that Ukrainians residing in the Czech Republic are not only temporary economic

migrants, but also people who, living constantly in the country, long for integration in various fields, have their own institutionalization and organization, as well as cultural, social and community life, and can boast some success in this field.

An interesting initiative of recent years is the project "There Are Ukrainians among You – How Come You Do Not Know Them" [Issuu 2019], which aims to acquaint the general public with Ukrainian personalities living in the Czech Republic. As the project reveals, the problem for Ukrainians in the Czech Republic is that they are perceived as those who come to this country to do low-quality jobs. The aim of the project is to introduce a shift in Czechs' perception of Ukrainians and change the stereotypical image of Ukrainians as low-paid workers (cleaners, salespersons, locksmiths, electricians, etc.), through presenting stories of people from Ukraine who live in the Czech Republic and work as leading scientists, artists or bankers who contribute significantly to the development of new technologies, science, or demonstrate exceptional sports performance or create something new.

The need for development and active work of Ukrainian organizations as well as their inclusion in public life in the Czech Republic is also justified by the fact that even after 30 years of Ukraine's independence and 7 years of unofficial war between Ukraine and Russia, for many Czechs there is no difference between Ukrainians and Russians, or the Ukrainian and Russian languages. Organizations that provide support to migrants (not only to Ukrainian ones) are Centers for Supporting the Integration of Foreigners. Since 2009, in connection with the government's Concept of Integration of Foreigners, the Ministry of Internal Affairs has gradually opened fourteen centers to support the integration of foreigners in ten regions – Central Bohemia, South Bohemia, Karlovy Vary, Liberec, Moravian-Silesian, Olomouc, Pardubice, Plzeň, Zlínský, and Vysocina. Other organizations run similar centers in the remaining four regions – in Prague, the city of Prague, in the South Moravian region – the regional branch of the South Moravian region, in Ústí nad Labem region – the non-profit organization Counseling Centre for Integration (*Poradna pro integraci*), in Hradec Králové region – the Diocesan Catholic Society of Hradec Králové. The purpose of such institutions is to create space for long-term and conceptual support with the aim of integrating foreigners with the rest of society.

Conclusion

In conclusion, it should be noted that the Ukrainian community in the Czech Republic is huge but heterogeneous. Year after year, the number of Ukrainians in the Czech Republic grows and this affects both state and non-state structures. Public organizations of Ukrainians play a special role. By creating a number of institutional preconditions, and a kind of tradition of the existence of non-governmental

organizations of Ukrainians in the Czech Republic, one can talk about the participation of this community in the life of civil society.

Development of the so-called social and community networks of Ukrainian organizations is the most important survival strategy, as well as the key to the successful integration of Ukrainians in the new environment, protecting them from various intermediaries and enabling joint efforts to represent the interests of a certain part of the Ukrainian population in the Czech Republic.

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YEVA KISH

Ukraine's Foreign Policy with the Visegrad Countries at the Regional Level

Abstract: The urgency of developing international relations at the regional level is determined by the perspective and logic of European integration development. An important component of Ukraine's foreign policy in the Central European region should be the intensification of relations at a new level, dynamic development of an effective regional system of international cooperation with the Visegrad Group countries, as well as bearing in mind geopolitical conditions on the European continent. Remaining outside the process of European integration, Ukraine is forced to look at the West through the eyes of an outside observer.

Keywords: Visegrad Group; foreign policy; integration; cross-border/interregional cooperation; Ukraine

Introduction

A comprehensive study of the issue in question is very important, because in dynamic interregional/cross-border relations new trends are emerging in relations and interactions of global, continental and subregional integration processes, inter-state and interregional relations, as well as relations between the center and other regions in different countries. In other words, it is a specific aspect of the further deepening of the process of democratization of international relations and internal development at the stage of systemic social transition experienced by Ukraine at the beginning of the 21ˢᵗ century.

The problematic issues of the Visegrad countries (Poland, Hungary, the Czech Republic, Slovakia) are also important and topical for Ukraine. Thus, in the cultural and philosophical dimension, the issues of Central Europeanness appear to a greater extent in the context of the acquisition of European identity by Ukrainian society. In practical terms, it is a question of realization of national interests of Ukraine in the context of foreign policy in the Central European region. Today, Ukraine is rediscovering the Visegrad – the European integration space close to Ukraine's western borders. From the point of view of the search for a general civilizational choice for Ukraine, quite sad facts of misunderstanding the importance and key role of Euroregional cooperation

in the context of Ukraine's progress towards European integration were outlined. We mean, firstly, the lack of a system of cross-border/interregional cooperation in Ukraine. Secondly, the regional factor, especially its importance in the international relations of Ukraine, is seen as something less valuable. The principles of subsidiarity and decentralization, responsibility and capacity of the regions of Ukraine have not gained in importance that is demonstrated at least by our neighbors of the "first order" – Poland, Hungary, and Slovakia [Kish 2019: 271].

For the countries of Central Europe, and for the European Union, Ukraine will always be of key importance due to its geoeconomic and geopolitical location, and in this context the format of cooperation with Ukraine is important – both as a goal or as a measure. The geopolitical status of Ukraine's interregional and cross-border cooperation with Central European states has risen to a qualitatively higher level. Ukraine can more effectively address the problems of strengthening interregional, cross-border relations not only with each of the Central European states or their regional associations (Visegrad, the Central European Initiative, etc.), but also directly with Brussels and Strasbourg – at the level of Central European institutions. In turn, with each of its western neighbors and at the level of cooperation of bordering administrative-territorial units, Ukraine can agree and take joint steps in the EU, for example, to implement joint cross-border projects [Kish 2005: 300].

Main part

The issue of the place and role of the Central European region in interregional/cross-border cooperation is studied systematically and comprehensively – in connection with the evolution of modern international relations and cross-border, interregional relations of administrative-territorial units, especially European border states. That is in line with the unified development of interstate and interregional levels of international relations. At the same time, it is necessary to take into account that international relations at the regional level in the context of interregional, cross-border cooperation is (although functioning under certain conditions) a system of relations, however, only a subsystem – an integral part (or a sublevel) of a higher-order system between states.

The main purpose of the Visegrad Declaration of February 15, 1991 (Visegrad is the name of the Hungarian city where the Group was founded) was to unite the efforts of three countries – Poland, Hungary and Czechoslovakia – in order to regain independence from the Soviet Union in case of its attempts to restore previous political regimes. The Visegrad Union was not created as an alternative to European integration – and this has always been emphasized by the leaders of the "first three", and since 1993 – by the official representatives of the four countries of the Visegrad Bloc.

The name of the Visegrad Union refers to the historic meeting held on November 1, 1335, when in the Royal Castle of Visegrad, Kings John I of Bohemia, Charles I of Hungary and Casimir III of Poland made strategic decisions in politics, trade, more precisely the development and regulation of the northern trade route, strengthening both trade and economic ties in particular, and enhancing the role of the region in general. On February 15, 1991, the Visegrad Union was established to join forces on the road to Euro-Atlantic integration.

Not without reason in the period 1991–1993, fear of a possible "older brother's intervention", and a number of factors related to domestic and foreign policy forced the countries of the region to actively seek interregional cooperation. The specificity of Visegrad was emphasized not only by the priority of integration with Euro-Atlantic institutions (as evidenced by the constituent document, the joint *communiqué* [A Visegrádi Nyilatkozat 1991]) but, in fact, by concrete actions, relevant joint documents, or statements of Visegrad leaders, as well as by dynamically implemented projects.

The history of the development of the Visegrad Group activity can be divided into two clearly defined periods. The first period, since its formation in 1991 to 2004, was the formation of the Visegrad Association from 15 February 1991, until the accession of Poland, Hungary, the Czech Republic and Slovakia to the European Union and NATO.

The second period is from 2004 until 2021, when the cooperation of the four countries is already part of EU policy. This classification is conditioned by the definition of the goal set by the V4 countries, both in 1991 (and undoubtedly the fulfillment of this goal – Euro-Atlantic integration) and in 2004, as evidenced by the documents issued by the founding countries. Undoubtedly, their accession to NATO in 1999 (it was not until 2004 that Slovakia was admitted to this alliance) were also important events. The period 1991–2004 should be divided into several sub-periods defined by essential characteristics.

1991–1992 – "Challenge of Time" – the actual creation of Visegrad, when the priority factor was security with a strong unifying idea, i.e. the consolidation of efforts of Central European countries against the so-called "Soviet threat" in order to accelerate Euro-Atlantic integration. Thus, it is clear that interstate regional integration was a measure, not an end.

1993–1998 – "Lost Illusions" – the collapse of illusions of the Visegrad Four countries about their rapid, almost automatic European integration, as well as the problems with internal systemic transformations in general; for other reasons, this period is perceived as the time of stagnation of regional Visegrad cooperation which actually lasted until 1999. The configuration of the Visegrad countries changed. Instead of three, there were four countries – after the dissolution of Czechoslovakia two independent states were created: the Czech Republic and Slovakia. It is also

important to single out the year 1994, which is considered to be the beginning of a race of the Visegrad Four for the EU membership; it clearly identified at least two strategic processes: strengthening Poland's ambitions as a regional leader, and the fact of Slovakia's self-isolation. Thus, at beginning of 1994, the first symptoms of confrontation between the members of the Visegrad Group emerged. These problems were also manifested in the organizational plan, because serious meetings began to concern only security issues, whereas the remaining ones were less significant.

1998–1999 – "Renaissance of Visegrad" – this period was characterized by strengthening regional and economic cooperation, as well as intensification of Atlantic integration process. The invitation of Slovakia to active cooperation within the Visegrad Group, which was officially issued by the Prime Minister of the Czech Republic on September 11–12, 1998 at the CEFTA meeting, *de facto* determined the reorganization of Visegrad under the conditions of Atlantic integration of these countries. A particularly important event of this period was the V4 support for Slovakia's Euro-Atlantic integration after the change in the country's domestic political situation. Only since 1999 (summit on May 14, 1999 in Bratislava) can we really speak of a kind of revival of Visegrad. The security strategy has been changed, and a concrete action plan has been developed in eight areas of cooperation, when joint actions of the countries are already clearly showing dynamism and pragmatism. It is important to emphasize the leading roles of the Prime Ministers of the V4.

2000–2004 – "On the Threshold of the European Union" – intensification of actions of the V4 countries in meeting the conditions of their membership in the EU; dynamism of the systemic transformation in each of the V4 countries and the strengthening of cooperation between them are typical (the experience of systemic transformation and Slovakia's "catching up" with European integration are particularly instructive for Ukraine); the 2004 completion of a fundamentally important stage in the development of the Visegrad Union, i.e. membership in the European Union and NATO.

2004–2021 is the period of building the position of the Visegrad Group within the European Union. Cooperation with the V4 countries, already operating within the EU, will contribute to the intensification and deepening of Ukraine's interregional integration, its participation in the structures of regional integration within the EU. The international regional integration of Central European countries is conditioned by a number of reasons: their common past and regional interests, geographical location, as well as political and economic ties, similar opportunities and aspirations.

The geopolitical interests of these countries also required the strengthening of interregional integration, as this was a precondition for political and economic stabilization of the Central European region. To a large extent, the European direction of the foreign policy of the independent Ukrainian state has not been implemented

in terms of practical matters and concrete achievements that would irreversibly define Ukraine's strategic international orientation in the long run.

An integral part of the national and state interests of independent Ukraine is the establishment and development of good neighborly relations with its "first-order" neighbors and intensive cross-border cooperation with them. Studies of Ukraine's foreign policy in the regional dimension, more precisely in the Central European region, are of unsurpassed, relevant importance for the theory and practice of Ukraine's European integration progress. In this context, it is important to reveal the peculiarities of Ukraine's foreign policy in the Central European region and to identify problematic issues. Ukraine, like any sovereign state, has its own national interests in the international arena. In general, the concept of "national interests" is interpreted in the documents of the highest legislative body of Ukraine, i.e. the Verkhovna Rada: National interests of Ukraine reflect the fundamental values and aspirations of the Ukrainian people, their needs in terms of decent living conditions, satisfaction [Resolution of… 1993]. Ukraine's national interests in the field of international relations are divided into three groups:

– strategic and geopolitical interests related to ensuring the national security of Ukraine and protecting its political independence,

– economic interests related to the integration of Ukraine's economy into the world economy,

– regional, subregional, local interests related to satisfying various needs of the internal development of Ukraine.

Among the directions, priorities and functions of Ukraine's foreign policy included in this parliamentary resolution, a prominent place is given to the development of cooperation with the so-called border states, including Central Europe, as well as European regional cooperation. The formation of an integrated system of good neighborly relations would be impossible without the close cooperation of states in the foreign policy sphere. It is a mistake, however, to limit the study of the system of international relations exclusively to interstate relations, because alongside the states themselves, non-governmental structures, international organizations, civic movements and initiatives play an important role, which is a manifestation of democratization of contemporary international relations. Manifestation of democratization at the regional level is the direct participation of local and regional authorities and territorial communities of Europe in international relations of interregional/cross-border cooperation.

At the same time, it is necessary to separate the general characteristics of international relations (as interstate) from the specific one, where political relations are a subsystem of interstate relations. Methodologically, in the course of scientific analysis, it is necessary to proceed from the following position: "Political relations form the most important subsystem of the system of international relations with

its own structure, functions, development process. One of the most important functions of this subsystem is the synthesis, determination, reflection of all other types of relations that act as independent subsystems in the system of international relations" [Kish 2004: 105].

At the present stage, interregional/cross-border cooperation occupies a prominent place in the system of international relations of Ukraine with the Visegrad countries. A thorough scientific analysis of the theory and practice of regional participation in interregional cooperation is important for the development and implementation of foreign and domestic policy strategy of Ukraine at the present stage. The study of the political-legal, organizational-economic, and institutional basis of the mechanism of realization of interregional/cross-border cooperation of Ukraine with the countries of Visegrad can be divided into certain chronological stages.

The first block of contractual relations falls within the period of the first half of the 1990s. It was at this time that the basic agreements between Ukraine and Central European countries on good neighborly relations were concluded. The provisions on the development of interregional and cross-border cooperation became an obligatory part of it. On the basis of these basic provisions, in the following years and to this day, an extensive system of interstate agreements is being formed. It was during this period that interstate, intergovernmental and interdepartmental treaties, agreements, protocols, memoranda and other international legal documents regulating Ukraine's foreign economic relations with Central European countries were also concluded and signed. For example, an organizational and institutional structure to coordinate actions and manage the system of relations in the foreign economic sphere was formed, and joint intergovernmental commissions on economic and scientific-technical cooperation and bilateral Ukrainian-Slovak and Ukrainian-Hungarian commissions on cross-border cooperation were established.

The next segment is the international legal framework for interregional cooperation, which was formed between the Visegrad Group countries. The improvement of the legal mechanism for regulating interregional and cross-border cooperation of the Visegrad Four countries was carried out taking into account the common European norms and principles defined by the Council of Europe. This is the period of the 1990s and early 2000s, the time of signing bilateral agreements on the regulation of interregional/cross-border relations of Ukraine with the countries of Central Europe. In addition, there were made agreements of the "regional, interregional levels" between Ukraine and the Visegrad countries, the signing of which essentially formed the international legal framework (also of a European type, respectively, with European principles and norms, etc.) of interregional/cross-border cooperation.

The first bilateral document of an interregional nature was signed in Kyiv on May 24, 1993 with Poland – Agreement between the Government of Ukraine and the Government of the Republic of Poland on Interregional Cooperation. According to

Art. 1 of the Agreement, "interregional cooperation is the activity of regional bodies of state administration and local self-government bodies aimed at strengthening and developing friendly and good-neighborly relations between the two countries" [Department of State Archives 1993].

The second bilateral document on interregional cross-border cooperation was signed with Hungary. It was the Agreement on Cross-Border Cooperation, signed in Budapest on November 11, 1997. Pursuant to Art. 4, "cross-border cooperation is a joint activity aimed at deepening relations between local governments and state executive authorities of the Contracting Parties. This cooperation is carried out within the competence of local governments and state executive authorities, which are determined by the national legislation of the Contracting Parties" [Department of State Archives 1997].

On December 5, 2000, in Bratislava, Ukraine signed the third agreement on interregional, cross-border relations with Slovakia. The Agreement between the Cabinet of Ministers of Ukraine and the Government of the Slovak Republic on Cross-Border Cooperation, as well as previous ones, contained an interpretation of "cross-border cooperation". Pursuant to Art. 1, "all administrative, technical, economic, social and cultural measures aimed at strengthening and developing relations between the Contracting Parties, settlements, cities and regions on both sides of the common state border, including the conclusion of relevant agreements to address common problems" [Department of State Archives 2000].

Two subsystems are an integral part of the organizational and legal mechanism for regulating the system of Ukrainian-Polish, Ukrainian-Slovak, and Ukrainian-Hungarian cross-border cooperation. These are international law and civil law. The basis for the development of international relations of cross-border cooperation of Ukraine with the states of Visegrad are, first of all, the common European norms and principles enshrined in the documents of the Council of Europe. The institutionalization of relations between the subjects of international law has become essential.

The main document that legalizes these relations, as well as promotes the decentralization of decision-making by regional authorities, is the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (ETS No. 106) signed in Madrid on 21 May 1980. Three additional protocols give greater competencies to the regions in foreign economic and political issues, promote both the international revitalization of the regions and positive discrimination in peripheral border areas.

The issues of ratification and application of the Madrid Framework Agreement of the Council of Europe and additional protocols related to cross-border and interregional cooperation are of decisive importance for the states of Central Europe and Ukraine, as the implementation of these forms of cooperation is adequate:

– firstly, it does not change borders, but makes them transparent, gradually eliminating economic and political barriers to innovation,

– secondly, it activates the initiatives of the subjects at the local level, which also promotes political integration,

– thirdly, this form of cooperation can be carried out in the context of the implementation of regional policy of two or three states with an increase in the number of real subjects of cooperation.

Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (ETS No. 159) of 9 November 1995, which entered into force on 1 December 1998, strengthens the Framework Convention by clearly defining the right of territorial communities to conclude agreements on cross-border co-operation under certain condition [Additional Protocol… 1995].

The Second Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities Concerning Interterritorial Co-operation (ETS No. 169), signed on 5 May 1998, seeks to establish a legal framework for the development of cross-border cooperation between authorities by concluding cooperation agreements with territorial communities or other authorities in the context of inter-territorial cooperation *mutatis mutandis* [Protocol No. 2… 1998].

The Third Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities Concerning Euroregional Co-operation Groupings (ECGs) (CETS No. 206) of 16 November 2009 [Protocol No. 3… 2009] concerns the use of the ECO mechanism at the external border of the European Union, which is very useful both for the exchange of experience between the territorial authorities of the European Union and other countries on the other side of the border and for a possible effective mechanism to promote neighborhood policy.

In 1993, Ukraine acceded to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities. Following the ratification of the Madrid Convention (May 21, 1980) by the Verkhovna Rada of Ukraine in 1993, its provisions (international law on cross-border co-operation enshrined in the Convention) became part of Ukraine's national law and took precedence over domestic law under Art. 27 of the Vienna Convention on the Law of Treaties (1969).

According to Art. 2 of the Convention, "for the purpose of this Convention, »cross-border cooperation« means any joint action aimed at strengthening and deepening good neighborly relations between territorial communities or authorities under the jurisdiction of two or more Contracting Parties and the conclusion of agreements or arrangements necessary for this purpose" [European… 1980]. Thus, the Framework Convention, together with two additional protocols, constitutes

the general legal basis for interregional/cross-border cooperation of the regions of European countries, including Ukraine.

Methodologically, the analysis of international relations in the Central European region in the 20th century requires the use of at least two approaches:

– taking into account the influence of external factors (and as a logical consequence – determining their negative as well as positive influences),

– the possibility of using existing alternative strategies of the countries of the region.

When studying the geopolitical situation in Central and Eastern Europe in the 20th century, it can be noted that there is a dominant influence of external factors on the internal socio-political and economic development of each country in the region. However, this does not mean that the Visegrad states have agreed in advance to copy the main strategies of socio-economic and political development of the more powerful countries. After all, modern economic development and political stability – as the legitimacy of political change – as well as the presence of certain elements of political and legal culture of societies in Poland, the Czech Republic, Hungary and others, indicate a long stage in the formation of democratic principles. In particular, the effect of internal factors was manifested on the following planes: the development of civil society; building the foundations of a market economy; the development of multi-party political systems.

For Ukraine, the Visegrad Group is important for several reasons. First, the experience of socio-political and economic transformation and European integration of the Visegrad countries is unique. Secondly, due to the reasons for the enlargement of the EU to the East – and in fact, the changing geopolitical situation on the continent and, accordingly, in the Central European region – the status of each Central European country and the Visegrad Union as a whole has changed. Today, Ukraine is still slowly but surely trying to find its niche to pursue its interests in the "forgotten" Central European region. Third, cooperation with the Visegrad countries will contribute to the intensification and deepening of Ukraine's interregional integration and its participation in regional integration structures within the EU.

Regarding cooperation between the V4 and Ukraine, the latter will always be of key importance due to its geoeconomic and geopolitical location. In this context, the format of cooperation with Ukraine – as a goal or as a measure – becomes important.

First, the isolation of the Visegrad Four as the center on the eastern periphery of the European Union is of pragmatic importance. This is reflected in its East-West or South-North (Italy, Austria, Croatia, Latvia, etc.) or transatlantic cooperation (NATO). The V4 changed the configuration of cooperation or determined common specific development priorities. Given the numerous economic, political, and ethnocultural ties as well as centuries-old traditions of cooperation between the countries of the region, it was in the field of international relations that the main directions

(lines) of closer and further cooperation crystallized. Clear lines of attraction were defined in the following areas: bilateral relations Poland – Germany; the Weimar Triangle: Poland – Germany – France; bilateral relations Poland – Lithuania (which is increasingly declaring its Central Europeanism); bilateral relations Poland – Ukraine; bilateral relations Poland – Hungary; tripartite relations Austria – Hungary – the Czech Republic (along the former Golden Triangle); tripartite relations the Czech Republic – Austria – Slovenia; bilateral relations the Czech Republic – Germany; bilateral relations the Czech Republic – Slovakia; bilateral relations Slovakia – Ukraine; bilateral relations Hungary – Ukraine; bilateral relations Hungary – Russia; bilateral relations Hungary – Germany; bilateral relations Hungary – Austria; tripartite relations Hungary – Austria – Slovenia.

The second issue concerns leadership in the Central European region. In Ukraine, in recent years, both at the state level (today there is a tendency to use pompous statements about declaring Ukraine a regional leader on a fairly broad regional and continental scale), and in scientific publications on issues of Ukraine's foreign policy, a rather idealized picture of the country's regional leadership is presented. Of course, there are more pragmatic studies on current realities and prospects for Ukraine's foreign policy [Perepelytsi 2008].

Problematic issues of Ukraine's foreign policy at the regional level determine the need to develop a new quality and mechanisms of relations between Ukraine as a whole and its particular regions with the countries and regions of Central Europe. The country's difficult search for its geopolitical position or large-scale leadership must change – a concrete, effective, active foreign policy of Ukraine to realize its national interests in the Central European region is needed.

When it comes to Poland, the country expresses an active desire to assume the status of a regional leader – this is due to the size of the country, its potential, geopolitical location, special position in Euro-Atlantic relations, and – what is of particular importance – Poland's real interest in granting Ukraine the status of an associate member of the EU, and subsequently its full membership in the European Union. Undoubtedly, even in this case, priority is given, first of all, to Poland's national interests, their implementation in the context of both a deep understanding of the history of Poland's development and understanding of the strategic imperatives of state's development in the long run. Poland's acceptance of the role of a regional leader is seen primarily as a process in a wider time frame, which is confirmed by concrete actions of a large-scale nature. It is also interesting to note that in none of the Visegrad countries have there been any claims or positions on regional leadership in the region. The success of cooperation in the Visegrad countries is achieved in the format of partnership, which is the most optimal form of cooperation.

Targeted actions in the context of Ukraine's implementation of consistent and systemic political, economic reforms, building a democratic civil society and the

formation of a market economy remain topical issues of foreign policy. In this context, it is important to single out the strategy of the EU Eastern enlargement. According to the logic of gradual development and formation of a new powerful subject of international relations of the united Europe, i.e. the European Union, its latest, but not the last expansion to the East, causes radical changes in the geopolitical situation in Europe, including on the Eastern "newest" periphery of the European Union. Ukraine's foreign policy dimension in the Central European dimension today should be aimed at intensive integration, and building a new high-quality systemic format of relations with the Visegrad countries.

Conclusion

Today, regional cooperation in Europe is at the stage of systemic qualitative changes. Cross-border cooperation has entered the phase of active implementation based on a significant reduction of the barrier of internal EU borders and has proven to be a successful way of implementing a common regional policy, the principle of subsidiarity, decentralization, etc. and, more broadly, building a "Europe of regions". On the other hand, at the EU's external borders, it has become an effective tool for the intensive development of the European Community's ties with all the border states.

Within the framework of achieving the strategic goal of Ukraine through the development of interregional, cross-border cooperation, in particular, it is possible to find solutions to several issues:

– preventing the transformation of the new eastern borders of the EU into rigid dividing lines separating Ukraine from Europe, and the transformation of the regions on both sides of the new eastern borders of the EU and Ukraine into peripheral areas,

– coordination of jointly developed concepts of socio-economic development of border regions,

– formation of integrated, cross-border regions of Ukraine and the countries of Central Europe (first of all in the economic and spatial-economic plan),

– creation of a combined and complementary transport and border infrastructure,

– formation of a system of international interaction of local bodies of state power and self-government, territorial communities, etc.

The place and role of interregional/cross-border cooperation in the modern system of international relations should also be considered in the context of strategic national and state interests and foreign policy actions aimed at ensuring and implementing these interests, because in the 21st century, the European vector of its foreign policy becomes a priority for Ukraine. In the development of cross-border cooperation between Ukraine and Central European states, after the enlargement of the EU, both external (EU integration) and internal national interests are combined.

The basis for the development of international relations of interregional cooperation of Ukraine with the countries of Central Europe are, first of all, the common European norms and principles enshrined in the documents of the Council of Europe. The essence of an effective EU regional policy is determined by the extent to which the EU is able to control the situation and help eliminate imbalances, primarily by assisting its problem regions in the context of effective use of local initiatives and the capabilities of the regions themselves [Kish 2018: 70]. We see the prospects of Ukraine's international regional integration in the Central European region in the following dimensions.

First, it is a gradual, dynamic expansion of relations between Ukraine and the Visegrad Group countries, with the strengthening of Ukraine's role as an equal partner in real – rather than declarative – interregional cooperation in the region. In addition, the enhancement of European levels of relations between Ukraine and the countries of Central Europe, and accordingly their regions at the regional and interregional levels, will strengthen the European significance of cooperation between Ukraine and the V4. Secondly, cooperation between Ukraine and the Visegrad countries should be based on specific, well thought-out interregional projects that will determine the intensification of Ukraine's participation in the processes of political and economic development of Central European cooperation, strengthening its regional stability.

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SÁNDOR FEKETE

Conflicts in the Hungarian Local Government System

Abstract: The paper deals with the development of the administrative system in Hungary with a special focus on centralization and decentralization processes. The paper considers the historical patterns and geographical characteristics in Hungary, and their impact on the above processes. It discusses the possibility of regionalization in a highly centralized era of the socialist period, regionalization processes initiated during the transition period, and the impact of EU membership on the new structure of regionalism in Hungary. Finally, it presents the most recent changes under the Orbán government towards a stronger centralization in administration, and its motives.

Keywords: Hungary; administrative system; centralization; regionalization

Introduction

The diversity of public administration is a marked feature of European political circumstances. Administrative reforms carried out in the 20th century – in both Eastern and Western Europe – were linked partly with political transformations and partly with the socio-economic and political development within the national frameworks [Pálné Kovács 2007]. The legal status and functions of the territorial administrations in EU member states have shifted to the benefit of the medium level (regions) during the 1980s in the majority of EU members. The strengthening of the meso-level, however, does not always mean decentralization in the political sense. The central state often prefers the regionalization of state services and public administration and the allocation of deconcentrated agencies in the regions, without real political decentralization. The phenomenon of regionalism is not always identical with political decentralization and not dependent on the physical scale, either. The national characteristics strongly differentiate the meso-level of administration, despite some factors that contribute to the strengthening of the sub-national tiers [Pálné Kovács 2007].

The paper deals with the development of the administrative system in Hungary with a special focus on centralization and decentralization processes. It examines the possible existence and functioning of the meso-level in the Hungarian public

administration. It shows the causes of increasing and decreasing presence of meso-level in the Hungarian administrative system connected partly with the country's EU membership, but also with a new, more centralized approach to political administration.

The first part of the paper considers the historical patterns and the geographical characteristics in the Hungarian administrative system, and their impact on the regionalization processes. The second part presents the structure of the Hungarian administrative system, its tasks and responsibilities at different levels. The third part examines the legacy of the socialist period, and the possibility of regionalization in this highly centralized era. The fourth part discusses the impact of pre- and post-EU membership on the new trends of regionalism in Hungary, and the last part deals with the most recent changes under the Orbán government towards a stronger centralization in administration, and its motives.

The geographical and historical patterns of administration in Hungary

Hungary has a monocentric spatial structure centered on Budapest being the functional and hierarchical centre of the country. The selection of settlements for higher administrative and functional purposes, however, was always an important issue [Tóth 1994: 343]. It was reinforced by the centralized system where the redistribution of national income and development sources was realized through county seats.

The Hungarian settlement pattern underwent three significant changes in the 20th century [based on Enyedi, Horváth 2002: 14–17]:

1. Two-thirds of the Hungarian population in the first quarter of the 20th century lived in villages. Two-thirds at the end of the century lived in towns.

2. The border changes after the First World War fragmented a longstanding network of coexisting settlements. As a consequence of them, Hungary lost a third of its territory and its population shrank to less than half.

3. The character of the spatial relations between village and town has altered in the last 3–4 decades. Previously, the settlement network consisted of a cluster of zones of attraction, with the towns connected to their districts and surrounding villages. These days the network is more complex and dominated by the connections between towns. Each village may be attracted towards several towns, while the worst placed villages may lose their urban connections altogether.

In Hungary, as in other countries, residence and workplace functions have become mixed, with many people working in different settlements from the ones in which they reside. There are two other features of the Hungarian settlement network worth emphasizing:

1. Budapest, the capital, is the only international metropolis in the country. It is preeminent among cities not only for its population, but for an unmatched concentration of modern urban functions. The Hungarian capital has been the impetus behind modernization in the Carpathian Basin for almost 200 years, as a receptor and disseminator for technical, organizational and institutional innovations. Its 1.8 million inhabitants pay around 40% of the personal income tax levied in the country. It competes with other Central European cities such as Vienna, Prague and, to some extent, Warsaw. With Warsaw it competes for an economic role extending beyond the bounds of Central Europe. It will be seen that Budapest in the 1990s absorbed a high proportion of the foreign investment flowing into East-Central Europe [Kasznár 2016].

2. The settlement pattern on the Great Hungarian Plain has two conspicuous features: giant villages and communities of scattered homesteads. Giant villages also occur in certain parts of Southern Europe, such as Sicily and Southern Spain, but the development of them occurred in different ways. In Hungary, the inhabitants of several villages came together for better protection in the period of Ottoman Turkish occupation in the 16th–17th centuries. Homestead settlement is general also in parts of Northern and North-Western Europe, where feudalism broke down (in the 13th and 14th centuries) and private peasant land ownership therefore developed earliest.

Let us say in advance here that there have been debates in Hungary about the concept and employment of regions, due to poor definition and uncertainty about the existence, borders and intra-state role of regions. Mention is made of the differences in the way the EU (the "Europe of regions") and the Central and Eastern European (CEE) countries developed into nation-states. In Hungary, counties (*megye*) were the traditional mid-level administrative areas, the county public administration bears strong traditions. Royal counties have a long history: the first surviving written record of this was the so-called Kehida Diploma from 1232, in which the servants living in Zala County wrote that they had received permission from the king to arbitrate in the cases of those suffering from "the wrongful suppression of powers" [Balazs et al. 2014: 30]. Counties had an important role in the maintenance of Hungarian self-awareness: the network of counties existed even under Turkish oppression when most parts of the country were lost. In the second half of the 18th century, noble counties were established for self-defense in the place of royal counties. These noble counties became the representations of self-governance in Hungary during the Habsburg period. In the 1848 revolution, popular representation put an end to the counties' right to send representatives and issue orders – the privileged status of the counties started to fade away. The establishment of the royal courts in 1871 took away the judicial power of counties; they remained a unit with mere administrative functions [Balazs et al. 2014: 31].

The nation-states of the present-day EU came into being successively in the 18th and 19th centuries, through integration and/or absorption of earlier political

formations (counties, princedoms and city-states, often with separate languages and cultures). The integration and often violent process of union, to which some languages and cultures fell victim, did not usually eradicate strong identities that developed historically in certain spatial units (for instance, those of the Catalans, Scots and Bavarians). The EU, embodying integration on a sub-continental scale, has revived these old units and turned such historical regions into the basis of the "Europe of regions". These regions have preserved the dialects, customs, self-awareness, etc. of their inhabitants through a process lasting a thousand years.

East-Central Europe arrived at nation-states along different historical paths. It happened not by integration, but by fragmentation or reduction of multi-ethnic empires, or in the extreme case of the Austro-Hungarian Empire, by its breakup. These nation-states developed in the 20th century and seem set to continue into the 21st (in the Balkans and perhaps in Eastern Europe). The first great wave of nation-state creation came after the First World War, when local forces were mobilized and encouraged by the geopolitical considerations of the victorious great powers.

The map of East-Central Europe's nation-states was drawn outside, in Western Europe. After the Second World War, further important border changes were made at the expense or to the gain of existing nation-states, again through outside intervention by the great powers. The second wave of post-war nation-state creation came with the breakup of the state-socialist system. Eight states were replaced by 26 new nation-states (including Soviet successor republics in Asia), although they reflected local initiatives, power relations and efforts, and bore the bloody marks of local wars. One obvious consequence for regionalism is that these nation-states lack historical regions or possess them only exceptionally.

In the 20th century, borders of new nation-states were averse to giving ethnic groups and historical units any kind of administrative frontiers that might support claims to autonomy. Changing ("adjusting") administrative borders has been a ceaseless process in CEE countries in the last few decades. Regionalization, territorial decentralization of power, division of labor between different municipalities in the Unitarian states of Central and Eastern Europe also got into the crossfire of disputes. The transformation of the political system, the globalization, integration into the European economy, the establishment of a self-governing structure that upholds the principles of civic democracy threw new light upon the relationship between territorial and local power, and on the harmonization of municipal autonomy and the meso-level administrative functions [Horváth 2001: 38]. In almost all of the former socialist countries, the basic transformation of the economic, political and functional tasks in the municipal levels has become the central issue. The former sub-national level has either ceased to exist (in the successor states of Czechoslovakia) or its functions have been significantly reduced (in Hungary), or transformed (in Poland), or new territorial middle levels were created (in Croatia or Slovenia).

Structure of administration in Hungary

State administrative tasks and powers are carried out by the central state administration, though in cases when they are more efficient to be executed on a lower level of administration they may be delegated to the local governmental level. In Hungary, the legislative power is exercised by a unicameral National Assembly. The members of the Assembly are elected for a four-year term by popular vote under a system of proportional and direct representation. Until 2014, the Assembly consisted of 386 seats, elected in a two-round election. Out of the total 386 seats, 176 were decided in single constituency vote, 152 on the basis of 20 district lists (county and municipal), and 58 seats on the basis of national lists. Following a reform in 2012, general elections are now conducted under a one-round, two-ballot system. One ballot is to choose MPs from 106 single-member districts; while 93 party-list seats are allocated according to a combination of the second ballot and "wasted votes" from the first ballot (the Hungarian system is, thus, a mix between parallel and proportional voting). The Parliament enacts laws with a majority of the votes of the Members of Parliament present. Legislation may be initiated by the President, the Government, all Parliamentary Committees, and individual members of Parliament.

The Constitution of the Republic of Hungary (Act XX of 1949 Constitution, which underwent profound amendments in 1989/90) itself emphasized the importance of self-government and granted constitutional protection to municipalities. Article 42 of the Constitution specified and defined the right to self-government: "The community of the electorate of the village, the city, the capital and its districts and the county shall be entitled to self-government. Local self-government is the autonomous, democratic management of local public affairs affecting the electoral community and the exercise of local authority in the interest of the population".

Act LXV of 1990 on local authorities further strengthened the importance of the principle of self-government in its preamble, since it identified self-government through the independent and democratic management of local issues by local voters. It also declared the acceptance of the European Charter of Local Self-Government, which was incorporated into the Hungarian legal system under Act XV in 1997. In accordance with the principle of subsidiarity, the Charter states that the right of citizens to participate in public affairs is best exercised at the local level, and, that only local authorities with real responsibilities can, at the same time, ensure efficient administration that is close to the citizens [Nagy 2019].

Hungarian public administration consists of two main frameworks: bureaucratic and democratic institutions. The first includes central government bodies and their organs at local and territorial level (de-concentrated institutions) that

are subordinate to the state administration. The second type of structure is the system of local self-governments (decentralized institutions) based on principles of autonomy and subsidiary.

Hungary is divided administratively into 19 counties, which are further split into 174 districts. Budapest has a special status as the capital city, and is divided into 23 districts, each headed by its own mayor. There are also 23 cities and towns with county status. Local self-government system in Hungary exists at two tiers: local and regional level. There are no hierarchical relations between the two types of local self-governments, as declared by the Constitution the fundamental rights of all local entities are equal. The difference between the two lies in the administrative tasks delegated to each. Municipalities have broad responsibilities in service provision. They provide local public services to their settlements. Counties have a subsidiary role in terms of providing public services which cannot be performed by settlements. They also have a regional character.

A decentralization of financial instruments of the central budget enabling the execution of tasks is also needed. A law or government decree should authorize the local government and delegate tasks and competences for local governance. Concerning tasks and powers, the Act on local self-government in Hungary makes a distinction between local government and state administrative tasks and powers [Balazs et al. 2014: 45].

The regulation makes also a distinction between various levels: level of basic municipalities (obliged to carry out all core mandatory tasks laid down by the law which satisfy the basic needs of the population and to provide access to the required public services within the territory of the given municipality); cities and administrative centers of districts (charged with the provision of basic services within their own territory and within the catchment area of the entire territory of the district whose provision it can guarantee in an economical, efficient manner, in compliance with the professional regulations); cities with county status (which implies the extension of service provision beyond the boundaries of the given municipality to the majority or the entirety of the county's territory); and the capital city and its districts and counties are all treated separately [Balazs et al. 2014: 45].

Local governments have both compulsory and voluntary tasks. Voluntarily undertaken local public affairs, however, cannot endanger the fulfillment of obligatory local government tasks and powers prescribed by the law. They can be financed by the municipality's income or by separate resources set aside for this purpose [Balazs et al. 2015: 46].

In small villages with fewer than two thousand residents, the administration of local governments operates as joint local government office together with neighboring villages, due mainly to economic reasons. Villages with more than two thousand residents may also be affiliated to a joint local government office. In order to create

an efficient administration, the joint local government office must cover at least seven municipalities.[1]

The budget for municipalities is part of the national budget, although it is a separated subsystem. Local governments tasks are funded either by own sources of the municipality, or funds received from the state for special purposes (health, education, etc.), or by state subsidies. The annual budget of the municipality should cover the funding of mandatory and voluntary municipal tasks and delegated administrative powers. A new element of the Municipal Code is that an operational deficit cannot be planned in advance; thus, expenditures made to ensure the performance of municipal tasks cannot exceed the revenues [Balazs et al. 2015: 46]. Deficit can only be planned in advance if it is used to finance investments and development. Local governments are burdened by the consequences of loss management, and the central government is not responsible for the obligations of the municipalities [Balazs et al. 2014: 45].

Administrative patterns during the socialist period

After the communist takeover in 1948, a Soviet-style political system was introduced. The Communist Party became the centre of decisions, while the legislation, the executive branches of the government and the legal system were all subordinated. Political parties were abolished, and the Hungarian Social Democratic Party was forced to merge with the Communist Party and, thus, form the Hungarian Workers' Party. After the Revolution of 1956, it was reorganized as the Hungarian Socialist Workers' Party, which survived until the fall of communism in 1989 [Britannica].

The reduced territory of Hungary after the First World War possessed an administrative system of counties largely unchanged for a thousand years. The county (*varmegye*) had remained the intermediate unit of local government until 1950. In the state-socialist period (1948–89), the county authorities were subordinated directly to the Presidential Council (collective head of state) and the Council of Ministers (government). The county continued to function as the basic unit of territorial organization. The elected bodies in the villages and towns were subordinated to the county councils. In 1950, local authorities of individual settlements were abolished, and the newly formed councils were established, with the single task of carrying out the orders of the central government.

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[1] Efficient administration can be provided through associations of local governments. The Fundamental Law entitles local governments to associate voluntarily with other local governments, and exercising this right can affect their administrative structure [Balazs et al. 2015: 46].

The counties played a substantial role in the redistribution of public resources. The structure of the state remained basically centralized until the change of regime. It is important to note that although the role of an external pattern has always been visible in the development of the Hungarian public administration, centralization was also supported by the belated socio-economic development [Pálné Kovács 2007].

The highly centralized economic and political administration did not even tolerate efforts by the settlements to rely on their own resources [Horváth 2005: 53]. Still, the first comprehensive regional development policy was adopted in the late 1950s. In 1958, a government decree laid down the principles and methods of regional planning. To help the process of central planning, the country was divided into nine planning regions, with boundaries adjusted to the country's urban network. A new method was introduced, slightly more decentralized, with specific regional development plans not based directly on the five-year national economic plans [Somodyné Pfeil 2005: 108]. The process of planning, however, remained institutionally centralized, though regional and local bodies produced master plans for their administrative areas. Due to the institutional divisions within the administration, regional planning could never operate as a functional whole [Somodyné Pfeil 2005: 108].

In 1968, a new chapter was opened in regional development. The reform of economic management encouraged the decentralization of decision making. The new regional development policy regulated the administrative procedures of regional planning, and included a social objective, to decrease inequalities in regional living standards. Opponents of the reforms, however, were able to launch a counter-offence for re-centralization. As a consequence, the regional development remained rather centralized, local councils have no financial autonomy and the autonomy of regional decision-makers was purely formal. With increasing economic problems in the late 1970s, financial restriction meant a new form of central control as well [Horváth 2005: 54]. The regional system underwent some modernization in 1982, but the overall approach to planning and its principles did not change fundamentally.

State socialism in Hungary, as elsewhere, abolished private property (apart from small dwellings), and the property of financial and market organizations and institutions, to introduce a complete dominance of state ownership. Agricultural land was distributed to the landless, but most of this was later transferred to collective (cooperative) farms. The economic system it created was state-run and centralized and aimed at autarky. This was dominated for the first two decades by forced, accelerated industrialization of a Stalinist type, which gave development priority to mining, traditional heavy industry (steel, petrochemicals, heavy engineering, etc.) and the fuel economy, while neglecting to maintain or develop other areas (such as the infrastructure).

As a result, large state-owned enterprises and industrial zones and districts were created in Budapest, the north-east and central Transdanubia. Their locations were decided by central planning, which reduced the differences of economic development

between the larger regions of the country. The process also contributed to building up a network of cities, which had not existed in the modern sense before the Second World War. According to György Enyedi,

> [t]he settlement network was modernized formally: the major difference in living conditions in villages and towns remained, but it was not possible for a local society resting on a bourgeoisie and capable of self-organization to develop. The basis of the settlement network contained a closed, inward-looking economy in which the enterprises – with few exceptions – were not in direct touch with the players on the world market. [Enyedi 1996: 12–17]

The counties and settlements had very little room for maneuver or separate decision-making competence. The change of system was preceded by a long decade (1978–1989) of economic stagnation, except in the preferred area of tourism, when the equalization process between settlement types was halted. This applies especially to the quantity and quality of the infrastructural networks of smaller communities. Differences of standard correlated strongly with settlement size (town, larger village, smaller village). Surveys show clearly that satisfactory infrastructural provisions in Hungary are a privilege reserved for townsfolk.

The state-socialist period and its system of control over the economy and society led to an approach of giving preference to centers and eliminating grassroots, spontaneous, individual initiative. The infrastructural networks were installed hierarchically on a radial plan and lacked horizontal, bilateral links or cooperation. This approach was reinforced by the established historical structure of the transport network, in which radial links between Budapest, the county seats and other towns and villages were not accompanied by direct network and service links between communities of equal size. This is also reflected in the marked differences of infrastructural provision within the settlement hierarchy, not only in Hungary, but in all CEE countries, for instance, in telephony in towns and villages. Low in any case, telephone provision in Hungary in 1990 showed a ratio of 5:1 between Budapest and the provinces, and 7:1 between Budapest and rural areas [Ehrlich 1992].

Development was considerable in the less technically sensitive and capital-intensive infrastructure – education, culture, health services and to some extent housing – even by comparison with the economically developed market economies in some respects [Kasznár 2016]. However, these cannot be more than mentioned here. One specific Hungarian feature was a volume of domestic and still more foreign tourism far greater than in other socialist countries [Ehrlich 1995].

As in other socialist countries, domestic tourism was extensive and heavily subsidized, so that it acted as a social reward for working people. Likewise untypical of the socialist bloc was Hungary's inward international tourism, which developed markedly in the last two decades of the state-socialist period. Most socialist

countries suffered chronic food shortages and generally poor supplies of consumer goods. Hungary, largely thanks to the 1968 "new economic mechanism", managed to produce a mounting agricultural surplus, allowing it to increase its agricultural exports substantially and improve supplies of many consumer goods. This turned the country into a shopping centre mainly for people from other socialist countries (especially ethnic Hungarians in neighboring countries) and, to some extent, for visitors from the West, due to the favorable consumer prices. In addition, Hungary became a meeting place in the 1970s for citizens of the two German republics, whose direct visits were still severely restricted. The number of visitors from Germany, Austria and other Western European and overseas countries increased substantially, attracted not only by the prices, but by the albeit relative freedom compared with other CEE countries and the services of a reviving small-scale private sector. The extensive domestic and increasing international tourism contributed greatly to the expansion of legal and non-legal accommodation services, tourism-based retail trading, catering, and under-the-counter barter, from which locals and domestic and foreign visitors made gains. The tourist industry that developed and prospered in Budapest, on the Danube Bend, at Balaton and along the Western borders was partly state-owned, but to an extent unusual for a socialist country, also privately owned. It offered lower quality standards than in the economically developed market economies, but it satisfied the requirements of shopping tourists and mass tourists and Germans seeking a family reunion [Ehrlich 1995].

In that respect, the development in Hungary was unusual and conspicuous for East-Central Europe. The growth of international tourism in the 1960s and 1970s contributed greatly to rise in unregistered income and the standard of living among the Hungarian population and to the state's foreign-exchange earnings. Perhaps more important still, the openness of society was enhanced by the freer access to foreign travel and the visits by Western tourists [Ehrlich 1995].

The effects of tourism just described and the general upsurge of the private sphere and private ownership were concentrated in the parts of the country already mentioned, where the tourist industry was concentrated. This meant that these processes contributed to increasing regional development differences.

Regional development and administrative features during the EU pre-accession and membership period

Regions are an old concept in geography but new in common parlance in Hungary. Like districts, they are contiguous areas of land, but the basis of them is often not natural or historical, but provided by the administration of state. The official, legal division of Hungary into regions took place in the 1990s.

After the change of system, the counties received local government powers and tasks under Act LXV/1990. In principle, the counties may not receive direct funding from the central budget other than defined normative allowances for performing specified tasks. Governments of settlements, in turn, receive normative funding for budget allowances and maintaining and teaching in childcare institutions, kindergartens, primary and secondary schools, and usually but not invariably, possess revenues of their own (e.g. local business taxation) to cover county-level costs and investments.

The expression "regionalization" became widely known in Hungary, because intra-state regions play a very strong role in the European Union, where mention is often made of a "Europe of regions" and efforts are made to even the regional economic inequalities, including sizeable financial ones. In Hungary, there have been debates about the concept and employment of regions, due to poor definition and uncertainty about the existence, borders and intra-state role of regions [Enyedi 1996].

The change of system brought transformations and reorganizations that produced a number of new regional processes and phenomena. The state-socialist economy declined almost overnight as a result of the change of system. Hitherto "developed industrial areas" found themselves suffering grave economic and employment crises. Many state-owned enterprises and other business organizations still competitive on Western markets despite outmoded equipment and technologies faced immediate insolvency. Others converted into companies and/or were privatized, in some cases becoming wholly foreign-owned. Most of the peasant-owned agricultural land under state socialism had been farmed collectively by cooperatives. It became possible during the transformation to withdraw such land (or land received under compensation schemes) from the cooperatives. Mainly for political reasons, assets of large-scale agricultural concerns and cooperatives were paid out as compensation, divided up or scattered, so that most of them ceased operating. As a result, more than half the country's farmland came to be divided into holdings too small for modern farming methods to be employed. The regional consequence was the emergence of crisis regions, with a surge of unemployment and impoverishment. The resulting territorial inequalities have become apparent in living conditions, including infrastructural provisions and availability of public services. Naturally, privatization and the subsequent extension of the private sector and arrival of foreign investment were concentrated in territories (counties, regions, towns, etc.) where the conditions of operation were the most favorable [Ehrlich, Szigetvari 2003: 17].

Stronger market forces and economic competition strengthened the processes differentiating and selecting within the economy and the regulation supporting those processes. The post-transformation recession affected different parts of the country to different extents. Districts dominated by weak territorial structures and crisis industries became the losers by the change of system, whereas the regions

with diversified structures – the winners. The change of system heightened the differences between centre and periphery. The differences in economic potential between Budapest and the provinces have grown. Building up the market economy has benefited developed areas, especially Budapest, more than backward areas. The spatial differences in production are far exceeded by the differences between Budapest and the provinces in income and capital accumulation.

With Hungary's accession to the EU, there were two focuses for reorganizing the system of public administration that had operated previously.

1. The Hungarian counties (dating back a thousand years, as mentioned already) are too small to exercise every potential integration function and force. They are also too small to meet EU size criteria for subnational units. Their size would have been an obstacle to them being treated as single units within the EU administration. Hungarian counties have an average population of 500,000 and area of 5,000 sq. km, as against average sizes for EU (NUTS2) regions that far exceed these figures [Faluvégi 2000: 128].

2. The developmental autonomy of counties in Hungary and open financial opportunities are extremely limited. The major decisions about county developments are taken nationally (albeit at the instigation of the country) and largely financed out of the central budget. The county authority's own revenues are insufficient to perform the county's immediate tasks, let alone to finance developments. Statutory tasks are financed by transfers from the central budget calculated according to normative costs.

The solution was seemingly simple. In the words of a Hungarian authority on the subject "the local-government-area structure of the Hungarian economy does not currently meet the competitiveness requirements of the post-industrial age and European integration":

1. A system of local government has to be created by merging counties, three to a region. (Proto-regions already exist in terms of EU administration, but otherwise only in a formal sense.)

2. A much higher proportion of the budgetary revenues deriving from counties (regions) has to be turned into county (regional) revenues to provide the vitally important financial basis for self-government.

However, these ostensibly simple solutions are by no means simply to apply. First, there is a historically evolved apparatus for performing the functions of today's counties and county seats, with concomitant customary laws and infrastructural provisions. What government is going to accept political responsibility for choosing one of the three historic county seats as the regional seat in a position of national sub-centre and for demoting the other two cities? Consequently, since the change of system the governments have done only the minimum to comply with the demands of the EU bureaucracy in creating and operating Hungary's regions.

Secondly, such financial independence based on revenue from each region's territory under a requisite system of more or less uniform, decentralized financial sources (tax and other revenues and scale of these) presumes that the units will be roughly equal in development level and capacity to generate revenues. This study shows in several dimensions that the opposite is the case in Hungary. If the financial independence of the counties (regions) rested on more or less uniform revenue regulations, the sizeable historical differences between comparatively rich Budapest and the counties of Northern Transdanubia on the one hand and the poorer counties of North Hungary and the Northern Great Plain on the other, would increase, not diminish. So the centralism of development and other decisions of a structural character, along with the financial system behind it, cannot be abandoned. Roughly speaking, the state revenues would have to be centralized and redistributed to finance county (regional) tasks, using various well-chosen methods of earmarking funds, by devising and applying rules agreed among all those concerned. Of course, the taxation and the earmarking mechanism may be well or ill-chosen, but centralism can only give way to decentralization slowly and steadily as the chances arise over many years.

The failure of creating regions matching EU standards can be explained not just by the lack of regional identity, but rather by the unwillingness of the central political elite to decentralize. Decentralizing notions have failed in Hungary previously as well. The barriers to progress in every decentralizing period have been erected objectively by wide development differences in the country and subjectively by a combination of resistance by central power and historically determined provincial behavior in the country's system of district administration. The importance of the regional functions of great urban centers has been emphasized in vain in the documents from the late 1920s to the present day. Political elites with short-term interests pre-empted any attempt to develop (outside the capital) the critical mass to exert the strength to impose a decentralization of power, given a favorable conjunction of circumstances [Horváth, Rechnitzer 2000: 456–458].

Hungary's accession to the EU in 2004 did not strengthen the competences of the regions either. Instead, a centralized management system of structural funds was introduced; and the formerly created micro and macro regions, along with the old counties, were only residual actors in planning and fund allocation. A great dilemma was to decide whether the micro-regional (NUTS4), county (NUTS3) or the regional (NUTS2) level should be in the focus of the regional political intervention and institutional system. The decision was not based on professional considerations, the national or European priorities of regional policy but on purely pragmatic arguments. By the decision, if it was a decision at all, the legislators meant to integrate all three territorial tiers into the system of regional political institutions [Pálné Kovács 2007].

Little has been done to use decentralization tools that have been successful in Western Europe, for example, for multipolar development. Neither the first nor the second national development plans initiated major changes, although attempts were made to institutionalize decentralization. Although the plans aimed at modernizing the country's spatial structure and increasing national competitiveness, decisive decisions were not made [Horváth 2014: 27].

Current trends of re-centralization

Before 2010, however, partly as a consequence of the 2008 financial crisis, a growing number of problems and anomalies have emerged in the local government system, primarily financing difficulties. There were frequent complaints from local government leaders that the municipalities did not receive proportionate support for the increasing number of mandatory tasks, and that compulsory wage increases (such as salary increases of the public servant in 2003) constituted a serious challenge to municipalities, which in many cases they tried to meet with loans. According to the State Audit Office, the bond and loan debt of the local government subsystem increased from HUF 756 billion in 2007 to HUF 1247 billion by 2010 [Nagy 2019]. Especially for poorer municipalities the financing and maintenance of hospitals and schools has become a major problem.

In 2010, the new government of Fidesz[2] led by PM Viktor Orbán was able to refer to the fundamental problems of the local government system and the need for change. The Orbán system responded to these problems by centralization, as a result of which, the autonomy and margin of maneuver of local governments was significantly reduced.

Above all, the constitutional foundations have been created for centralization. The constitutional protection of local governments has been greatly reduced: the definition of the right of local self-government and its constitutional protection have been deleted from Hungary's Fundamental Law in force since 1 January 2012. Article 31 merely states that "local authorities shall be responsible for the administration of local public affairs and for the exercise of local public authority". Although the preamble to this law makes reference to the European Charter of Local Self-Government, it is no longer "adopted" by the existing legislation, but merely "with attention" to it.

Between 2010 and 2014, the Orbán government took over most of the debt of local governments, but since then municipalities can only borrow with the permission of the government. On the other hand, local governments have suffered

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[2] Fidesz is a national-conservative, right-wing populist political party in Hungary that has been in power between 1998 and 2002, and since 2010.

serious political loss by losing the right to manage primary and secondary schools. The heads of these institutions are no longer elected by the local government, but appointed by the central government (or more precisely by the ministry responsible for education). Initially, the state withdrew only the right to manage these types of schools from the municipalities (functioning of the institutions remained their responsibility) but – due to bad experiences – soon the operation was also transferred to the central government (more specifically to the local school districts).

The takeover of hospitals was also a major loss for the municipalities, as the other crucial areas of daily life were taken over by the government, which means that the competent minister appoints the directors of the hospitals. Politically, the consequences are similar to those of public education: municipal representative bodies representing the local community have lost control over the hospitals, meaning that decisions regarding hospitals directly affecting the population have gone beyond the local level [Nagy 2019].

It is worth noting that in the new system local and regional governments have lost their former independence and competences. The county assemblies have lost all of their former public service institutions,[3] their task was limited to managing some parts of the European structural funds [Pálné Kovács 2017]. It is still a question, however, about the way county assemblies will cope with this task without the administrative capacity, and real social embeddedness.

The systemic reforms outlined in the current Hungarian administrative reform program ("Magyary Program") launched after 2010 are based on the conviction that a public administration with stronger ties to the central government has a greater professional competence and/or displays higher level of loyalty to politicians than public servants working in decentralized organizations (agencies, local governments). It also assumes that political decision-makers have greater control over a centralized public administration than over a decentralized one [Rosta 2015: 11]. The reforms have also meant the cancelling both the NUTS2 regions on the administrative map and the decentralization on the political agenda [Pálné Kovács 2017]. A completely different governance model was created, with a strong, neo-Weberian state that has been expanding at the cost of locally elected governments.

The Orbán government makes strong centralization efforts intending to increase the power of the Hungarian state, because, in Orbán's opinion, in order to address market failures that had emerged after the transition, a strong central state is necessary [Rosta 2015: 198]. The primary goal of centralization is to increase the efficiency and effectiveness of the administrative system. It is questionable whether the benefits

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[3] County governments were sometimes maintainers of some secondary schools or hospitals, but they also lost the right of maintainers, as did municipalities. Other institutions of county governments (such as archives, libraries) also came under state or municipal authority.

of centralization exceed the costs of eliminating decentralization. It also remains to be seen whether there will be a synergy or conflict between the systemic and organizational reforms proposed in the program [Rosta 2015: 198].

The level of centralization introduced by the Orbán government is significantly higher than the level of centralization implemented in the Western European public administration systems as a response to the economic crisis. The possible reasons were also demonstrated: 1) the strongly centralized organizational structure and operation of the governmental party, 2) the cultural and economic policy attitude of Fidesz, 3) the desire of the intellectuals supporting Fidesz to replace the elite groups that did not take place at the time of the transition, 4) the prime minister's and the his allies' views on human nature and their approach to democracy, 5) the need to increase the power of the state and, finally, 6) the impact of the economic crises [Rosta 2015: 204].

Conclusion

The elements of centralized and de-centralized administration have always existed in Hungary. In the historical patterns, we can find examples of periods character-ized by shifts towards both directions. Geographical specificities and the territorial inequality have also had an impact on the administrative structure.

In almost all transition countries, an essential issue, both at the local and regional level, is the character of the state administration and local governance, as well as their relation to each other. There are differences in the division of functions between the two sub-systems, but it is almost universal in these countries that the clear coexistence of the two can only be seen at the local or regional level(s). And it is usually the local government that is responsible for a broader range of activities.

It is almost a common characteristic of the development of public administration that there is a strong "anti-hierarchy" feeling within the local government system. There is no subordinate relationship among the local governments elected at the different tiers, they are responsible for the implementation of their tasks on their own, and they are only obliged to operate in a lawful manner. The importance of regional development during the EU accession processes was increasing, the new structures and new spatial elements appeared, or the old ones changed. Regional development was partly adapted to the general territorial division, but independent spatial elements have also been created within this activity.

In the new EU member states, the decentralization initiated by the European regional development policy has created new challenges for the central administra-tion to cope with. It created new dilemmas related to the creation of the territorial administration and the administrative meso-level, the special organs of regional policy and their interconnections with public administration.

Recently, the Hungarian government has started strong centralization efforts intending to increase the power of the state. In consequence of the reforms, most of the decision-making power has been transferred to state organs (i.e. the government). While county governments were considered an important element of local political life before 2010, their political role has since then been greatly devalued. It can be stated that a major shift of power has taken place in favor of the central government. Thus, the dismantling of the county governments means that the elected representatives of the population are marginalized in relation to the central state power.

The majority of the local decision-making elite does no longer consist of people dependent on local governments, but of state-dependent local leaders. Government-run municipal leaders have the opportunity to fill key positions with people close to them (friends, relatives), or assign jobs to specific entrepreneurs and firms (for example, road renovation, municipal building reconstruction, land construction, IT tasks), thereby making them interested in the success of the ruling party.

Officially, the principal goal of the administrative reforms in Hungary is to increase the efficiency and effectiveness of the administrative system. It is questionable, however, whether the benefits derived from centralization exceed the costs of eliminating decentralization. It also remains to be seen whether there will be a synergy or conflict between the systemic and organizational reforms proposed in the program.

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DACHI KORINTELI

Populism and Internationalization in Poland and Hungary (Comparative Studies)

Abstract: Populism is one of the most interesting topics for different scholars tackling the issues of electoral studies and populism. Generally speaking, in most cases populist parties try to convince their citizens that nationality is the most important value in life. They used to criticize opposition parties and blame them for being insensitive to problems reported by society. In this paper, I am going to analyze the main obstacles related to populism and society by reviewing secondary literature covering social surveys as well as classical attitudes and theories towards populism. The main aim of the paper is to compare two cases: Hungary and Poland. The paper examines the effectiveness of current political leaders in both countries. I should argue about the main political announcement issued by Viktor Orbán, Andrzej Duda and Jarosław Kaczyński during the electoral campaign. The research methods used in this paper include the review of secondary literature, and the analysis of quantitative data as well as statistical information related to social surveys.

Keywords: populism; Euroscepticism; illegal migration; gender studies

Introduction

Populism is one of the most interesting topics for modern scholars, especially for those working on the issue of voting behavior and political participation. According to the general definition, populism encompasses a wide variety of political stances that emerged from the idea of society and often justify the action of political elites. Populist leaders have always argued that society suffers from the lack of political participation, because their preferences are never consistent with governmental objectives [Antal 2017: 5–7].

In this paper different research methodology is used in order to meet our readers' expectations. The quantitative research method is used while analyzing secondary literature on political participation. Poland and Hungary constitute the case studies, special attention is paid to the Law and Justice party (PiS) (Poland) and Fidesz (Hungary). In general, both political parties are considered populist, since they mostly appeal to ethnicity in the context of international isolation. In order to

understand society's response to politicians' action, we need to gather the latest social surveys conducted regularly on behalf of the European Commission and other EU institutions, i.e. Eurobarometer. In addition, we use online sources to understand what political message Kaczyński and Orbán may have for their potential supporters. The article extensively discusses the experiences of the two political parties, while governing. In order to achieve the main goal of the paper, it is worth asking research questions. These are: How can PiS and Fidesz be considered populist political parties? What are the main differences and similarities between them?

Theoretical framework of populism

There are different arguments regarding populism. It has an impact on political logic and discourse. For example, Ernesto Laclau argues that populism has a great impact on the political and social theory. It has been defined as the structuring logic of political life. He also emphasizes that successful politicians had always intended to go deeply into the citizen's perception and talk about general issues. In most cases, they appealed to people. They have always said that politicians and international organizations largely neglect citizens, therefore, they need progressive development. Some politicians are strictly against any human right protection, or they tend to avoid the question of the existence of violence against women [Antal 2017: 6–7].

According to Cas Mudde, populism is a thin-centered ideology that considers society to be ultimately separated into two homogenous and antagonistic groups. He also emphasizes that the terminology did not exist in the universe, since politicians and society interpreted "populism" differently. At first glance, Mudde mostly emphasizes that populist leaders divide society into "local" citizens and "others". In most cases, such a political statement entails a separation. Takis Papass claims that populism could be defined as the idea that political sovereignty belongs to and should be exercised be the people [Antal 2017: 8–11].

While talking about populism and anti-European propaganda, scholars suggested that attention should be paid to the popularity of Eurosceptic parties and movements among EU member states. It has been the subject of debate among scientists and journalists for many years, i.e. since the global economic crisis, which negatively affected society. One of the most popular on-line journals – *New Europe* – observed that a negative attitude towards the EU is a part of the populist ideology. In the EU, the connection between Euroscepticism and populism can be observed, while talking about the populism framework. Martin Erimann et al. observed that Europe is an old continent which is divided into four parts: Eastern, Western, Southern and Northern. They state that in the Eastern part of the continent, there is an unprecedented increase in social support for populist and Eurosceptic parties [Ernst et al. 2019: 1–7].

Poland – populism and internationalization

Poland is one of the most interesting cases for researchers in the field populism studies. Not many years have passed since Poland regained its independence and rejected socialism. Therefore, it is easy to understand why populism is on the arise among society and political elites. If one wants to analyze any particular political party, his/her attention should be paid to party leaders. Jarosław Kaczyński is a long-time follower of Viktor Orbán's idea in terms of illiberal democracy. What is of utmost importance to Kaczyński is the social awareness of nationality-related issues. Kaczyński is currently serving as leader of PiS; he was also a twin brother of Lech Kaczyński. Both of them are considered to be the most important and influential politicians in Poland. In the 1970s and 1980s, while being at university, they were both activists in anti-communist organizations. Therefore, nationality became their main priority. They founded an anti-communist movement at Warsaw University [Crowcroft 2020].

In 2005, Lech Kaczyński was elected president of Poland. He appointed his brother and long-time political partner as prime minister. They were the first pair of brothers to serve as president and prime minister of a country. In 2007, PiS lost the parliamentary elections to the pro-European party Civic Platform and Jarosław was forced to stand down. Since the 2015 victories of PiS, both in the presidential (Andrzej Duda) and parliamentary elections, Kaczyński is considered to be the most important politician.

During his term, President Andrzej Duda's public statements or decisions gave rise to many controversies. For example, during his election campaign, he attacked minority groups. He had a tendency to criticize them, especially people belonging to religious minorities, e.g. Muslims because, as he argues, foreigners violate Christian traditions. In most cases, such statements were incompatible with European values. Another decision criticized by the EU was that president of the Polish Constitutional Tribunal is appointed by the ruling party, which is regarded as discriminative and pro-governmental action. In addition, President Duda criticized the EU over many issues. Since the EU usually respects human rights and democracy, Duda's electoral campaign was built on the policy of isolation. He criticized NGOs which recognize human rights protection, including the rights of ethnic and religious minorities.

According to Jakub Szabó, Polish society is deeply Eurosceptic. Law and Justice members believe that the policy of the European Union is in many ways contrary to the national interest of Poland. Such an attitude towards organization of which Poland is a member, will probably deteriorate the country's position especially in terms of financial support. Centre-right liberal Civic Platform (PO) led by Donald Tusk had been ruling Poland for eight years. They supported free-market and reduced governmental expenditures. Szabó also argues that since PiS became the top decision-maker, the situation in Poland changed. According to Freedom

House, since the 2015 electoral victory, the level of democracy in Poland has been in decline. One of the controversial decisions made by PiS concerns the reform of the judiciary structures, i.e. PiS refused to recognize three judges appointed by the previous PO government in October (2015) and elected three quasi-judges in their place. Another undemocratic step which was implemented by the ruling party was public media control. In 2017, the government decided to improve availability of right-wing conservative press and redirected funding to populist media. They aimed to create a "new media order". As a result, Poland was ranked 59 in the World Press Freedom Index [Szabó 2018: 35–40].

Such actions have negatively affected the country's democracy index. It does not sound optimistic to the government that criticized Germany as a leader of the European Union. German standards of democracy are regarded as a threat to national identity. Another reason for a clash between Poland and Germany is complicated history of both countries. According to Mateusz Morawiecki, some European projects which have been under implementation need to be accelerated. For example, the project which consist of supplying energy resources to the EU via Poland has been recently criticized because the Polish role is assessed as minimal. Another "threat" posed by the EU is the massive influx of illegal immigrants from the Middle East and Africa. The party leaders argue that Islam is perceived as a threat to Europe and that significant cultural differences would make assimilation of Muslims in Christian Poland difficult or even impossible. On the other hand, regardless of Poland's attitude to refugees, the country is one of the most significant contributors to peace operations in the Middle East and in Afghanistan. Figure 1 presents the level of support for Poland's membership in the European Union.

|	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
for	80%	70%	65%	64%	63%	60%	55%	54%	53%	54%	56%	60%	70%	90%	85%	84%	83%	86%	80%
against	10%	10%	10%	15%	16%	20%	20%	20%	20%	20%	17%	15%	12%	11%	10%	12%	10%	13%	10%
undecicided	10%	11%	13%	15%	14%	14%	13%	12%	11%	10%	9%	10%	9%	8%	9%	9,50%	9,60%	10%	10%
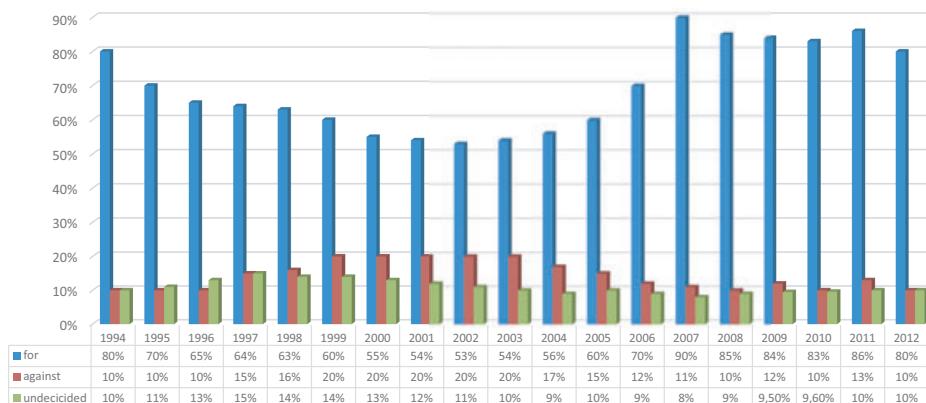
Figure 1. Support for membership in the European Union (Poland)

Source: [Lázár 2015].

Figure 1 is taken from Nóra Lázár's [2015] article devoted to the phenomenon of Euroscepticism in Poland and Hungary. According to the statistics, in 1990, the level of public support for Poland's joining the European Union was around 80%. From 1997 to 2007, the number of supporters increased sharply and reached 90%. That is because during this 10-year period, EU-enlargement was widely supported in most European countries. People who were against or undecided constituted a very low percentage of the surveyed population.

According to the academic literature, Euroscepticism has a wide range of definition. As Christ Flood stated in his core work, critics of anti-European attitude is mostly based on rhetoric and rarely on outcomes. In general, Euroscepticism is divided into 2 types – soft and hard Euroscepticism. In terms of soft Euroscepticism, it is worth noting that mostly politicians and society are against European Union's policies which violate national interests. Hard Euroscepticism means an opposition to the EU and European integration. According to this classification PiS is regarded as a soft Eurosceptic political party due to the fact that it has never opposed integration but, as mentioned above, PiS leaders were against a mandatory quota to accept asylum seekers. As can be seen in Figure 1, in the years 1994–2012, an increase in support for the EU continued.

Figure 2 provides information on the level of trust in the European institutions. The particular survey was carried out in November 2020 by Eurobarometer researchers. Due to the COVID-19 pandemic in most EU countries, the survey was conducted virtually. 27,213 respondents participated in it. The questions were as follows: How much trust do you have in certain institutions?; Do you tend to trust it or tend not to trust it? It should be noted that researchers did not ask respondents in which institution they trust or not, they wanted to know general outcomes. The Polish case showed that 50% of respondents totally trust institutions, while 38% tend not to trust them (Figure 2).
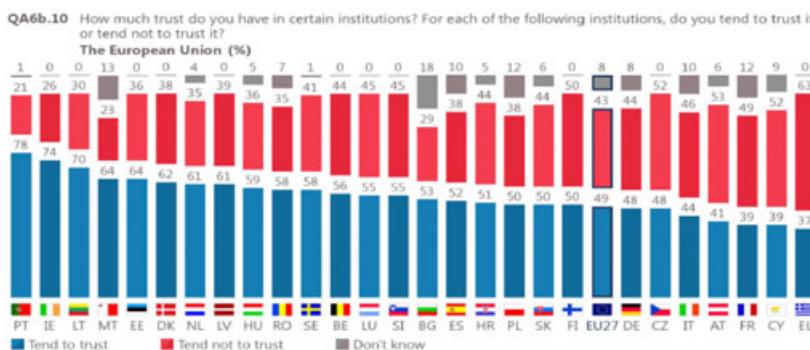

Figure 2. The level of trust in the EU institutions

Source: [Special Eurobarometer…].

Taking into account the soft Euroscepticism theory, it is quite understandable. As can be seen, Poles' trust in EU institutions was at a high level. The government (negative) attitude towards the EU did not influence voters' opinions.

Another issue included in the survey concerned the way in which citizens of Poland and other EU member states evaluate the importance of international cooperation of the European Union. The results have showed that in Poland most of the respondents fully support international relations of the EU. Only 32% say that they are very important, while 61% believe that international relations outside the EU are fairly important (Figure 3).


How important is international relations with partner countries (EU)

	PT	CY	ES	IE	PL	HU	SE	HR	EL	DE	BE	LU	SI	MT	SK	IT	FR	CZ	BG	DK	LT	FI	LV	EE	NL	RO	AT
Very Important	46%	65%	48%	56%	32%	37%	58%	37%	52%	44%	49%	49%	46%	42%	31%	24%	37%	37%	37%	42%	27%	43%	27%	29%	39%	26%	24%
fairly important	53%	31%	46%	37%	61%	55%	34%	54%	39%	47%	41%	41%	43%	46%	57%	62%	49%	47%	47%	42%	56%	39%	55%	52%	42%	54%	53%
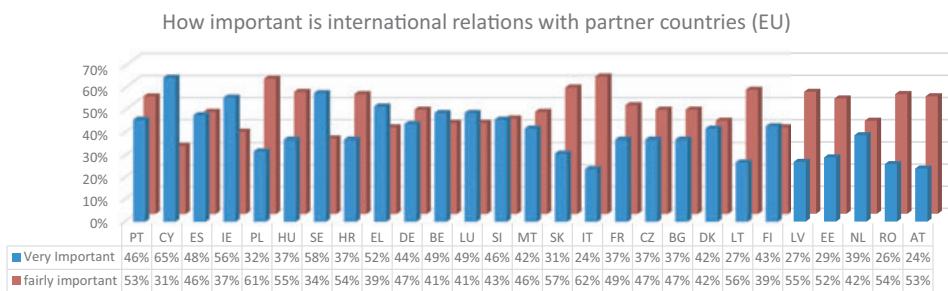
Figure 3. The level of importance of international cooperation according to particular EU members

Source: [Special Eurobarometer…].

Summing up, it was shown that despite the ruling party's negative approach to EU policy, Polish society shows a fairly high level of trust in the EU institutions.

Hungary – populism and internationalization

The European Union is considered as a union of states which cooperate with each other. While talking about decision-making processes, we should understand that all member states have equal rights, e.g. they can each cast one vote when balloting. If we consider the theoretical schools of international relations, we can argue that the followers of grand theory have a different attitude towards international organizations. For example, realism considers that public interest is the main factor in a negotiation process. Germany, for example, is one of the main EU decision-makers, which in most cases puts its national interests in the first place. It seems that smaller member states naturally are not equally important when compared with Germany or France, for example. Classical liberals have quite different views than realists. They argue that reciprocity is the main instrument in terms of international relations.

Mutual cooperation and communication will give a positive impact on countries' development. In terms of making decision, EU countries should pay attention to other members because the decision of one country has its consequences for other states. It is like a chain reaction.

As regards Hungary, regardless its former communist identity, the country was able to carry out numerous reforms. At the end of the 20th century, Hungary was considered as one of the most successful states, which was based on equality and economic liberalization and decentralization which occurred in the 1980s. The country implement strong reforms to convince the European Union that it is oriented towards open economy [Huszka 2017: 1–10].

If one wants to consider Orbán's international and local attitude to populism and the European Union, it is important to analyze his statements made in public. At the end of 20th century, Orbán was one of the most interesting politicians. Together with his collaborators, he was active in combating socialism. Therefore, in his actions, he often referred to the national issues. In his speech declared on June 16, 1989, he demanded the withdrawal of Soviet troops. The speech brought him wide national and political acclaim. According to Simone Benazzo, Orbán's vision depended on the historical narrative, he wanted to implement his own vision of past. He considered himself as a leader who decided to create an independent republic without Russian ideology. In many people's eyes, Viktor Orbán can be described as a xenophobic politician. It is proven by his controversial migration comments made during his political campaign. For example, on February 12, 2019, he expressed his xenophobic attitude towards illegal immigration. In Budapest he used a photo showing a long line of migrants hiking through the countryside. According to Marc Santora [2018], such an attitude towards poor people was based on dirty tricks and false stories. Moreover, Orbán positioned immigration as a threat to national traditions and even Christianity itself. His political opponents criticized him for breaching democratic norms and EU's values. During the election campaign, when delivering the speech in Székesfehérvár, he referred to immigrants and once again gave them a negative image in the eyes of the average citizen. He also drew attention to the potential threat posed by migrants, especially violence towards women. The policy of the Orbán government, especially his attitude towards the migration crisis and refugees, placed him among the group of populist leaders.

On March 20, 2019, an article was published on the France24 website [2019]. The author intended to criticize Orbán's relations with European leaders. He argues that the Hungarian prime minister is the self-styled defender of the Christian Europe against the poison of immigration, an admirer of illiberal democracy and a thorn in the European Union's side. In his latest speech he called members of the European People's Party "useful idiots". In his attitude he was supported by the Polish ruling right-wing PiS party he was seeking to join up with it. The party is also a member of

a Eurosceptic, political group named the European Conservatives and Reformists. Orbán said that they would prepare another kind of future for the renaissance of Central Europe.

According to Edit Zgut and Robert Csehi, a deterioration in relations between Hungary and the European Union could be observed. Fidesz was suspended from the European People's Party. One of the reasons for the suspension was Orbán's anti-Brussels campaign involving ads, billboards. Despite criticism, he continues his Eurosceptic, populist narrative. It is Eurosceptic in as much as it questions the institutional trajectory of ever-deeper integration and disputes common EU policies, especially in the field of asylum and migration.

Lívia Benková argues that Hungary experienced a decrease in democratic values, limitations to the freedom of media, etc. What is more, the current government was able to start violated actions against journalists who intended to criticize their politics towards the European Union. Another decrease of democratic norms was the abolition of the checks-and balances system, from the Constitutional Court throughout the judiciary system. In that period, Hungary chose not to adopt a new constitution after the fall of the Iron Curtain and only amended its 1949-law. This amendment enabled a two-thirds parliamentary majority to push major institutional changes. Therefore, it was difficult for the other single party to win such a majority. Fidesz was lucky, because after the 2010 election, the political party was able to reach a 68% majority in parliament. This enabled Fidesz to push forward their proposal of the governmental politics. They also replaced the staff of the key public institutions. What is more, the EU criticized Orbán's government for the lack of communication with the opposition [Benková 2019: 1–17].

Regardless the fact that in current situation Hungary is accused of breaching democratic norms, EU's core values and human rights protection, there are some studies offered which are included into statistical information. One of them is a Eurobarometer survey which includes data and information covering the period from 1992 to 1997. During that time, Orbán was an active politician. Figure 4 presents the evaluation of Hungary's membership in the EU in the period mentioned above. We do not know how many respondents were asked, but approximately the number of participants should not be less than 10,000 people. The results showed that at the end of the 20th century, only 35% of local citizens supported EU membership, while by 1997, the number of supporters reached 42%. The number of people who remained neutral about this issue was 24% in 1992 and 30% in 1997. The highest number of respondents who expressed negative opinions about EU membership was in 1995 (11%). Around 25% constituted those who neither supported nor opposed Hungary's membership in the EU.
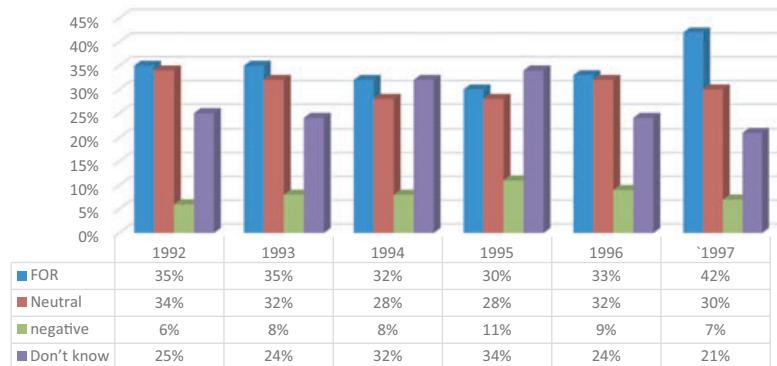
Figure 4. Evaluation of Hungary's membership in the EU

Source: [Lázár 2015].

Summing up this part of the chapter, one can conclude that currently Hungary is ruled by populist leaders, who very often refer to the nationality issue. Since 1989, Orbán has been one of the most influential politicians in Hungary and over the past decade, the relationship between the EU and Hungary has deteriorated. Hungary and its Prime Minister are continually criticized for violating EU values, *inter alia*, freedom of the press, or minority rights, etc.

Comparative studies (Poland *vs* Hungary)

The observations presented above show how Eurosceptic populist narratives are realized in Poland and Hungary. It has been observed that national populism and Eurosceptic aspects are very similar in both countries. What undoubtedly connects both states is the socialist past. Long-standing, systemic issues, like the legacy of communism, loom over Hungary and Poland's democratic development. Despite the difficult past, both countries were able to organize a civic movement.

Research results showed that in Poland the level of support for EU institutions is quite high. The Law and Justice party is still regarded the most influential political force in Poland and one of its creators – Jarosław Kaczyński – can be placed among the most independent leaders in the country. When one compares both countries, some similarities can be noticed. Like Kaczyński, Orbán has been one of the most important leaders in Hungary since the end of the 20ᵗʰ century. They both share similar views on equality and human rights protection. It is no great surprise then that Hungary is perceived as a country based on strong liberalism and decentralization. During Orbán's governing, the country implemented numerous controversial reforms. What is more, both Poland and Hungary are ruled by single-party governments

(right-wing parties). In addition, during election campaigns, both political leaders referred to traditional family values, protection of national interests, or emphasized their Christian character. It should be also noted that there are some similarities between the Hungarian prime minister and Polish president. During his presidential campaign, Andrzej Duda raised matters related to, *inter alia*, national interests as a top priority, unequal treatment of the old and new Member States, the migration crisis, potential threat posed by immigrants, especially due to cultural differences.

In such a situation, it is easy to convince the electorate that such an attitude towards the international organization will harm international relations both in Hungary and Poland. According to the latest research, electoral behavior is fully based on the populist narratives of both countries. Political leaders like Kaczyński and Orbán provide sufficient backgrounds for populist-based narratives based on an over-arching idea of a common national identity that connects a homogenous ("good") people. While talking about electoral behavior, we should acknowledge that there are different independent variables, why particular political leaders could receive more votes than their opponents. In this case, such an independent variable was historical backgrounds of homogenous citizens. According to Seymour Lipset, people with common tradition and religion, tend to vote for leaders who mostly appeal on nationality. It has been confirmed when looking at the case of Hungary and Poland. According to Lipset, at the beginning of the 20th century, there were political leaders who were chosen by society due to their nationality- and ethnicity-based narratives.

According to the latest Eurobarometer research, almost half of the questioned respondents from Poland and Hungary tend to trust EU institutions. It is a kind of paradox when taking into account the anti-EU campaign implemented by Orbán and Duda. That particular research was conducted in 2020 when the crisis connected with the COVID-19 pandemic was quite tangible. It was the period before the starting of an active presidential campaign, someone can argue that the result would have been different in 2021, but in my opinion, people in Poland had already been convinced that the EU is not able to deal with the migration crisis. Nevertheless, the results showed that 50% of the respondents trust in different EU institutions, 38% do not have confidence in them, and 12% had no opinion on the issue. As for Hungary, 59% percent tend to trust in EU institutions, 36% present the opposite view, whereas 5% had no opinion. If we compare both countries, one can see that in case of Poland, there are only 9% more citizens who trust the EU and 1% more who do not consider trusting in it an important issue. In my opinion, citizens of both countries still argue about assessing the work of particular EU institutions.

As can be seen once again in Figure 1, people supported integration with the EU to a large extent. Since 1994, the number of EU supporters has increased significantly and reached almost 80%. In my opinion, it results from the active participation of Lech Kaczyński in talks on integration with the EU since 1994. Most likely, at the end

of the 20th century, the government supported Poland's integration with the EU due to the difficult economic situation in the country. Back then, no one thought that EU policy and priorities would change in such a way and that the Member States would have to deal with much more serious problems. Unfortunately, the presented statistical data is not always complete due to the lack of knowledge about the number of respondents who participated in the survey. If we look at Figure 4, which refers to Hungary, we can find some similarities and differences with Poland. By 1992, the number of EU supporters in Hungary stood at 35%. Nevertheless, by 1997, the number of EU supporters in Hungary did not exceed 42%, whereas those who were against the EU constituted 11% by 1995. If we compare such data with the Polish case, it is easy to state that in Warsaw there were more supporters for the EU than in Hungary.

As for people's voting behavior in both countries, we have seen that populism and Eurosceptic narrative is widely expressed within society. Both in Poland and Hungary, the attitude towards the European Union has changed. Both Kaczyński and Orbán were active supporters of the EU institutions, but now, according to many, democracy in Poland and Hungary is deteriorating, and both PiS and Fidesz parties undermine the rule of law and violate the principles of EU membership. This was confirmed during the election campaigns of both parties, when controversial statements of both politicians could be heard many times. Currently, their supporters make up slightly less than half of the total electorate. Therefore, their popularity has increased since the end of the 20th century. The results also showed that regardless of the fact that Hungary's and Poland's political leaders favor populism and anti-EU attitudes, both societies tend to favor the EU institutions.

Conclusion

To conclude, the main aim of the paper was to show the growth of populism in Poland and Hungary. Two political parties have been analyzed – Poland's Law and Justice and Hungary's Fidesz. There were posed the following research questions: Is it possible to regard PIS and Fidesz populist political parties? What are main differences and similarities between both parties? To answer them, historical issues (the communist past of both countries), changes in the attitudes of both political leaders, as well as the analysis of research in this field, were taken into account. It has been found that both parties are trusted by voters because they are perceived as defenders of the traditional family, national identity, as well as Christian values and culture. To sum up, the paper can be of interest to individuals who are interested in electoral studies, especially in terms of populism.

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TOMASZ WICHA

The Evaluation of the V4 Cooperation in the Context of the Political Conflict in Contemporary Poland

Abstract: The article constitutes the evaluation of the cooperation of the Visegrad Group countries in the context of the political conflict in contemporary Poland. There were presented the most important aspects which either limit or boost the possibility of fruitful cooperation of four states throughout three decades. The attempt to present the alteration of power (2007 and 2015) and its impact on the V4 will be made.

Keywords: Central Europe; Visegrad Group; political conflict; regional format of cooperation

Introduction

More than thirty years have passed since 15 February 1991 and the adoption of the Declaration on Cooperation in Striving for European Integration in Visegrad which was signed by the presidents of the Czechoslovakia and Poland and the prime minister of Hungary. It is of utmost importance that the Declaration had a positive impact on the foreign policy at the regional level between the "renewed" states after the fall of communism in this part of Europe. Apart from the proximity in terms of the EU integration, this political framework made it possible to bring the societies of the cooperating states much closer. The maintenance of such cooperation in Central Europe is widely perceived as a successful example of regional model of cooperation [Czarnecki 2020: 94]. There were particular goals of the Visegrad Group:
    – striving for the total regaining of independence of the states,
    – the establishment of democracy after the fall of communism,
    – the eradication of symptoms of totalitarian regimes,
    – the construction of parliamentary democracy,
    – the respect for fundamental freedom and human rights,
    – the support for free market economy,
    – comprehensive participation in the European economic, political, security and legislative systems [see more, Gov 2021].

Polish political system is in the constant process of formation. The rules established in 1989 and consolidated in the early 1990s are still questioned by many subjects on the political arena of Poland, which affects many aspects of the political system. One of the main issues which must have been established after the fall of communism was the specification of the goals of the foreign policy of the state. There were some clashes concerning several aspects of the formation of the strategy in many scopes of a new state. Still, one may denote that the foreign policy of the Republic of Poland was quite a non-questionable aspect. Main parliamentary parties agreed upon the role of the state in the region of Central and Eastern Europe. Furthermore, it was in line with the question of integration of Poland to get the membership in the EU and NATO.

The establishment of new framework of regional cooperation was understood as positive in terms of achieving strategic goals (further integration), still, after achieving certain aims by four states of the V4 – membership in NATO and the EU – the cooperation deserved the new content which might be synergic for every V4 member state. Naturally, the EU forum was quite natural for the continuation of the format which was aimed at achieving European integration. Still, apart from active presence in the EU arena, new goals were necessary [Orzelska-Stączek 2015: 251]. After 1 May 2004, there were some doubts concerning the possibility of the meaningful role of such a format of cooperation in the post-accession period [Dangerfield 2011: 1].

The nature of the political conflict in Poland in the context of the foreign affairs

The awareness that a political conflict is the core of all political processes helps to understand decision-making processes on the political scene of any state. The political arena of the Republic of Poland is deeply polarized. The polarization which is present in almost all political processes in Poland concerns all aspects of politics, including internal and external policies, no matter who governs the state. As far as foreign affairs matters of Poland are concerned, there is a political consensus on close cooperation with the United States of America and the European Union. Still, there is a strong divergence between two major parties – Law and Justice (*Prawo i Sprawiedliwość*) and Civic Platform (*Platforma Obywatelska*) – in terms of the intensity of cooperation with the USA and the EU.

The Law and Justice party claims that there is the geopolitical necessity for Poland to establish and flourish the strategic cooperation with the USA. In the realistic approach taken by Law and Justice there is room for close cooperation with the EU which, however, is treated as a political tool of Poland's foreign policy. Civic

Platform presents the perspective that there is an urgent need to establish strong ties with the EU. Moreover, the party claims that cooperation with Germany and France is a key factor for the Republic of Poland to leverage the position of the state. Law and Justice, however, does not agree with such an approach.

Furthermore, the politicians of the Law and Justice party claim that Poland needs to take a strong position in the region of Central and Eastern Europe to become the real partner for such states as Germany and France. The way Poland leads its foreign policy at the regional level is the key for a stable position on the international stage, in particular – the position of the state in the European Union and the country's relations with its transatlantic partners.

V4 cooperation in the governments of Law and Justice (2005–2007 and since 2015) and Civic Platform – Polish People's Party (2007–2015)

There is a problem of certain idealism in the perception of the V4 impact on the foreign policy of the Visegrad Group countries. It should be noted that there were always certain differences in the goals of the four cooperating states which made it (in some aspects) impossible to build close cooperation in all areas [Chojan 2016: 1]. The V4 became a widely recognized forum on the EU political stage but it remained unable to deal with issues which, at the time, were of primary importance, e.g. the Constitution of the European Union or the negotiations on the European budget [Orzelska-Stączek 2015: 253].

In the years 2005–2007, the Law and Justice party included the cooperation within the V4 as an effective element of strengthening the Polish voice in the European Union and as a chance to establish a successful coalition of the states in order to introduce beneficial initiatives into every V4 member state. Thanks to it, there was a chance to enhance the effectiveness of Poland's foreign policy, e.g. towards the Russian Federation (speaking with one voice from the region of Central Europe) and towards the European Union (limiting the role of influential and powerful states such as Germany or France). Still, the Czech Republic, Slovakia and Hungary had a dissimilar approach towards the opportunities of V4 cooperation and were not eager to become encouraged by Poland in this regard. The negotiations on the European budget in 2005 proved that after one year of membership in the European Union, every V4 state negotiated separately and made their own effort to achieve most of their own political goals. The V4 failed to organize the protest against Nord Stream and Poland did not achieve the support from its V4 partners for the energy pact known as "all for one" which concerned energy solidarity – none of the V4 states participated in the energy summit in Kraków in 2007 organized by President Lech Kaczyński [Chojan 2016: 3–6].

Analyzing the political thought of contemporary Polish parliamentary parties concerning the V4 cooperation, it can be observed that the political subjects on the political stage of Poland realize that geographical proximity does not necessarily implicate close political cooperation. There were many differences between the V4 states despite public declarations of the necessity of continuing and developing the cooperation. It was widely understood that the differences were natural in the international environment even if the states cooperate closely. Conflict situations among the V4 states might be compared with other situations of that kind occurring very frequently in any format of cooperation, even in the European Union [Adamczyk 2015: 86].

One of the key differences among the V4 states in the period of the governments of the Law and Justice party was the concept of European integration and the debate about the future of the European Union. There was no consensus on the approach towards euro as the substitute for the national currencies of the member states. The square-root voting model was another, problematic issue – Poland forced the model which was beneficial for smaller states. Still, on 18 June 2007, only Vaclav Klaus – the president of the Czech Republic – supported this model of voting in the Council of the European Union. Moreover, the V4 was not able to deliver a joint statement concerning the process of ratification of the Treaty of Lisbon. The Treaty was ratified by Slovakia and Hungary (as opposed to the Czech Republic and Poland). Both Vaclav Klaus and Lech Kaczyński procrastinated the process of ratification [Chojan 2016: 6].

The government of Civic Platform and the Polish People's Party did not intend to strengthen the V4 cooperation and did not see the necessity of developing such a format of cooperation to a great extent. One of the key vectors in the foreign policy of Civic Platform was the intensification of the relations with Germany and France. The politicians of Civic Platform claimed that by strengthening the relations with these two countries, Poland had a chance to be included into the main EU decision processes. There was a chance to intensify the relations of the V4 in terms of energy security but this goal was not achieved. Lack of common great political projects made it necessary to redefine the role of the V4. At the same time, the Czech Republic and Slovakia found a different regional format of cooperation – the Slavkov Declaration was initiated by the Vice Minister of Foreign Affairs of the Czech Republic Petr Drulák. Austria was the core partner in this format. The government of Civic Platform and the Polish People's Party did not formally react to the concept of the Slavkov Declaration. One of the options which was possible to launch was the institutionalization of the V4 format. The situation in which the government of Ewa Kopacz decided to break the V4 agreement on quotas for the relocation of refugees resulted in a reduction in partners' trust. Poland was not perceived as a predictable ally [Chojan 2016: 7–8].

The victory of Law and Justice in 2015 was considered as the opportunity to reactivate the V4 cooperation. In the first period of governing (2005–2007), cooperation between the four countries was presented as one of the important vectors in Poland's foreign policy. One of the successes of the reactivated group was the joint statement (September 2016) with the notion of "flexible solidarity" towards the European migration crisis [Chojan 2016: 9].

V4 cooperation – the notion of the political consensus in contemporary Poland

None of the main political subjects engaged in the political conflict in Poland claimed there was no need to continue the cooperation in such a format. There is both a common understanding and many public declarations about the importance of the subregional cooperation. Verbally, all parties agreed that cooperation of the Visegrad Group after EU enlargement is of a positive nature. Still, none of the post-accession activities of the V4 states proved that – apart from the verbal agreement on the importance of the lasting format – the Visegrad Group remains one of the leading formats in the foreign policy of any of the V4 members.

On 1 May 2004, the pre-accession period of the V4 format came to an end. After that day, the goals of cooperation and the motives for participating in the format were met, therefore, a new, different strategy had to be adopted [Czyż 2020: 279]. One may distinguish divergent stimulating factors which either promote or inhibit the process of cooperation:
    – national interests of the authorities of a given state [Góralczyk 2019: 70],
    – political and personal relations of the member states,
    – the politics of the main actors in Europe, i.e. the Russian Federation and the European Union, which affect the international relations [Czyż 2020: 279–280].

Apart from the differences in the national interests, personal factors have always had a significant influence on the level of cooperation, as there are certain aspects of political ambition which affect the intensity of the relations. Furthermore, the lack of proportionality of the political power will always imply the impression that Poland has a dominant position in the Visegrad Group [Łastawski 2014: 55].

One of the issues that enhanced the cooperation between the V4 countries in the post-accession period was the migration policy of the European Union. The goal of the V4 states was to counteract the decisions made by the Council of the European Union concerning compulsory relocation of refugees (which was presented as the practical realization of the rule of joint responsibility and solidarity among EU member states). The decision resulted in the higher frequency of meetings of the V4 leaders with the attempt to change the political scenario in which thousands of refugees could be relocated to each EU member state. The documents which were

discussed during the meetings of prime ministers and ministers of foreign affairs of EU member states considered the following issues:

– the implementation of a free mechanism of relocation from Italy and Greece (veto on a compulsory mechanism),

   – the need to ensure the security of the external frontiers of the European Union,
   – the need to maintain free movement of people in the Schengen area,
   – the obligation to fight illegal immigration,
   – providing support to third states located along migration routes,
   – help to eradicate the reasons for massive migration,
   – regaining control over migration movements,
   – the readiness to involve the EU in supporting states of origin of the refugees,
   – fighting organized crime and human trafficking [Adamczyk 2017: 326].

The evaluation of the format of cooperation

In its statement issued on the occasion of the 30th anniversary of the Visegrad Group [see more, Gov 2021], the Polish government emphasized that the Declaration provided a framework for extensive cooperation in many fields. Furthermore, the Declaration brought the societies of the countries closer. What was of utmost importance was to regain the states' independence, protect liberty and democracy, and eradicate symptoms of totalitarian regimes. One of the key aims was to construct parliamentary democracies, respect human rights and establish free market economy and constructive and comprehensive participation in the political and economic system of Europe. The government of Poland claimed that apart from good cooperation there was the united awareness of economic and social challenges which was built by the value of regional solidarity and the wish to achieve a common goal for a united Europe. The government of Poland stressed that the V4 was not a format of political cooperation and that the International Visegrad Fund (IVF) was an element of successful institutional cooperation which has awarded 2,400 scholarships. Moreover, almost 6,000 projects of NGOs and local governments were supported by the IVF.

The enlargement of the Schengen area and the implementation of the European Neighbourhood Policy were issues which did not constitute an additional burden for cooperation or tough negotiations among the V4 states. Still, there were many discrepancies in the Group in the context of European integration and the policy towards the Russian Federation [Chojan 2016: 6–7]. The anti-Russian dimension of the Polish concept of the functioning of the V4 referred not only directly to the Russian Federation. Indirectly it was treated as the mechanism for supporting the enlargement of the European Union towards Eastern Europe and the Western Balkans

[Habowski 2017/2018: 43; Kużelewska, Bartnicki 2017: 115; Dangerfield 2014: 87]. The diminishing possibility of issuing one statement in this scope remained the challenge [Gizicki 2009: 94].

At that time, the cooperation of the V4 did not solve any strategic problem in the foreign policies of the cooperating states and was of rather little importance as the V4 format was never of primary significance in terms of the foreign policy objectives of the V4 member states. There was no will of the V4 states to deepen cooperation and this is why the V4 turned out to be the alliance of cooperation with certain limitations – cooperation was possible only in cases of mutual interests [Orzelska-Stączek 2015: 238] or in times of crisis.

Nevertheless, the cooperation within the V4 remains one of the most important formats of regional cooperation in Europe. Still, there is a strong need to discuss the future agenda of the alliance. Among the entities of the Polish political stage it is widely understood that the aspirations of the region of Central and Eastern Europe have not yet been fulfilled. That is one of the reasons for the establishment of additional regional formats of Poland's international cooperation. The Three Seas Initiative presented by the Polish authorities is aimed at combining subregional cooperation with the international success of all member states [Sienkiewicz 2016: 139–154]. The reorientation of the North – South axis is an opportunity for further integration in this part of Europe. There is a chance for greater cohesion in the infrastructure of the united EU [Jasiecki 2020: 202]. Still, new formats are a test for justification of the importance of already existing formats such as the V4. The challenge for the fruitful development of the Group is to create a large cooperation agenda,[1] otherwise – the project may end up as a verbal one that no country wants to either develop or formally solve.

It needs to be emphasized that the Visegrad Group remains the regional format of cooperation with the growing economic importance – at the end of 2019 the V4 states generated 7.1% of EU GDP. Still, the level of economic integration is low and the role of the foreign capital remains the key one. What is of utmost importance is the fact that the participation in the V4 limits the possibility of clashes between the four states. Without the V4, conflict situations among its member states would be problematic for each party [Jasiecki 2020: 201]. There are certain differences and obstacles which have to be solved if there is to be any cooperation within the V4. These are:
– lack of institutionalization,
– lack of political cohesion in the V4 states,

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[1] An agenda may contain various aspects of cooperation – from a political level into economic one. It is quite natural for the V4 states to consider practical levels of cooperation within the EU in terms of, e.g. the eastern foreign policy of the EU.

– radical ideas of modernization of the EU by Poland and Hungary which are not accepted by the rest of the V4 members,

– a partial deviation from the traditional V4 cooperation model in favor of close bilateral cooperation: the Czech Republic – Slovakia and Poland – Hungary [Chojan 2016: 9].

What is more, the Visegrad Group was unable to issue a joint statement on several important issues:

– the U.S. anti-missile shield in Poland and in the Czech Republic,

– the Ukrainian-Russian conflict (for Poland it was a tough security issue; for other V4 members it might have constituted the challenge for economy and energy cooperation); the Czech Republic, Slovakia and Hungary were opposed to sanctions on Russia [Puzyniak 2017: 43],

– no V4 policy would have been implemented if it was contrary to the reason of state of Germany and Russia [Orzelska-Stączek, 2015: 254–257],

– common evaluation of the military activities in Iraq and the role of American influence on Europe; the agreement on the assessment of the Russo-Georgian war and the activity of Poland in this field [Łastawski 2014: 55].

Conclusion

It may be concluded that there is a likelihood that the V4 alliance may end up as a declaratory one if it continues pursuing national goals instead of common objectives of the whole V4 format. The V4 states realize their own national goals in accordance with the national agenda of a given state. Poland does not have full support as far as climate neutrality is concerned, which may cause problems in using the Just Transition Mechanism [Jasiecki 2020: 202]. When compared to Poland, the Czech Republic and Slovakia do not have such a strong (emotionally charged) approach towards Germany. In Prague and in Bratislava, Germany is perceived as the state which is able to stabilize the European politics [Chojan 2016: 10]. Moreover, if this format of integration is to continue – it has to be strengthened regardless of election results in particular V4 states and not only in times of crisis [Tatarenko 2020: 30–31]. The V4 cooperation requires action, not just pathetic words. Still, no matter the above-mentioned challenges and criticism, the V4 remains the instrument to enhance the position of Poland in the international arena [Orzelska-Stączek 2015: 257].

Gradually, there is a chance for the V4 to participate in the European discussion concerning the notion of a "two-speed Europe". Furthermore, as long as the V4 exists and no one wishes to formally break the cooperation, there is an opportunity to make an attempt to work out a joint statement on some sensitive issues which seem to be problematic at this moment: energy security, migration problems, the future of the

European single market [Jasiecki 2020: 202]. Generally speaking, the V4 still has an opportunity to create and then manifest the worked-out statements on the forum of the EU. Through these activities, the position of Central Europe is stronger [Gizicki 2012: 47]. Polish authorities – regardless of the current political conflict – perceive the V4 as an opportunity to gain a stronger and united voice in this part of the EU, which is perceived as synergic for all states engaged in the V4 format.

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KRZYSZTOF KOŁTUN

Polish Legislation and the Safety of Domestic Violence Victims

Abstract: The paper discusses the problem of the safety of family violence victims in the context of the Polish legislation. The author introduces readers to legal issues related to the victims of violence laid down in the Constitution of the Republic of Poland and lower-order laws, namely acts, among which the most important is the Act on Counteracting Domestic Violence. Then he proceeds to define safety and victims of domestic violence according to the current legal status. The aim of the paper is to analyze and evaluate the regulations on the crime of abuse, including aspects of domestic violence.

Keywords: Polish legislation; safety; victims of domestic violence

Introduction

Both the phenomenon of abuse as well as the institution of the family, which is a basic social group providing foundations for societies, have been part and parcel of humanity since its very beginning. Polish legislation specifying how to ensure safety to victims of family violence can be classified according to two criteria: if they regard the perpetrator or the victim of violence. First of all, legal provisions related to the victim of violence can be found in the Constitution of the Republic of Poland and lower-order laws, namely acts, among which the most essential is the Act on Counteracting Domestic Violence. On the other hand, the Polish Criminal Code and other acts, the Act on the Police recently gaining in importance in this respect, are the most significant legal instruments for providing safety to victims of domestic violence in terms of legal consequences for the perpetrator of such violence.

The legal act of the greatest prominence and legal force regulating the subject of the family and ensuring its members' safety is the Constitution of the Republic of Poland of 2 April 1997. Already its preamble refers to the family, including the phrase "aware of the need for cooperation with all countries for the good of the Human Family" as well as Art. 18, which reads: "Marriage, being a union of a man and a woman, as well as the family, motherhood and parenthood, shall be placed under the protection and care of the Republic of Poland" and Art. 23, worded as

follows: "The basis of the agricultural system of the State shall be the family farm". It clearly indicates how important the family is for the State and its protection is a priority in the activity of all public institutions and bodies [Constitution of the Republic of Poland of 2 April 1997]. The Constitution is a legal act covering all basic principles and laws in its scope and apart from general formulations, it does not precisely regulate the subject of domestic violence and the safety of the victims of such violence. Its continuation can be found in the acts implementing the main premises of the legal norms enshrined in the Constitution. The fundamental act in law regulating the situation of victims of domestic violence is the Act on Counteracting Domestic Violence of 29 July 2005. According to this act, domestic violence infringes fundamental human rights, such as the right to life and health and respect for personal dignity, obliging public authorities to ensure equal treatment of all citizens and respect for their rights and freedoms, as well as to take actions increasing the effectiveness of domestic violence prevention [Act on Counteracting Domestic Violence of 29 July 2005].

The author examines the protection of the family and the crime of abuse in view of criminal law, because Polish literature on the subject lacks studies on the crime of abuse, and there are only few publications concerning family violence. The aim of the paper is to analyze and evaluate the regulations on the crime of abuse, including aspects of domestic violence.

Safety and victims of domestic violence

Safety in general is understood as a state associated with proper functioning in social life, in which the individual does not feel a threat to his or her existence and has the need to ensure his or her own comfort. In relation to family members, we can state that the safety of each person in the family is considered individually and results from one's physiological need to experience such a feeling. Thus, we can point out both psychological safety, having its origins in the state of consciousness of such a person, and objective factual circumstances posing a real danger to someone's life or health. With regard to perpetrators of domestic violence and victims, we can note that the safety of a person in the family may be compromised by physical or psychological acts or omissions by the perpetrator of such violence. In its purest form, it means inflicting physical pain or psychological abuse through threats or harassment that create a sense of intimidation and insecurity. The primary function of the family is to protect its members from danger, so when violence occurs in the family, it ceases to fulfil properly its underlying purposes. In every family, there are vastly different complex relationships among its members, accompanied by various emotional states. Each member of the family feels a strong need for safety

and stability, both for himself/herself and for other family members, so a disruption of this feeling involves radical changes in the psyche of the person whose sense of safety has been disrupted.

A victim of family violence can be defined as a person who is a passive recipient of violence used by the perpetrator, and who, being connected to the perpetrator, is not able to oppose it and suffers various losses, both psychological and material. The victim of domestic violence is often unable to ask for help due to his/her attachment to the perpetrator, and has often a subordinated role in the family in relation to the perpetrator, although this is not definitive. Victims of domestic violence are most often wives or partners, often they are also children, the elderly, the helpless or the disabled, therefore, the role of the State in providing assistance to these people is a priority and should unite actions of various state bodies. Data on the number of persons suspected of being affected by violence, according to age (minors) and sex (women vs men) are presented in Table 1 in line with the information posted on the website of the Police Headquarters for the period from 2012 to 2020.

Table 1. The number of persons suspected of being affected by violence, according to age (minors) and sex (women vs men)

Year	Number of people suspected of being victims of violence (total)	Men	Women	Minor
2020	85,575	10,922	62,866	11,787
2019	88,032	10,676	65,195	12,161
2018	88,133	10,672	65,057	12,404
2017	92,529	11,030	67,984	13,515
2016	91,789	10,636	66,930	14,223
2015	97,501	10,733	69,376	17,392
2014	105,332	11,491	72,786	21,055
2013	86,797	9,233	58,310	19,254
2012	76,993	7,580	50,241	19,172

Source: Author's own elaboration based on Police Headquarters data [Statystyka].

Domestic violence can be defined, pursuant to the Council of Europe Convention on preventing and combating violence against women and domestic violence, as a form of all acts of physical, sexual, psychological or economic violence occurring within the family or household, or between former or current spouses or partners, regardless of whether or not the perpetrator shares or has shared the same residence with the victim [Council of Europe Convention]. Violence in itself involves a great deal of emotion, which is perceived differently by healthy adults and by the sick or minors whose mental development has not yet reached maturity. Violence can take different forms, from physical abuse such as hitting, slapping, pushing, strangling, wringing hands, pulling hair and others, to psychological abuse such as insults,

defamation, name calling, threats, persistent harassment, bullying and humiliation, through indirect forms such as controlling, limiting contact, disturbing the sleep at night and others.

The issue of qualifying who belongs to the family is not only crucial but also undoubtedly contentious in reference to different extra-marital categories, since the Act on Counteracting Domestic Violence treats victims of domestic violence as those who are members of the family, i.e. next of kin within the meaning of Art. 115 § 11 of the Polish Criminal Code of 6 June 1997 [Polish Criminal Code of 6 June 1997]. This list includes first of all the spouse, ascendants, that is all the persons the victim of violence comes from, such as parents, grandparents, great-grandparents, but also descendants, that is all the persons coming from the victim of violence, such as children, grandchildren, great-grandchildren. Relatives in a straight line are direct ascendants and descendants, while relatives in a collateral line are those with a shared ascendant, not relatives in a direct line. The degree of consanguinity is determined by the number of births that have arisen as a result of the consanguinity. The marriage results in affinity between one spouse and the relatives of the other spouse. It continues even despite the termination of the marriage. The line and degree of affinity are determined analogously to the lines and degrees of consanguinity [Polish Family and Guardianship Code of 25 February 1964]. Apart from the persons listed above, the category of the next of kin may include siblings, relatives by affinity in the same line or degree, an adoptee and his/her spouse, and a person in cohabitation. While it is not problematic to identify persons belonging to the above-mentioned categories, e.g. by verifying public documents, the issue of persons in cohabitation can be resolved mainly on the basis of personal sources of evidence, i.e. statements of a factual situation. Not without significance for the legal situation of the perpetrator of domestic violence is the issue of challenging the credibility of remaining in cohabitation with the victim of such violence and resultant criminal liability under Art. 207 § 1 of the above-mentioned Criminal Code [Polish Criminal Code of 6 June 1997]. The Code stipulates that "any person who abuses his/her next of kin physically or mentally or abuses another person who is permanently or temporarily dependent upon the perpetrator shall be liable to a penalty of deprivation of freedom, ranging from 3 months to 5 years". Therefore, the undermining of the credibility of cohabitation, and thus the exclusion of the perpetrator from the category of next of kin, may result in the perpetrator not bearing criminal liability under the legal provision cited above. Thus his/her prohibited act of "abuse" will be found, depending on its forms and intensity, in a number of acts prohibited by other legal provisions, among which we can point to the most common crimes under the Criminal Code such as: "Any person who hits another person or in any other way violates his bodily integrity shall be liable to a fine, a penalty of restriction of freedom or deprivation of freedom of up to 1 year", i.e. the offence under Art. 217 § 1 of the

Criminal Code, prosecuted by private accusation. We should, however, remember Art. 157 § 1 of the Criminal Code, stating that "any person who causes a disturbance of bodily organ functions or a health disorder other than that specified in Art. 156 § 1 of the Criminal Code, shall be subject to a penalty of deprivation of liberty ranging from 3 months and 5 years", while § 2 provides that "any person who causes a disturbance of bodily organ functions or a health disorder lasting not longer than 7 days shall be subject to a fine, limitation of liberty or deprivation of liberty up to 2 years", unless the aggrieved party is the next of kin cohabiting with the perpetrator. If the perpetrator acted unintentionally, provisions of § 5 of the aforesaid regulation are applied, reading "if the aggrieved party is the next of kin, an offence specified in § 3 shall be prosecuted at the request of this person". Summarizing the above examples of the criteria of offences leading to physical injury, it can be observed that a certain way of prosecution and criminal liability can be ascribed to the perpetrator of the offence, depending on the attributed category of bodily injury resulting from his/her offence. If the perpetrator of domestic violence would cause severe bodily injury of the victim under Art. 156 § 1 of the Criminal Code, depriving a person of sight, hearing, speech, fertility or causing other severe disability, serious terminal illness or long term illness, life-threatening illness, permanent mental illness, total or significant permanent incapacity for performing the profession or permanent significant defacement or bodily disfigurement, then the criminal liability of such a perpetrator, depending on whether the offence was committed intentionally or unintentionally, would range as follows: for intentional offences from three years of deprivation of liberty upwards; for unintentional offences up to three years' of deprivation of liberty. If the perpetrator of domestic violence caused a disturbance of bodily organ functions or a health disorder other than those listed in Art. 156 § 1 of the Criminal Code, then depending on whether the injury lasted longer than 7 days, the perpetrator would be liable either for 3 months to 5 years of imprisonment if the injury lasted longer than 7 days or would be subject to a fine, limitation of liberty or imprisonment for up to 2 years if the injury to the victim of domestic violence lasted less than 7 days. In the case of hitting a person or otherwise violating his/her bodily integrity without causing bodily injury, such perpetrator would be subject to a fine, limitation of liberty or imprisonment for up to 1 year. It is important to procedurally determine whether the perpetrator of domestic violence is the next of kin for the victim, because the criminal liability of the perpetrator of physical or mental abuse ranges: from 3 months to 5 years of imprisonment for a basic type of the offence; from 6 months to 8 years of imprisonment for the qualified type of the offence under § 1a, i.e. abuse of a person who is vulnerable due to his/her age, mental or physical condition; from one to 10 years of imprisonment under § 2, when the act was committed with particular cruelty; from 2 to 12 years under § 3 if the consequence of the act referred to in § 1–2 is that the victim takes his or her own life.

Therefore, in the vast majority of cases it is more favorable for the perpetrator to prove that he or she is not the next of kin for the victim of the offence, in particular when he or she is not married to such a person, remains with that person in a non-formal relationship, the so-called common-law marriage, and does not live with such a person permanently, but periodically stays with him or her. It is also more advantageous for the perpetrator to be prosecuted for such an offence, due to the fact that the offence of physical and mental abuse is prosecuted *ex officio*, while causing bodily injury of less than 7 days, hitting a person and violating his or her physical integrity, when the perpetrator proves that he or she is not the next of kin cohabiting with the victim, results in private prosecution. The issue of properly identifying and classifying the perpetrator of an offence as the next of kin is, therefore, in many cases of great importance for applying a relevant legal norm and a provision or provisions related to his/her liability. As for other legal provisions not related to offences affecting the human body but to the psyche, above all we can point out the following offences: "any person who insults another person in his presence or even in his absence, but in public or with the intention that the insult should reach that person, shall be subject to a fine or to the penalty of restriction of liberty", i.e. the offence under Art. 216 § 1 of the Criminal Code, which is a private prosecution offence; as well as "any person who threatens to commit an offence to the detriment of another person or to the detriment of somebody close to that person, if this threat gives rise to a justified fear that the threat will be carried out, shall be liable to a fine, the penalty of restriction of liberty or the penalty of imprisonment for up to 2 years", i.e. the offence under Art. 190 § 1 of the Criminal Code, which is an offence prosecuted upon a motion of the wronged party; as well as: "Any person who, by persistent harassment of another person or of somebody close to that person, arouses a feeling of danger in that person, justified by circumstances, or significantly violates that person's privacy, shall be subject to the penalty of imprisonment for up to 3 years", i.e. an offence under Art. 190a § 1 of the Criminal Code, and if the consequence of the act specified in § 1 or § 2 is that the wronged party takes his or her own life, the perpetrator shall be subject to the penalty of imprisonment ranging between 1 and 10 years, while the prosecution of the offence shall take place at the request of the wronged party. Of course, these are not all crimes which in their substance combine elements of abuse of a victim of family violence, but they are undoubtedly among the most frequent cases related to this topic. To sum up all the above mentioned considerations and examples, we can point out that a person who is in cohabitation with another person shows emotional, economic and physical ties with this person without the sanction of their relationship through marriage, therefore, the proper establishment of the facts of the perpetrator of violence and the victim is extremely important and problematic for the law enforcement authorities, because it is mainly based on witnesses' statements and it is not always possible to confirm this fact in

any other way. The lack of a precise definition of a person cohabiting with another person and the lack of verification of this state by means of registration can have all sorts of negative aspects with regard to the legal situation of the victim of domestic violence, since persons whose mutual relations are those of spouses, despite not being married, who cohabit and share emotional ties with each other, regardless of whether they have children together or not, can result in the lack of proper legal protection for victims of domestic violence compared to married persons. As for the jurisprudence of the courts related to the topic of persons in cohabitation, we can point to the resolution of the Supreme Court of 25 February 2016 defining a person in cohabitation as a person who remains with another person in such a factual relationship in which spiritual (emotional), physical and economic ties exist between them at the same time, even despite the absence of any of these ties, if the absence of a certain type of ties is objectively justified. The difference in sex of persons in such a relationship is not a condition for considering them as cohabiting within the meaning of Art. 115 § 11 of the Criminal Code [Resolution of the Supreme Court of 25 February 2016]. The Act on Counteracting Domestic Violence indicates, apart from a family member, also another person cohabiting or running the house, thus, it has a broader category of persons than the definition of the next of kin within the meaning of the Criminal Code.

With regard to domestic violence, the Act defines it as a single or repeated intentional act or omission infringing the rights or personal interests of the persons listed above, and in particular exposing these persons to the risk of loss of life or health, violating their dignity, physical integrity, freedom, including sexual freedom, causing damage to their physical or mental health, as well as causing suffering and moral harm to the persons subjected to violence [Act on Counteracting Domestic Violence of 29 July 2005]. According to the law, it is irrelevant whether these actions were of a one-off or repeated nature, in contrast to the recognition of the hallmark of the criminal offence under Art. 207 of the Criminal Code in the form of "abuse" having the nature of multiple actions occurring within a specific time period. Such a distinction, therefore, has a positive impact on the safety situation of the victim of domestic violence, as it is likely that the perpetrator will commit repeated acts of violence in the future. As far as the distinction between acts and omissions is concerned, we can point out that the vast majority of domestic violence that has occurred and been recorded is based on an action consisting of direct physical or mental behavior of the perpetrator aimed at the victim of the crime, we are dealing here with the active participation of the perpetrator. As far as the passive behavior of the perpetrator consisting of failure to act is concerned, these are situations in which the perpetrator could and should have acted in a certain way but did not do so, whereby his failure to act could manifest itself in relation to his/her duties towards his/her family or by his/her failure to act when exposing a person to danger

or neglect. In the legal context, omission manifests itself as a lack of physical and verbal activity on the part of the subject who is under a specific legal obligation to take action. In the science of criminal law, a distinction is made between crimes of omission proper, consisting in a punishable omission as the mere act of the subject's behavior, and improper, consisting in a punishable omission in connection with an effect [Królikowski, Zawłocki 2016: 176; Marek, Konarska-Wrzosek 2016: 115; Gardocki 2015: 72–76; Bojarski, Giezek, Sienkiewicz 2015: 107]. As regards intentional or unintentional actions in the context of perpetration against the victim of domestic violence, it is necessary to point out the provision of Art. 9 of the Criminal Code indicating that "a criminal offence is committed intentionally if the perpetrator intends to commit it, i.e. intends to commit it or, foreseeing the possibility of it being committed, agrees to it", while "a criminal offence is committed unintentionally if the perpetrator, while not intending to commit it, commits it by failing to exercise the care required under the given circumstances, despite the fact that he foresaw or could have foreseen the possibility of such an offence being committed" [Polish Criminal Code of 6 June 1997]. The use of domestic violence, according to the statutory definition, must be intentional, because intentionality means being able to recognize the meaning of one's act and foresee its consequences, so any act or omission committed by a person with full mental capacity will be considered violent, if it was obviously committed with such intent, regardless of whether the person was under the influence of drugs, and especially since the criminal law does not exclude and in some cases even increases the criminal sanction due to the voluntary use of drugs by a person under their influence [Wrona 2021].

Legal amendments

An important amendment to the current legislation was the introduction of the Act Amending the Code of Civil Procedure and Some Other Acts of 30 April 2020, which came into force on 30 November 2020 [Act Amending the Code of Civil Procedure and Some Other Acts]. The amendment to the legislation concerned the Polish Code of Civil Procedure, the Code of Petty Offences, the Act on the Police, the Act on the Military Police and Military Law Enforcement Authorities, as well as minor amendments to the Petty Offences Procedure Code, the Act on Court Fees in Civil Cases and the Act on Counteracting Domestic Violence. The situation of victims of domestic violence and their safety before the changes was shaped in such a way that when violence in the family occurred, a person affected by such violence called the emergency number and reported the incident, then a police patrol competent at the place of the incident went to intervene at the indicated address, when it established and confirmed that violence in the family had occurred, it could detain

the perpetrator of such violence on the basis of Art. 15a of the Act on the Police in connection with the confirmation that it posed an immediate threat to human life or health, in connection with which it was obliged, in order to determine the legitimacy of the detention, to assess the risk of an immediate threat to human life or health, separately for an adult and a child, taking into account in particular: acts of physical violence in the family, the age of the person subjected to family violence, the use of violence in the family against a pregnant woman, disability, the dependence of the person subjected to family violence on the person using this violence due to his/her health condition or his/her mental disorder, the mental disorder of the person and his/her condition during the intervention related to the use, abuse or dependence on alcohol, narcotic or psychotropic drugs, substitute drugs or new psychoactive substances, the directing of threats of violence by the person with the effect of an immediate threat to life or health, access of a person to a dangerous tool or weapon, information on previous use of violence or proceedings conducted against a person in connection with the use of violence, information from persons concerning their fear for their own life or health, including in connection with the increase of acts of violence in the family, information on attempts to take their own life by a person affected by violence in the family in connection with the use of violence, in connection with the above, a police officer was obliged to draw up a questionnaire for estimating the risk of danger to human life or health and attach it to the arrest report [Act on the Police of 6 April 1990]. A perpetrator of domestic violence on this basis could be detained for a maximum of 48 hours in accordance with the applicable laws, and only if it was confirmed that the violence was a criminal offence in the form of abuse or another offence, e.g. criminal threats, causing bodily injury or other. Only if it is confirmed that the violence had the nature of a prohibited act in the form of an offence of ill-treatment or other, e.g. criminal threats, causing bodily injury or other, an apprehended perpetrator could be detained in court and brought to the Prosecutor's Office with a motion to apply preventive measures in the form of temporary arrest or police supervision combined with an order to leave the jointly occupied flat, a ban on approaching the victim, a ban on contact with him/her, and other. A police officer handling a given incident was also obliged to draw up a Blue Card form, which is a procedure carried out in order to help a family threatened with domestic violence, and in the most frequent cases consisting in monitoring of the family situation by a competent police officer from the district (*dzielnica*), cooperating with and, most often, being a member of the Interdisciplinary Team appointed in each municipality and aiming to reduce the scale of family violence through preventive measures, integrating and coordinating the activities of social assistance, the police, education, health protection, the commune committee for solving alcohol problems, non-governmental organizations, and other entities in the field of family violence prevention. Thus, it was only the prosecutor to whom

the perpetrator of family violence, after finding a criminal act and presenting charges, was brought applied preventive measures combined with orders and bans or could apply to the court for the application of temporary arrest against the suspect, which involved the isolation of the perpetrator of violence under the preventive measure of temporary arrest for up to 2 years. The police, however, at the scene of such an incident had no authority to isolate the perpetrator of domestic violence in a situation where his/her act was not confirmed to have the hallmarks of a prohibited act, so a police patrol could not prohibit such a person from contacting the victim of domestic violence, order the perpetrator to leave their shared flat or oblige him/her to take their belongings. The amendment of the above-mentioned regulations introduced changes in the form of Art. 15aa of the Act on the Police, which entitles a police officer, already during the intervention in connection with the ascertainment of family violence, to issue orders or prohibitions against the person using such violence in the case of posing a threat to life or health of the person subjected to such violence, an order to immediately leave the jointly occupied flat and its immediate surroundings, a prohibition to approach the flat and its immediate surroundings, even in the case of absence of the perpetrator of family violence in the place of residence. Such changes should be evaluated very positively, because they directly influence the speed and effectiveness of solutions which ensure the feeling of security for a victim of domestic violence in a situation where the perpetrator of the violence is the owner of the home or a tenant and a working person on whom the whole family depends. The victim of domestic violence has been given comfort and safety as a result of the amendments introduced, because violence often takes place on public holidays, especially at night, after the perpetrator has used alcohol, so it is hard to imagine a situation in which a mother with young children has to take her things and leave the flat at 2 a.m. on a Sunday in fear of the perpetrator of domestic violence, because a police patrol has no legal grounds for detaining such a perpetrator. The changes introduced by obliging a person against whom an order or prohibition has been issued to leave the keys to the flat door in the flat, to indicate to a police organizational unit the place of his/her stay and, if possible, to indicate the telephone number at which he/she will be available and the obligation to inform about a change of this address or number should also be evaluated positively, which may result in correspondence being deemed delivered if the person fails to comply with the aforementioned obligation, as well as the right of the person against whom the order or prohibition has been issued to remove from the indicated flat his or her belongings, household and work items or pets owned by him or her, and in the event of objection by a person living together, such belongings or pets shall be left in the jointly occupied flat. An order to immediately leave the jointly occupied dwelling and its immediate surroundings or an injunction to stay away from the dwelling and its immediate surroundings shall be issued for up to 14 days. The order

or prohibition may be applied cumulatively. In the event that a person to whom such an order or prohibition was issued by the police or a military police soldier fails to comply with the order or prohibition, he/she is liable for a prohibited act in the form of a petty offence under Art. 66b of the Code of Petty Offences of 20 May 1971, punishable by imprisonment, restriction of liberty or a fine [Polish Code of Petty Offences of 20 May 1971]. If, during the period in which the order or prohibition is in force, it becomes necessary for the person subjected to domestic violence to remove property belonging to him/her, and in particular items of personal use and used for work or domestic animals not previously removed, from the jointly occupied flat, this may be done once only in the presence of a police officer, after they have previously agreed on the time with the person subjected to domestic violence, who has the right to participate in these actions or appoint a person indicated by him/her to participate. The police officer issuing the order or prohibition draws up a report of this activity, and if the perpetrator of domestic violence is not present and it is impossible to serve the order, he leaves a notice of its issuance in a place accessible to that person, e.g. on the door of the flat. The changes in the legal provisions in this respect undoubtedly affect the safety of victims of domestic violence, the powers of police officers in this respect and the legal changes analogically introduced in relation to the powers of a soldier of the military police in relation to the application of orders and prohibitions to a soldier in active military service and using domestic violence, undoubtedly affect the comfort of the situation of a victim of domestic violence. Subsequent changes introduced in the Act on Court Fees provide the victims of such violence with free civil proceedings on the basis of Art. 96 section 1 point 15, which states that a person affected by domestic violence in cases for obliging a person using domestic violence to leave a jointly occupied flat and its immediate vicinity or forbidding him/her to approach the flat and its immediate vicinity does not bear any fees related to court fees [Act on Court Fees in Civil Cases]. Under the current legislation, a victim of domestic violence who calls for help is certain that he/she will not be treated with disregard for his/her property rights and basic living needs related to the flat, because already at the moment of intervention of police officers or the military police, a person who poses a threat to his/her life, safety or health orders or prohibitions may be issued by those officers, as a result of which the victim of domestic violence may remain in the flat and the perpetrator will be forced to leave it for up to 14 days, as well as property which is often jointly owned by both of them in the event of an objection by the victim of domestic violence remains with him/her in the flat and cannot be taken away by the perpetrator of such violence. Analyzing the overall changes in this area, it is also necessary to point to the changes made to the civil procedure, which have a positive impact on ensuring the safety of victims of domestic violence, giving them support, freeing them up to assert their rights and guaranteeing them security. The orders

or prohibitions described above are immediately enforceable, so there are no problems associated with the time-consuming bureaucracy involved in providing support to the victim of domestic violence. The officer issuing the order or prohibition indicates the area to which the person against whom it has been issued may not approach. A minor under 15 years of age at the time of the interview, who is a witness of domestic violence may be interviewed only if he/she is the only witness of the event and only in properly adjusted premises; the interview shall be carried out at the request of the police by a guardianship court with participation of a prosecutor and an expert psychologist, however, an adult person indicated by the minor has the right to be present during the interview, provided that it does not limit the freedom of speech of the interviewed minor. A person subjected to domestic violence does not participate in the interview. A report is drawn up and audio and visual recordings are made about interviewing a minor.

Conclusion

The family in the Polish system of axiological values of individuals occupies a prominent position, which is reflected in the Polish legal system, where the "family" is highly regarded and its protection is enshrined in the Constitution of the Republic of Poland. If violence takes place in a given family, it means that this family ceases to fulfil the basic functions for which it was created. Often, popular stereotypes about domestic violence function in the consciousness of Poles, including the conviction that one should not interfere in family's private affairs. The very phenomenon of domestic violence occurs within a complicated system of relations inside and outside the family, often accompanied by other problems such as: drug and alcohol abuse, social, material, professional problems or poverty.

All the activities described in the study exert a positive influence on the legal situation of victims of domestic violence, not only providing these people with support and a number of actions which help them to return to the normal functioning disturbed by the perpetrator of domestic violence, but also offering them a comprehensive assistance through all relevant state and local government bodies and social institutions, aimed at ensuring and restoring a sense of safety of domestic violence victims. The presented research topic is only an outline for further considerations on the examined issue, which is much broader and requires further analysis.

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About the Authors

Pavel Ptáček, Ph.D., human geographer dealing with demographic topics and topics connected with innovations and regional development and also with spatial planning and sustainable development. Associate Professor at the Department of Social Studies at the Faculty of Regional Development and International Studies, Mendel University in Brno.

Josef Smolík, doc. PhDr. Ph.D., MBA, LL.M., a graduate from the Faculty of Social Studies, Masaryk University (Brno) both in political science (2004, Ph.D. in 2007) and psychology (2005). He also graduated from the Faculty of Education in the field of social pedagogy (2005). Associate Professor at the Department of Social Studies at the Faculty of Regional Development and International Studies, Mendel University in Brno. He deals with political radicalism, political psychology, Czech political parties and security studies. He is the author or co-author of 15 monographs and more than 200 articles.

Eva Taterová, M.A., Ph.D., is an expert in the Middle East, as well as in the foreign policy of Czechoslovakia during the Cold War. She earned her Ph.D. in International Relations from Masaryk University, and her M.A. degree in Middle Eastern Studies from Ben Gurion University of the Negev. She works as a researcher at the Institute for Contemporary History, Czech Academy of Sciences. Her research interests include diplomacy of Czechoslovakia, Arab-Israeli conflict, politics and history of the Middle East, and anti-Semitism in Central Europe.

Michal Ševčík graduated in social pedagogy (social education) at Tomas Bata University in Zlín. He focuses on the relationship between philosophy, political science and social pedagogy (social education). He has written many articles and reviews. His first book is this year's title *Identity and Youth*, which also deals with political correctness and the issue of liberalism as the dominant soft ideology of the 21st century. In his free time he is the ranger in the Moravian Karst and member of local municipal district council in Brno.

Matúš Béreš graduated in political science at the University of Prešov and later at University of Pavol Jozef Šafárik in Košice and in history at the University of Ss. Cyril and Methodius in Trnava. He made student trips to Czechia and Poland and completed an internship in Romania. At the time of writing the article he worked as an assistant professor in Technical University of Košice, now he works for a foreign bank. He focuses on Slovak

politics during the 1990s and Slovak history of the second half of 20th century, and specializes in regional history, using oral history method.

Hanna Melehanych is a political scientist. She received her Ph.D. degree in political science from Uzhhorod National University. Melehanych began her teaching career at the Department of Political Science at the above-mentioned university in 2007. She has been conducting lectures and seminars for teachers and political science students; Associate Professor at the Department of International Studies and Public Communications and director of the Sustainability Development Centre of Uzhhorod National University. Her research focuses on political communication, multiculturalism, sustainable development, and civil society.

Yeva Kish, in 1994 graduated from post-graduate course at the Institute of Social and Economic Problems of Foreign Countries, Academy of Sciences of Ukraine, Kyiv. Kish is a doctor of world history (2009). In 1991–2009, she worked as a senior scientific fellow at the Institute of Social and Economic Problems of Foreign Countries, Academy of Sciences of Ukraine, Kyiv. Between 2010 and 2020, she was head of the Department of Uzhgorod National University. Since 18 August 2020, she is Professor at the Ferenc Rákóczi II Transcarpathian Hungarian College of Higher Education. Areas of her scientific interest include cross-border cooperation in Europe, EU regional policy, history of Central Europe, and Central European foreign policy. In 1999 and 2005, Kish completed a professional internship at Central European University in Budapest, in 2000 – at Queen's University, in 2004 – at the European Academy Berlin, and in 2014 – at the European Parliament, Brussels. In the years 1992–2021, she participated in more than 300 international conferences and wrote 200 publications.

Sándor Fekete, a political scientist, received his M.A. and Ph.D. degrees in political sciences from the University of Miskolc. In 2003, he started to teach at this university (Faculty of Arts). He lectures and gives seminars for teachers and political science students. Currently, he is Assistant Professor at the Department of Political Science at the same university. His research focuses on political communication and political philosophy, especially multiculturalism and ethnocentrism.

Dachi Korinteli is from Tbilisi, Georgia. Currently, he is working at Ilia State University as a young researcher, he is responsible for dealing students' work and assisting university professors in teaching activities. He graduated from Ilia State University twice – with a B.A. in European studies and with an M.A. in international relations. Since 2011, he has been an active participant in various projects, which help him to improve research skill. He obtained an Erasmus scholarship. He studied political science at the University of Salzburg and won another Erasmus grant for teaching at Uppsala University.

Tomasz Wicha, Ph.D. in political science (Maria Curie-Skłodowska University in Lublin), Master of Science in professional communication (Clark University); a graduate of the MFA Academy of Diplomacy; a holder of a diplomatic degree; a scientific researcher and a didactic lecturer in the Department of Theory and Methods in Political Science and Administration in the Institute of Political Science and Administration at the Faculty of Political Science and Journalism at the University of Maria Curie-Skłodowska. The fields of scientific interests include decision-making processes, the foreign affairs of contemporary Poland, theoretical and practical aspects of political competition.

Krzysztof Kołtun, mł. asp. (junior aspirant of the Police), Master of Law, lecturer at the Faculty of Political Science and Journalism at the University of Maria Curie-Skłodowska. Deals with the issues of: internal security, activities of the Polish police, criminology and forensics, as well as the legal aspects of assisting family violence victims.

The issues explored in the publication significantly enrich our knowledge of the recent history of the Visegrad countries, above all, in a strictly political context. The book presents the first such comprehensive approach to the functioning of both the Visegrad Group and various aspects of the socio-political systems of its four Central European states. The authors of this monograph are researchers from leading academic centers in the Czech Republic, Slovakia, Hungary and Poland. They have made reference to studies in Polish, English and, above all, in the languages of the other Visegrad countries, i.e. Czech, Slovak and Hungarian. This extensive use of relevant political-geographical literature should be considered a major advantage of this work.

An excerpt from the review
prof. Jacek Wojnicki

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