



- **SOMALIA: TURKEY'S PIVOT TO AFRICA IN THE CONTEXT OF GROWING INTER-IMPERIALIST RIVALRIES**

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- **THE AFFIRMATIVE ACTION POLICY: A TALE OF TWO NATIONS AND THE IMPLEMENTATION CONUNDRUM**

Kwame Badu ANTWI-BOASIAKO

EDITORIAL TEAM**General Editor
Miro Haček**

University of Ljubljana
Faculty of social sciences, CAAPPI
Kardeljeva ploščad 5
1000 Ljubljana, Slovenia
miro.hacek@fdv.uni-lj.si

**General Editor
Peter Csányi**

Alexander Dubček University Trenčín
Department of Political Science
Študentská 2
911 50 Trenčín, Slovakia
peter.csanyi4@gmail.com

**General Editor
Jurij Toplak**

Alma Mater Europaea
European Center Maribor (AMEU-ECM)
Gosposka ulica 1
2000 Maribor, Slovenia
jurij.toplak@almamater.si

**Assistant Editor
Simona Kukovič**

University of Ljubljana
Faculty of social sciences, CAAPPI
Kardeljeva ploščad 5
1000 Ljubljana, Slovenia
simona.kukovic@fdv.uni-lj.si

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Študentská 2, 911 50 Trenčín, Slovakia

Centre for analysis of administrative-political processes and institutions (CAAPPI)
University of Ljubljana, Faculty of social sciences
Kardeljeva ploščad 5, 1000 Ljubljana, Slovenia

Alma Mater Europaea - European Center Maribor (AMEU-ECM)
Gosposka ulica 1, 2000 Maribor, Slovenia

DESIGN

CAAPPI, Ljubljana.

TABLE OF CONTENTS	4	SOMALIA: TURKEY'S PIVOT TO AFRICA IN THE CONTEXT OF GROWING INTER-IMPERIALIST RIVALRIES Paul ANTONOPOULOS, Oliver VILLAR, Drew COTTLE and Aweis AHMED
	19	MAKING THE NATION GREAT AGAIN: TRUMPISM, EURO-SCEPTICISM AND THE SURGE OF POPULIST NATIONALISM Jarrel DE MATAS
	37	SLOVENIAN E-GOVERNMENT: A CITIZEN- CENTRED PERSPECTIVE Marinko BANJAC
	55	ECONOMIC CONDITIONS AND TAX COMPLIANCE: THE MEDIATING EFFECT OF TRUST Vytautas KUOKŠTIS
	70	THE AFFIRMATIVE ACTION POLICY: A TALE OF TWO NATIONS AND THE IMPLEMENTATION CONUNDRUM Kwame Badu ANTWI-BOASIAKO



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SOMALIA: TURKEY'S PIVOT TO AFRICA IN THE CONTEXT OF GROWING INTER-IMPERIALIST RIVALRIES

Paul ANTONOPOULOS, Oliver VILLAR, Drew COTTLE and Aweis AHMED¹

With Somalia in the midst of the worse famine in decades, where the international community failed to delivery to the country, Turkey effectively responded to the crisis. This was in conjunction with significant development into the impoverished state. Although a sentiment of brotherly relations dominates the rhetoric, the Turkish investment into Somalia represents a Turkish push into Africa. This can represent Turkey attempting to expand its sphere of influence and demonstrate its growing capabilities as a middle power. With China making significant inroads into the continent, particularly in neighbouring Djibouti and Ethiopia, is Turkey as a NATO member attempting to block the Chinese pivot into Africa, or is it acting in its own self-interests? As resource security becomes imperative, the Horn of Africa only becomes increasingly strategic, however, only Turkey has recognized the importance of Somalia in a changing world.

Key words: Somalia; Turkey; Ethiopia; Djibouti; China.

1 INTRODUCTION

With the defeat of the Ottoman Empire in World War One and after the signing of the Sykes–Picot Agreement, Mustafa Kemal Atatürk became the founding father of the Turkish Republic. Atatürk magnified Turkey's turn to secularization and Westernization, drawing it into the Anglo-American orbit. Turkey was a bulwark for the Western containment of the Soviet Union on behalf of American interests in the Middle East. The United States enlisted Turkey to militarily contain the Soviets in the first years of the Cold War and in 1952, along with French Algeria, Turkey became the only non-Western member of NATO (Phillips 2010, 40). By 1955, through the Baghdad Pact, Turkey along with Iraq, Iran and Pakistan territorially contained this region from the Soviet

¹ Paul ANTONOPOULOS has an MA in International Relations. He is a sessional lecturer in International Relations at Charles Sturt University and Deputy-Editor of Al-Masdar News. Dr. Oliver VILLAR is a lecturer of politics at Charles Sturt University. Dr. Drew COTTLE is a senior lecturer in International Relations and Political Economy at Western Sydney University. Aweis AHMED is a Somali MA Candidate in International Relations at Selcuk University in Turkey.

Union with direct military aid from the U.S. (Miller 2007, 146). The Cold War gave rise to Pan-Arabism, where Turkey proved itself to be a valuable ally to counter the influence of Middle Eastern countries the U.S. viewed as Soviet client states (Egypt, Iraq, and Syria).

In 2010, Turkey had signed major energy-related agreements with a resurgent Russian Federation led by President Vladimir Putin (RT 2010). The energy agreements were suspended by Moscow after Turkey shot down a Russian jet on November 15, 2015 in which Ankara claimed the jet breached Turkish airspace from Syria (Guardian 2015). Erdoğan after stubbornly refusing to apologize finally did so on June 27, 2016 (RT 2016a). Recurring rejections of Turkey to become a member of the European Union have damaged relations with the U.S. and other NATO members. U.S. support for the Kurdish People's Protection Units in northern Syria, who are aligned with the Turkey-based Kurdistan Worker's Party and are recognized as a terrorist group, has driven a bigger wedge between Ankara's and Washington's 'war on ISIS'.

Modern Turkey today stands at the crossroads of inter-imperialist rivalry between the U.S., Russia, and, in the Horn of Africa, with the rise of China. Turkey has one foot in NATO and the other foot free to pursue its own interests as it sees fit.

Turkey has provided both humanitarian and developmental aid to Somalia and played a key role in settling its political stalemate. Following the stalemate, a military cooperation agreement was signed between the two countries, followed by trade and investment negotiations. Turkey's entrance into the African continent must be explored in the context of growing inter-imperialist rivalries. This paper investigates whether Somalia has become a gateway for renewed Turkish imperial ambitions in a region where U.S. imperialism is under challenge by its rivals. Only by closely examining Turkey in the crossroads of the major powers can Turkish interests in the Horn of Africa be properly understood. Such an examination must consider the historical relationship between Turkey and Somalia from the Ottoman Era to the present day.

2 AN UNDERSTANDING OF SOMALIAN OPPORTUNITY FOR TURKEY

2.1 The republic era

The early leaders of the Turkish Republic, Atatürk and his Kemalist successors led the country into a westernization process by the formulation of a foreign policy that looked to the West. During the Cold War, Turkey was in the Western-aligned bloc and an active member of NATO. In contrast, Somalia was under the colonial rule of Britain in the northern regions and by Italy in the south, which effectively divided ethnic Somalis (Odock 2013, 413). In 1960, Somalia was granted independence as much of Africa experienced de-colonization. After independence, Somalia was open to Soviet aid and influence while Turkey remained firmly aligned to the Western bloc. Soviet-Somali relations were always unstable and in 1977 Moscow cut all military and economic assistance to Mogadishu (Powell 2008, 658). Somalia renewed its relations with Turkey by opening an embassy in Ankara in 1979 and Turkey established an embassy in Mogadishu in the same year (Addow 2015). After the eruption of the Somali civil war in 1991, the Turkish embassy was closed but a non-resident

diplomatic mission to Somalia in Addis Ababa continued until the embassy was reopened in Mogadishu in 2011 (Turkish Embassy in Mogadishu 2016).

2.2 The AKP Party Era

In 1998, Turkey launched an “Opening up to Africa Policy”, which quickly evaporated because of Turkish unpreparedness. Nevertheless, Ankara understood the important role access to African resources would play in the new century. In 2002, a conservative pro-Western, moderate Islamic Justice and Development Party (AKP) came to power after strong resentment of coalition governments that have ruled since the 1980 military coup. This allowed Erdoğan to resurrect Turkey’s policy towards Africa with little opposition. Erdoğan declared 2005 as “the year of Africa” hosting the first Turkey–Africa Cooperation Summit in 2008 (Shinn 2015, 3).

Under AKP leadership, Ankara-Mogadishu relations were revitalized. Relations with Somalia grew when Erdoğan was in the Ethiopian capital of Addis Ababa for the 2007 African Union meeting (Yükleyen and Zulkarnian 2015, 101). The Turkish President met with the Somali President, Abdullahi Yusuf Ahmed, and discussed the conditions of Somalia and agreed to a Somali delegation to visit Turkey. Consequently, Sharif Sheikh Ahmed, the former president of the Transitional Federal Government (TFG), visited Ankara on several occasions before Erdoğan’s first visit to Somalia in 2011 amidst the worst famine in decades (ibid.). This important visit was followed by another in 2015 when Erdoğan announced future projects that would consolidate relations between Turkey and Somalia through economic and military means (Shinn 2015, 8).

2.3 Turkish Foreign policy in Somalia

First envisioned in the 1998 plan were political, economic and military elements. Turkey sought to establish relations with Africa’s largest states such as South Africa and Sudan, as well as Tanzania, Ethiopia and Eritrea. Turkey became an honorary member of the African regional organizations, the International Partners Forum of the Intergovernmental Authority on Development (IGAD), the Continental Organization of Africa, and the African Union (Akpınar 2013, 739). Turkish foreign policy was based on establishing relations with selective African states in a multi-strategy of combining economic, political, diplomatic and cultural relations to further Turkish interests (Ipek 2014, 438). Somalia was the most receptive of all African states that Erdoğan explored.

2.4 Turkish humanitarian and development aid in the context of inter-imperialist rivalry

The worst drought in more than two decades occurred in the Horn of Africa in 2011. There were 9.5 million people in a critical condition caused by the shortage of food and water in East Africa, with 4 million alone in Somalia (The Journal 2012). In Somalia, the drought and famine was accompanied by continued conflict, Al-Shabaab terrorist attacks, piracy, government breakdown and economic failure. The ‘international community’ led by the United States and the United Kingdom described Somalia as a “failed state” (Ryan 2014).

For Erdoğan, Turkey’s interests in Somalia were presented as humanitarian and as “one of the key principles of Turkish foreign policy” in Africa. Turkish involvement in “crisis zones” was presented as human-oriented policy”

(Davutoğlu 2013, 866–867). In reality, this significant move by Turkey on the African continent was only made possible by Western failures to dominate the region, particularly the ‘failed state’ of Somalia. It followed China’s leading imperialist role that has penetrated Africa.

Turkey’s humanitarian strategy included sending hundreds of tons of food and other essential items and coordinating ‘peacekeeping’ and ‘capacity building’ activities to help police the Somali crisis (Özkan 2014). Turkey’s strategy included government institutions, such as the Turkish Cooperation and Coordination Agency (TİKA), the Turkish Airline and Kızılay (Turkish Red Crescent), as well as non-governmental organizations such as Humanitarian Relief Foundation (IHH), which aided Turkey’s foreign policy objectives in Somalia (Davutoğlu 2013, 867).

Throughout the drought period in Somalia, Kızılay put together a relief fund for Somalia estimated to be worth over 7 million Turkish Lira. Hundreds of shelters were constructed for displaced Somalis who were fed and provided with basic medical services (Sunday’s Zaman 2016). Another governmental organization, TİKA, provided tens of thousands of tons in food aid, medical materials and services, and established four field hospitals (TİKA 2016).

Ankara’s actions in Somalia during the drought and famine period were justified as an Islamic “faith brotherhood” (Ali 2011, 69). The political and economic crisis gave Turkey a post-crisis nation building role, once reserved for American and major European imperialist powers.

Mogadishu airport, roads and transport systems as well as key roads connecting the airport to the presidential palace and city centre were reconstructed. With only two rivers in Somalia suitable for irrigation, Turkey opened an agricultural school to train Somali agronomists to prepare for any future drought crisis, which crippled the country in 2011. With the collapse of the central government in 1991, Somalia’s education system was virtually destroyed. In 2011, Ankara and Mogadishu signed a 49-year agreement to develop the Somali education system (Wasuge 2016, 17). Thousands of Somali students were awarded Turkish scholarships by the government and NGOs to study in Turkey (Shinn 2015, 9).

2.5 Security and diplomatic relations

In 2010, Ankara signed a military cooperation pact with Somalia after the Somali Chief of Staff and other retired generals with their Turkish counterparts discussed the restructuring of the Somali army in 2010 (International Crisis Group 2012, 14). As part of the nation-building project, a school for non-commissioned officers was announced for 100 officers and Military Ground, Air and Naval schools were established. Somali security officials were trained in Turkey. Turkey has taken on the role of combating piracy off the Somali coastline by sending several military ships to protect Turkish merchants and shipping (Özkan 2014). According to these agreements reached by Ankara and Mogadishu, Turkey has built a military training base in Somalia for the Somali National Army (Today’s Zaman 2016). The United States and Ethiopia have condemned Turkey’s African plans (Wasuge 2016, 19). Washington views a strong Somali military as a security threat to neighbouring states, Ethiopia and Kenya, which have regions where ethnic Somalis are numerically dominant.

2.6 Trade and investment cooperation

Somalia's security problems and political instability has denied commercial exploitation of oil, minerals, precious stones, fishing and livestock. In the process of Somali state-building and stability, Turkish business interests view the Somali market favourably because it is "Muslim" and "open to take risks" (Harte 2012, 31).

In 2012 the first Somali-Turkish business association of Somali businessmen was established (*ibid.*). Turkish capital invested over \$50 million into financial services, communication, textile, and money market in Somalia (Kagwanja 2013). Although trade opportunities between Somalia and Turkey were few, the exploitation of Somali natural resources offered future long-term prospects (Shinn 2015; Harte 2012, 31).

Turkey's economy is growing rapidly and lacks adequate energy resources. Currently Turkey relies upon the import of approximately 600,000 barrels of oil per day from mostly Russia, Iran and Iraq. It is estimated that Somalia's northern Puntland has oil reserves of 10 billion oil barrels (Africa Review 2014). The Turkish oil company, Genel Energy PLC, has been awarded a contract to explore oil reserves in Somaliland and to drill five oil wells. According to Genel Energy, it will invest more than \$400 million into this energy project (Kagwanja 2013).

In 2014, trade between Turkey and Somalia was estimated to be worth \$64 million. In a recent development, the TFG handed the operations of both Mogadishu's seaport and airport to two Turkish companies" (Wasuge 2016, 18). Bilateral trade agreements were estimated to be worth \$72.3 million in 2015, Turkey seeks to expand trade until 2025 estimated to be worth billions (Kagwanja 2013).

2.7 The role of Turkey in political settlement and peace keeping in Somalia

While the international community recognizes Somalia as a single unitary nation state, there are numerous self-governing autonomous regions, including the breakaway northern region of Somaliland, which claims to be an independent state, separated from Somalia since 1991 (Daniels 2012, 105). Turkey's multi-strategy foreign policy towards Somalia balances "proactive engagement" with "crisis management" (Sazak and Woods 2015). Turkey played a key role in the peace and mediation process of nation building among Somali regions, holding several conferences in Istanbul. Turkey has been involved in 12 major peace processes to find a consensus between opposing Somali factions. Foreign intervention, particularly from U.S.-backed Ethiopia, as well as the international community's spasmodic commitment to fight Islamic terrorism or offer meaningful assistance to Somalia, has enhanced Turkey's role in Somalia (Akpınar 2013, 743). Wahhabi terrorists launched an insurgency against the recognized Somali TFG in 2006. Al-Shabaab, an Al-Qaeda affiliated group, has the means and power to destabilize Somalia. Recent newcomers ISIS have small cells operating in Somalia (*ibid.*, 742).

Despite inter-imperialist rivalries across Africa and resistance from Washington and its regional allies, Ankara has brought together competing warring factions in Somalia and the unrecognized breakaway province of Somaliland. This

involvement by Ankara is unprecedented. In 2013 Turkey hosted diplomatic talks between the presidents of Somalia and Somaliland in Ankara and Istanbul, involving cabinet ministers in several separate meetings in Turkey (Anadolu Agency 2013).

2.8 Somalia as the gateway to expanding Turkish interests in Africa

When considering Turkey's intervention in the Syrian War, its military permanently stationed in Iraq under the guise of fighting ISIS, and its recent deployment of troops to Qatar, its nation-state-building attempts of Somalia suggest an expanding influence in Africa. In the context of global, inter-imperialist rivalries, these inroads may also be strengthened through the recent Turkish-Russian rapprochement in Europe and the rise of China in Africa; allowing Turkey to manoeuvre in an unstable Horn of Africa that is still under contention.

Turkey, which had warm relations with Damascus before the outbreak of the Syrian War, in 2011 paradoxically, became the key state in the establishment, training and arming of the Free Syrian Army in the proxy war against President Bashar al Assad (Young et al. 2014, 16). With strategic interests in Africa and the Middle East, Washington cannot prevent Turkey's engagement with Somalia. Turkey's contribution in supporting and protecting radical Islamist groups in Syria fighting Assad cannot be underestimated (Lawson 2013, 142). On August 24, 2016 Turkey began to directly intervene in Syria with its military expelling ISIS and the Syrian Democratic Forces (SDF) from areas between the west of the Euphrates River to the Free Syrian Army and Turkey-backed Islamist proxies-held Azaz region.

Since late 2015, Turkey deployed its ground troops in Mosul's Bashiqa region in Iraq as part of Turkish military operations targeting ISIS. This decision was without any coordination or approval from Baghdad, Washington or Iraq's new ally, Iran. Baghdad has continually called the intervention a violation of Iraqi sovereignty yet Ankara has refused to leave the country.

The announcement in early 2016 of a Turkish military base in Qatar will reportedly include army, navy, air force, and Special Force units as well advisors and trainers to the Qatari military (PressTV 2016). This move provides Turkey with direct access to the Persian Gulf, Indian Ocean, and Arabian Sea, as well as a base of operations to project its own influence in the immediate vicinity of the oil-rich microstates of Qatar, Bahrain, Kuwait and the United Arab Emirates.

The history of Turkey since the Ottoman Empire alongside growing inter-imperialist rivalries highlight Ankara's ability to pursue its own foreign policy objectives in contested conflict zones. Turkey's push to become a major regional player has seen the expansion of Turkish influence through military means in the Middle East. In Africa, Turkey's pivot for expanding influence has been unique as it has adopted a soft power strategy in an unstable region where no imperialist rival can currently dominate.

Turkey's military assistance to Somalia in the form of aid, training and supervision, has been limited to Somali troops, with a focus on state building (Sputnik News 2016b). What this demonstrates is a geostrategic and patient Ankara, which will exert its influence through either soft or hard power. Carter Findley, a professor of Islamic civilization at the Ohio State University's Mershon Center for International Security Studies argues, that "Turkey has

completed its adjustment to the post-Cold War era. It's developed a fully globalized foreign policy" (Tovrov 2012).

Somalia strategically sits on the Gulf of Aden, just at the entrance of the Red Sea and the Suez Canal, a pivotal global shipping lane connecting the Mediterranean Sea to the Indian Ocean. The Gulf of Aden has been plagued by Somalian piracy in which Turkey has actively policed (Hurriyet 2008). With piracy diminishing, the al-Qaeda affiliated al-Shabaab terrorist group remains the major destabilizing force in Somalia. Should this threat be eliminated or should al-Shabaab gain more ground, either one of these national security problems could provide Ankara with the casus belli it needs for direct military involvement.

At a strategic juncture in the Horn of Africa, the tiny Somali-majority nation of Djibouti, with its neighbouring states being Somalia to the south and Ethiopia and Eritrea on its eastern and northern borders, symbolizes inter-imperialist rivalry in the region. The United States hosts its largest African military base in Djibouti, and NATO-ally France and its key Asian ally, Japan, also host a military presence. China, which has economically penetrated the continent, has begun construction of its first overseas military base in Djibouti, and Saudi Arabia will establish a military presence there (Sputnik News 2016a). The maritime chokepoint of Bab el-Mandab is what makes Djibouti a key node in the Gulf of Aden-Suez Canal trade route (see picture 1).

PICTURE 1: LOCATION OF BAB EL-MANDEB



Source: Saudi-US Relations Information Service.

This maritime route is essential to the world economy as over 20,000 ships, accounting for 20% of global yearly exports as of 2012, passes through this strait that connects the Gulf of Aden to the Red Sea (Anderson 2012). This is the most vital maritime trade route from Asia to Europe. Of those 20,000 plus ships, Japanese ships account for 10%, with China's USD\$1 billion daily trade with the European Union heavily relying on this route (Japan Maritime Self-Defence Force (2016). This offers a compelling reason why the first overseas military bases of China and Japan are located in Djibouti, and why they sent naval forces to combat Somali piracy in the late 2000s.

The stability of Djibouti in a region engulfed in conflict allows for the international community to secure the straits from bases in the country. Yemen,

which at its closest point to Djibouti is only 30km away, is experiencing a civil war with aggressive foreign intervention from a Saudi-led coalition (Hegazy and Doust 2016, 16; Antonopoulos 2016). This makes Yemen untenable as a base of operations to secure and monitor Bab el-Mandab. However, with the two hotspots of Yemen and Somalia within easy reach of Djibouti, not withstanding its importance for global economic security, it also offers itself as a position of base to deal with regional conflict.

With the Saudis involving itself in the Yemeni Civil war between Houthi rebels and their allies against the internationally recognized government, and the Saudis expanding their own influence on Yemen since March 2015, it offers a reason for Saudi military interests in Djibouti. The Saudis can open another front against the Houthis as they control large swathes of Yemen's Red Sea coast. It has been consistently alleged (and concurrently denied) that Iran is supplying the Houthis with weapons and aid with ships (Bayoumy and Ghobari 2014). Therefore, Djibouti's future hosting of the Saudi military base is another proxy front in the Saudi-Iranian geopolitical rivalry.

The U.S. base in Djibouti, Camp Lemonnier, serves as Washington's main conduit point in their 'War on Terror' in the Horn of Africa. As a base point, the U.S. has been able to launch counter-terrorism operations in Yemen and Somalia, including drone strikes, from Djibouti (Whitlock 2012). It currently hosts a massive 4,000 strong force (Navy Installations Command 2016). The French act in the same capacity, with Djibouti acting as a point d'appui for its military operations across Africa, including operations in the Ivory Coast and the Democratic Republic of the Congo on the opposite side of the continent. It currently hosts 1,900 troops (Business Insider 2015).

Landlocked Ethiopia relies on Djibouti for port access, and China has massive investments in the country, surpassing \$30 billion in 2014, 60 times more than year 2000 levels (Jeffrey 2016). Projects include the construction of Africa's largest dam; the 188 meter Tekezé Arch Dam which was part of a \$365 million hydropower project that added 300 megawatts to Ethiopia's grid (Power 2009).

The country of 830,000 people and limited land space has become congested by the presence of the Americans, French, Japanese and now the Chinese and Saudis. The increasing geostrategic importance of the Horn of Africa with huge investment opportunities and conflict has allowed Ankara to enter this region as a site for exerting its influence. Despite Wahhabi terrorism, piracy and drought, no other state but Turkey has identified Somalia as both geostrategically valuable and profitable. Every Western country has ignored Somalia given its 'failed state' status. According to Joshua Walker, the head of the Turkey program at the German Marshall Fund of the United States, "Turkey has said 'our intentions are peaceful,' and it wants to make Somalia a foreign policy crown jewel for what can be accomplished in the world" (Tovrov 2012). In the midst of inter-imperialist rivalries, this is a strategic move by Ankara.

Turkey has attempted to exercise influence in Cameroon, South Africa and Congo, but these countries have already been courted by other states, most significantly the United States, France, China and the United Kingdom ((Republic of Turkey Ministry of Foreign Affairs 2016). Somalia remains as a neglected failed state. Driven by the belief that there are enormous oil reserves in its Puntland region, Turkey has prepared operations to exploit Somalia's natural resources once a level of stability security is established (Palmer 2014, 104). As in Syria, Iraq and other conflict zones, it is not in the interest of imperialist rivals to have Somalia stable and secure.

According to the then Prime Minister Ahmet Davutoğlu, Turkey extended aid to Somalia as a 'humanitarian obligation,' not for strategic reasons. Turkey was not seeking to gain influence with a new government but only attempting to establish peace in a country with 'shared Ottoman heritage.' Somalia's reaction to the July 2016 coup attempt against Erdoğan suggests that Ankara has a persuasive influence on Mogadishu. The Turkish Ambassador to Somalia, Olga Baker, paid tribute to the Somali people and the government in its reaction to the failed coup attempt, stating: "We really appreciate the attitude of Somalis people and its leadership against the coup attempt in Turkey. All the cabinet members visited me to show the solidarity of Somali government. This is brotherhood" (Awale 2016).

The Turkish state-run media, Anadolu Agency, reported that after the failed coup, the Somali government announced on July 16 that it would be suspending a school linked to the Gülen movement believed to be behind the failed coup attempt, at the request of Ankara. Notwithstanding Davutoğlu's earlier statement about Turkey's humanitarian obligation and shared Ottoman heritage, following the coup, all Gülen operated institutes were seized by the Turkish embassy or given over to the Somalian government (Anadolu Agency 2016).

Ankara is attempting to establish its sphere of influence over the pivotal waterways, and has done so in a state that has virtually been abandoned by the major powers and denied the resources for state building and infrastructural development. With an established military presence in the Middle East, Turkey is expanding its political, economic, cultural and increasing military presence in East Africa.

Turkey has established a presence to spread its influence into the Red Sea, the Gulf of Aden, the Indian Ocean, Somalia, Ethiopia, and Kenya. Even if Turkey's economic investment in Somalia ends, its presence in Africa from an inter-imperialist perspective is the main priority allowing Turkey a gateway into countries as the continent is opened up to 21st century imperialism. Turkey's venture into Somalia has allowed it to gain a presence on the continent that has seen France, Britain, the United States and China compete for supremacy in recent years.

This pivot for Turkish influence in Africa via Somalia as its gateway has seen Turkey undertake twelve diplomatic missions in 2009 across the continent, and thirty-nine in 2015 (Republic of Turkey Ministry of Foreign Affairs 2016). This further demonstrates a measured assertiveness by Ankara, which recognizes the limits and opportunities in engaging in inter-imperialist rivalry in the twenty-first century.

2.9 Twenty-First Century Imperialism in the Horn of Africa

The Turkish push into the Horn of Africa through Somalia can be understood in the historical context of the dynamics of inter-imperialist rivalry and its new forms of control and domination. The implosion of the Soviet Union, and U.S. President George Bush's announcement of a 'New World Order' on September 11, 1991 assumed a unipolar world led by the United States in which it was assumed that American primacy in the United Nations, NATO and other international organizations, would go unchallenged (YouTube 2011). What was not envisaged was the transformation of Russia as a rising regional power

challenging American hegemony. Russia has experienced resurgence along with its strategic cooperation with China in the framework of a multipolar 'BRIC' world order outlook. In this global recasting the U.S. would most likely remain the most powerful military power but ceases to be the sole superpower as in its short-lived unipolar New World Order.

With the beginning of the twenty-first century, the U.S. sponsored destabilization programs and counterinsurgency efforts across the globe (Villar and Cottle 2011; Villar and Cottle 2015). Although the collapse of the Soviet Union gave the Americans and its major Western allies full reign of their imperial ambitions across the globe for the best part of nearly two decades, the resurgence of Russia and China has brought complexity to the Anglo-American Empire. Russia since its resurgence under President Vladimir Putin has established military bases in Armenia, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan, Syria, and Vietnam, and in the breakaway provinces of Abkhazia and South Ossetia in Georgia, Transnistria in Moldova. This is dwarfed by 662 bases the U.S. maintains across the globe according to the Pentagon as of 2011, but is ineffective in neutralizing growing inter-imperialist rivalries (Jacobson 2011; RT 2016c). Turkey and Russia have now agreed on ending the bloodshed in Syria, but it remains to be seen if this will eventuate (RT 2016b). Regarding China, it has only expanded its military influence in Djibouti. The congested Djibouti military-scape does not allow for middle powers such as Turkey to expand its influence further into the Horn of Africa and the imperative waterways, as it is already overcrowded by the major powers. U.S. backed Ethiopia remains landlocked since the success of the Eritrean separatists in 1991, Eritrea is insular-focussed, and Somalia remains unstable because of al-Shabaab, weak government institutions and piracy. Turkey's inroads into Africa have been tolerated by inter-imperialist rivals to the West, Russia and China, which could potentially challenge Beijing's heavy investments across the continent (Turner 2014). Turkey is a key member of NATO with the second largest standing army (Yeşilada 2012, 132). With the increasing cooperation between Moscow and Beijing, and Beijing's continued push into Africa, is Turkey's engagement in Somalia an effort to halt the Chinese penetration into the continent on behalf of its American and Western allies?

In the diplomatic and economic rush into Africa, the United States, France, and the UK are outpaced by China. Since the decolonisation period, France and the UK had been the primary commercial partners in Africa. In 2009, China became Africa's largest trading partner, with a balance trade of USD\$90 billion in 2009 (Mapunda 2014, 83). In the same year, the United States was ranked second with a trade balance of \$86 billion (ibid.).

China has identified six special economic zones in Africa which are crucial to its interests: Chambishi and Lusaka in Zambia, Jinfei in Mauritius, Ogun and Lekki in Nigeria, Egypt, Algeria and Ethiopia (Bräutigam and Xiaoyang 211, 32). Since the success of the Eritrean independence movement, Ethiopia has become landlocked and relies on Djibouti for sea access (Meseret 2016). The only sea access for Ethiopia and China into Ethiopia is via Eritrea, Djibouti or Somalia. With Eritrean-Ethiopian relations being adversarial at best, their only realistic options remain Djibouti and Somalia for Ethiopia's sea access. Although a Chinese naval base is being prepared in Djibouti, the military presence of, France, the U.S., and Japan, Djibouti is a dubious nodal point for Chinese investment interests in Ethiopia and is representative of the imperial rivalry in the region.

Mogadishu's political establishment is willing to co-operate with Addis Ababa as their invitation for Ethiopia's intervention in the 2006-2009 War in Somalia demonstrated. This occurred despite previous Somali irredentist ambitions against Ethiopia with the Ogaden War. Despite their past difficulties, Ethiopia may seek to properly secure another avenue of sea access through Somalia, in the future.

Ethiopia has already begun using the deep-water seaport in Berbera in Somalia's unrecognized breakaway province of Somaliland for limited import and export (Davinson 2016). This would suggest that through this outlet, China might have a new avenue to bypass the congestion of Djibouti and secure its trade routes to Ethiopia via Somalia. Somalia only has another two deep-water ports in Mogadishu and Kismayo. However, these are unsuitable alternatives as Kismayo lies near the Kenyan border, and Mogadishu is 1,400km away from Addis Ababa. The untapped Berbera port is the most suitable option in Somalia as it lies 915 km from Addis Ababa, just a bit further than Djibouti city, which lies 864km away. Somaliland remains a stable and safe province in what is otherwise a chaotic country (Gilmer 2014, 35). Although it is not known whether China will continue to solely use the military congested Djibouti, Berbera offers a deep-water port within easy access of Addis Ababa and Bab el-Mandab.

In these new developments, it must be questioned whether Turkey's successful penetration into Somalia is to hinder any Chinese influence into the strategically located country on behalf of the U.S. and its Western allies. Instead, it demonstrates that 21st century imperialism offers incentives to 'BRICS nations' who wish to compete in a world market by encouraging imperial rivalries for the best economic outcome. Turkey's strategy in Somalia is another chapter in this challenge for a multipolar world order.

If analysed through the lens of 21st century imperialist rivalry, the collapse of the Soviet Union allowed Africa to be dominated by America's Western alliance. The rise of China has not only threatened, but overtaken 21st century imperialistic and capitalistic ambitions on the continent by the U.S., UK and France. A Chinese push into the virtually forgotten and untouched Somalia would further threaten U.S. and Western imperialism in Africa. The thousands of miles of untouched Somali coastline straddling strategic sea-lanes has been under-utilized and forgotten by the West and allows China the option of a second access to Ethiopia away from the Western alliance dominated Djibouti. It can only be speculated that the successful Turkish pivot into Somali economic, humanitarian and military sectors could potentially thwart Chinese efforts into Somalia if Turkish interests were threatened.

Although China in 2015 gave Somalia \$15 million in aid money and reopened its embassy, this is miniscule compared to the humanitarian and diplomatic efforts of Turkey (Horseed Media 2015). Impoverished Somalia is open to aid and investment from any state, however, in the event of any NATO-China showdown, it is only conceivable that Somalia would back its Turkish partners who have invested heavily in this country. This would be the ultimate test of Turkey's newly claimed worldview.

3 CONCLUSION

The Turkish pivot in Somalia not only serves to expand Turkish influence when considering its actions in Syria, Iraq and Qatar, but also competes with other imperialist rivals. The Ethiopian economic zone designated by the Chinese partly explains China's first overseas military base in Djibouti to protect its investment. The Turkish domination of Somalia gives Ankara the option to either serve the American Western alliance or to use Somalia as a buffer state to block U.S. and Western imperialism. Whatever Ankara chooses, all roads for Erdoğan currently lead to Moscow and Beijing's ever expanding Silk Road, making Somalia a gateway for renewed Turkish imperialism in the context of growing, global, inter-imperialist rivalries in the Horn of Africa.

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MAKING THE NATION GREAT AGAIN: TRUMPISM, EURO-SCEPTICISM AND THE SURGE OF POPULIST NATIONALISM

Jarrel DE MATAS¹

While the corpus of research dedicated to nationalism studies is vast, less attention has been given to the surge of neo-nationalism especially in the context of far-right populism, which has also seen a significant rise in prominence. This study explores the emerging trend of neo-nationalist, more pertinently, isolationist sentiments that have gained popularity, specifically in the United States of America and in Europe. The phenomenon, which distinguishes these two regions include the snowballing popularity of Republican presidential nominee, Donald Trump, and across the Atlantic, the growth of far-right leadership and euro-scepticism. This paper explores both occurrences against the backdrop of a twenty-first century reinvention of nationalist sentiments. These two events are indicative of a political landscape that attempts to re-claim fundamental tenets of nationalist ideology. As such, the study will develop the growing body of research on nationalism perspectives as well as provide a platform for further research of similar topics.

Key words: Populism; Neo-nationalism; Isolationism; Euro-scepticism; Donald Trump.

1 A SPECTRE IS HAUNTING THE WORLD – POPULISM²

Described as a haunting presence in the late 1960s, the contemporary political scene is no less pervaded by the spectre of populist nationalism. On its own the issue of nationalism remains one of the most contentious elements in the political sciences. From the mid-seventeenth century the Treaty of Westphalia has been seen as creating one of the first conceptions of the nation-state (Vaughan 2011). For centuries the question of what it means to belong to a nation, or to have a nationality, has stirred a plenitude of perspectives. That “the last ten years have witnessed a phenomenal growth in the practice and study of nationalism” (Smith 1998, xi) points to its increasing significance in scholarly

¹ Jarrel DE MATAS, The University of the West Indies, St Augustine Campus, Trinidad and Tobago.

² See Ionescu and Gellner (1969, 1).

application. Yet, the ideology of nationalism is a diverse and multi-faceted point of reference, which polarises many in its field. Nationalism, nation, and nationality operate as conceptual frameworks rather than essential terms making it problematic to restrict to any concise definition.

If Gellner (1983) is right - and I believe he is - in labelling nationalism as a phenomenon with its own social conditioning, then the contemporary nationalist claim that overlays the isolationist and anti-globalist policy of what we can consider to be revolutionary political ideologies is unrivalled in its both scope and consistency. John Dunn's scathing view of nationalism as "the starkest political shame of the twentieth century, the deepest, most intractable and yet most unanticipated blot on the political history of the world since the year 1900" (Dunn 1978, 55; cited in Smith 2000) highlights the way in which nationalism can have a very time-specific contextual and also underlying ideological base. Gellner's claim of nationalism as inventing nations where they do not exist highlights how nationality was a convenient and accessible base for the creation and maintenance of a particular consciousness (Gellner 1964, 168). It therefore follows that many nationalisms have developed as a response to the progress, or lack thereof, of nations throughout history.³

While some like Hobsbawm (1990) see nationalism as waning in significance, others such as Smith (2000) see it as enduring and even transcending eras. Whether or not one agrees with either, it nonetheless remains that nationalism is still relevant to contemporary society. In this regard, Smith was correct in saying that "It would be folly to predict an early supersession of nationalism and an imminent transcendence of the nation. Both remain indispensable elements of an interdependent world" (Smith 1995, 160). The relevance of nationalist movements to today however is not only by being a part of the interdependent world but also by being against it. Nationalism, being inherently political and cultural, continues to appeal to partisanship by inciting an "exclusive and narrow love of the nation" (Smith 2000, 19). The different theories of nationalism that have emerged have a fundamental belief that the nation has a past which must be preserved and a core set of values which must be upheld. This belief has motivated, albeit to varying degrees, the popularity of isolationist and protectionist nationalism which this paper contextualises in the twenty-first century prominence of phenomena such as Donald Trump's presidential campaign, and the growing Euro-scepticism spreading across Europe.

Although discussed as a dying sentiment especially in relation to post-nationalism, the isolationist brand of nationalism has experienced a rise in popularity. Smith (2000, 53) does not believe that we have reached the age of post-nationalism. For him, the speculation towards national identities and national histories signify a transformation, and not dissolution, of the nation-state. In the context of the late globalised scene, this neo-nationalist movement has reconstituted itself into a more pervasive isolationist paradigm espousing the essential belief that the nation must once again reclaim its right to sovereignty and autonomy. Its values are upheld not only by any particular political faction but also transmitted as a socio-cultural and psychological ideology. Understood as such, it is hard to disagree with Delanty and Kumar's claim that nationalism "has seemingly returned with renewed vigour in recent

³ A manifestation of such a 'new nationalism' is that which is embodied by Donald Trump. It is revolutionary in the sense of attempting a rebel against the establishment, in addition to unprecedented political ideology as it regards the treatment of political office, the media, and presidential tradition.

decades" (2006, 1). This statement becomes all the more credible when one surveys the geo-political complex of the late twentieth and twenty-first century nation-states. In the United States of America the Republican Presidential nominee has moulded a peculiar brand of anti-establishment, populist fervour in the prominence of the nation-state. Kaldor's (2004) concept of "political experimentation" is useful in exploring how nationalism is constantly re-inventing itself and creating new fashions. This could explain why a United States of America presidential nominee could be so divisive yet extremely popular.

Donald Trump has presented himself as the antithesis to the typical politician. However, this has seen him occupy his own extreme. He is essentially atypical. Trump's post-factual, polarizing rhetoric has complicated the discussion on nationalism by providing his own protectionist ideology, which arouses isolationist, anti-immigration sentiments in disgruntled citizens. Across the Atlantic, Europe has experienced a similar wave of increased nationalistic sentiments. This manifests itself in euro-scepticism, which is a general feeling of distrust in the European Union as a supranational authority. The EU as a political institution is viewed as taking sovereignty away from individual nation-states. Compounding the political divisiveness are the economic and migration crises as well as the threats of terrorism, which have severely impacted issues of trust in the EU as well as in the individual nations. Far right political influence has extended its scope in response to the socio-political and economic challenges affecting Europe. As with the Trump brand of isolationist nationalism, euro-scepticism's far right nationalist movement has developed in response to the need to reclaim the nation and its apparent loss of autonomy.⁴ What has occurred is a dramatic diffusion of nationalistic trends, fuelled by 'threatened' communities and orchestrated by a political consciousness, which strengthens as a result of perceived threats to nationhood.

But this is not the only context in which nationalism has grown. The nation exists in large part due to the socio-cultural habits of the people. Nationality thus becomes a marker of not only identity but also identification. Therefore, when Anderson (1983, 6) defines a nation as "an imagined political community", one is made to reflect on the circumstances that contribute to this mode of existence. As a corollary to Delanty and Kumar's argument, the community exists in so far as the common 'threat' to their sense of nationality remains present; real or imagined. While Anderson (*ibid.*, 12) is reluctant to align nationalism with "self-consciously held political ideologies", political belief systems are intrinsically linked to nationalistic sentiment. As Smith (2001) points out, nationalism is as much a socio-cultural phenomenon as it is a political force. The values associated with nationalism therefore become conterminous to the passions of the political climate. And although the discussion involving cosmopolitanism continues to appear in the political sciences and elsewhere, this apparent buzzword has the potential to be undermined by the re-emergence of nationalist fervour, if it has not already been undermined.

According to Smith (1992), "*national* identification has become the cultural and political norm, transcending other loyalties in scope and power" (58). Identity politics become the dominant paradigm through which the perspectives of certain groups in society are shaped. And where the political discourse of isolationism is considered, the fear of foreign engagement emphasizes its own

⁴ Against the readiness to ascribe anti-globalization sentiment to the right-wing movement, it rather exists along the continuum of the right-left ideology.

nationalistic sentiments, which binds groups together based on the perception of such a shared identity. Anderson (1983) argues this claim, saying that the nation is responsible for bringing, and keeping, people together. This group mentality, as Kecmanovic (2005) calls it, is best understood as the enactment of individual nationalist behaviour within the larger context of a group, which shares the socio-cultural and ideological mentality. This is not to say that a scenario involving multiple identities cannot exist, however problematic that may be. Situations arise which compel the privileging of one identity over another and especially where it concerns nationalist movements conservatism nationalism depends on the power of national identification.

The allure of globalisation is diminishing especially in response to the gradual increase in popularity of nationalist movements. Defined as the “compression of the world and the intensification of consciousness of the world” (Robertson 1992, 8) globalisation inevitably enters the dialogue on nationalism studies. It is usually discussed as having the potential to erode the effects of nationalism. The intermingling of cultures and economies as well as the establishment of supranational agencies has led to a diminishing national centre. Vaughan’s (2011, 11) study of how Transnational Corporations (TNCs) and Multinational Corporations (MNCs) affect the nation-state’s right to power reveals the scope of globalisation. It also contextualises why nationalist movements are incredulous towards the effects of globalisation. International organisations are seen as taking away some amount of decision-making by the nation-states (von Campe 2008). These stateless organisations have economic and political power of their own, making the claim to sovereignty by the nation-state problematic. This is a point that Delanty and Rumford (2007) are quick to make.

The nation-state has transformed to the extent where it is no longer a territorial battle between other states, rather states now struggle against global forces for autonomy and influence over state affairs (Delanty and Rumford 2007, 416). Political globalisation has therefore negated the reach of nationalist movements through the erosion of borders and assimilation of transnational authorities. The process of globalisation has taken increasing power away from the state and redistributed it among TNCs, MNCs, and non-governmental organisations (NGOs). As a consequence, nationalist ideology attempts to reverse this process. The far right movements of Europe seek to overturn the political ordinances of the European Union, which from their perspective disrupts the autonomy of the nation-state. The issue of community law as the EU exercised it was opposed aggressively by Boris Johnson during the Brexit campaign⁵ as it represented a challenge to state sovereignty. Anti-EU sentiments such as these are increasingly being popularised through far right ideology as euro-scepticism attempts to tip the scales of power back in favour of the autonomy of the nation-state.

Globalisation is viewed as negating the re-rise of the nation-state as the individual sovereign power therefore it follows naturally that the EU, in many regards a supranational institution which exemplifies the reach of globalisation, should be so vigorously condemned. Europe has become deterritorialised; its borders diffused and unified (Waters 2001). But nationalists view this as a negative consequence of globalisation. Territorialisation is an integral concept to nations and the claim to sovereignty because borders determine who has the power and how it should be exercised. It therefore follows that the compression of space, cultures and people brought about by globalisation diverges from

⁵ See <http://www.conservativehome.com/parliament/2016/05/boris-johnsons-speech-on-the-eu-referendum-full-text.html>.

nationalist ideology, which makes the nationalist movement a volatile one. Tidwell and Lerche (2004) introduce conflict as a heuristic term through which the tension between globalisation and the state autonomy can be contextualised. Because a fundamental feature of globalisation is its ability to create linkages it becomes a difficult process for states to be 'independent' of their once interdependency. In the case of Europe, ethnic conflict has followed the extremism of Islamic State and the resulting anti-Islamic sentiments popularised by far-right politicians. States no longer exist in isolation as economic, cultural, and military decisions made by the so-called superpowers often affect the affairs of countries throughout the world. Neo-nationalist sentiments generally regard this as incompatible. Donald Trump's incredulity towards certain international alliances highlights a central tendency of the nationalist movement, which rejects globalisation's influence of interlinked and interdependent nation-states. In the minds of the far right leaders, and as important the support from the people, global consciousness is being replaced by a national consciousness which centres itself on a protectionist claim to resist the globalised trend.

As with globalisation, the beliefs surrounding cosmopolitanism establishes it in many regards as the antithesis to nationalism. Where the latter works to create a structure based on a shared territory, uniformity, and sameness, the former attempts to tear down such structures. The values associated with cosmopolitanism are no longer desirable by the majority. This quasi-utopian worldview of inclusivity is seen as destabilising fundamental nationalistic standards. A prime manifestation of this is the 2016 United States of America Presidential Campaign. Its Republican nominee, Donald Trump, expounds a philosophy that resonates profoundly with nineteenth and twentieth century nationalist ideals. One campaign slogan from the supporters of the Presidential candidate reads 'The silent majority stands with Trump'. This highlights fundamental aspects of Trump's populist philosophy namely the belief that the majority feel stifled by the political establishment. Placed further in the context of Trump's unorthodox campaign, the so-called silent majority have become unable to locate their great nation as a dominant socio-economic power. They see the minority as exercising too much power. And most of all, they want to make America great again. Trump embodies an extreme liberal nationalist type; one who feels it necessary to reclaim something that is apparently lost. His rhetoric is symptomatic of a return to the appeal of nationalism. Calhoun's use of Raymond Williams's 'structures of feelings'⁶ examines how nationalism shares close association with emotion (Calhoun 2007, 171).

Struggles over nationalism and sovereignty are thus motivated by desires of being part of something larger and more powerful. Consequentially, when there are threats to the balance of power, especially as it regards the centrality of the nation, the response is to support policies, which attempt to assert the dominant nationalist sentiment. According to Anderson (1983, 4) nation-ness and nationalism are culturally imbued and therefore they persist because of cultural ties to a shared historical narrative. Anderson's cultural theory of nationalism necessitates a constant process of national identity construction because of the "profound emotional legitimacy" it commands. The cultural significance to nation-ness is what simultaneously strengthens and obscures the imaginings of the national community. For Anderson, the 'cultural artefacts' on which nationalist sentiments are rooted invent national communities based on distinguishing features, which compel such communities to band together.

⁶ See Williams (1965). Calhoun develops Williams's 'structure of feelings' in affective terms to discuss how Nationalism has historically been linked to emotional responses.

The nation as an imagined community engages the emotional response to nationalism, ensuring that nation-ness remains, as Anderson puts it, “the most universally legitimate value in the political life of our time” (ibid., 3).

Patricia Clough’s discussion of the affective turn⁷ is useful to mention here as it can shed light on how the neo-national-populist resurgence appeals to the mind-body relation. This of course is not unique to political discourse in a general sense. However, as it regards the nationalist movement, far-right leaders do arouse affects related to belonging, security and the need to take back what was divinely given. This is what makes the affective turn of the neo-nationalist movement unique. The stimulation of affective responses to social phenomena in the nationalist setting contributes to a psychosocial reconceptualization of national consciousness. This differs from the view argued by Tiersky, that national consciousness is neutral as it regards the convergence of nation and state (2001, 40). The somewhat moderate view on the ability of national consciousness to impact the strength of the nation-state as discussed by Tiersky underestimates the significance of the affective response to the nationalist movement.

In essence, this response has historically been conditional on socio-political interests and power struggles among an elite. For Giddens (1994, 5) “the revival of local nationalism and an accentuating of local identities are directly bound up with globalizing influences to which they stand in opposition”. Both belief systems are irreconcilable despite being embedded each into the other. Globalisation’s ability to integrate cultural and national differences leads to conflict as neo-nationalist sentiments exploit difference to further the nationalist ethos. The twenty-first century re-emergence of the nationalist myth runs parallel to the attempt to establish the nation as the ultimate precursor to social and cultural organisation. What is more is the extremes it is willing to adhere in order to achieve this. Kaldor’s (2004, 162) claim of new nationalism is “regressive, and, in so far as it persists, will contribute to a wild, anarchic form of globalization, characterized by violence and inequality”. This dark view of the future of nationalist movements is closely aligned to classical nationalism, which characterized the 19th and 20th centuries. Nationalism and war became mutually linked. Nationalist sentiments thrived during this time because of power dynamics; whoever wielded power very often determined the scope of the nation-state.

It follows that nationalist ideology has always attached itself to some external ethos. Tamir (1993) supports this view by saying that “National movements are motivated by a desire to assure the existence and flourishing of a particular community to preserve its culture, tradition, language.” (cited in Natalie 2010). In this modernist paradigm of nationalist thought, language equates race with the concept of the nation (Smith 1998, 18). The nation is as a result, a creation, born out of elitist claims to power and autonomy. Gellner substantiates this by saying that “Modern man is not loyal to a monarch or a land or a faith, whatever he may say, but to a culture” (Gellner 1983, 36). However, a global culture is too divided to unify a national community. Instead, Spinner-Halev (2008, 612) validates a nationalist culture explaining, “the nationalist message often works well because it resonates so widely, and it often serves the interests of the members of the national majority”. According to Smith (2007, 17), global culture is “culturally fragmented, historically shallow and affectively neutral, by comparison with the emotive, easily intelligible and vibrant national cultures”.

⁷ Clough’s exploration of the affective turn of the twentieth century is in line with the rise of nationalist sentiments popularized during the same period.

Clough's affective exploration of psychological responses to external stimuli consolidates Smith's claim of culture as an appeal to latent nationalistic sentiments. In this way, biopolitics, as defined by Foucault, described how political rhetoric stirred an emotional, bodily response creating a "politics of population" (Clough 2007, 19).

For the Euro-sceptic, feeling 'European' is less perceptible than an innate national identity. Ethno-symbolic nationalism compels one to identify with tradition and memory of the nation-state, which precedes any given integrationist movement. As Smith (1999, 233) argues, "'Europe' is deficient both as idea and as process. Above all, it lacks a pre-modern past". Identifying as European therefore cannot hold in comparison to national identity. The latter involved a shared historical tradition with its own predetermined value system and beliefs. The nation state is also culturally legitimised because of this shared tradition. A unified European culture, if such a thing exists, is not sustainable among the diverse European nation-states. As with the tensions surrounding a globalising culture and national culture, the latter continues to be relevant to the interests of the political community. And national culture still has significance to the social and political will of the nation-state. Globalisation attempts to transgress the attachment to the individual nation by blurring the boundaries, both real and imagined.

Where national culture establishes a monolithic archetype, a cosmopolitan cultures converges the many. As such, it is regarded as an impediment to the exercise of nationalist loyalty. Where globalisation establishes cosmopolitan heterogeneity as the norm, the neo-nationalist impulse is to compel fear of a lost identity. At the core of nationalist sentiments is the need for society to preserve its identity and tradition. Gellner (1983, 53) mentions fear as an intrinsic layer of nationalist sentiment and a reason why groups stick together. According to Delanty and O'Mahony, "Extreme forms of nationalism feed off the xenophobia that is present in everyday life and in cultural codes" (2002, 167). This fear manifests itself in racist, sexist, partisan conservatism, and bigot remarks. Apropos, traits all associated with Donald Trump's peculiar brand of anti-establishment extremism. Discussing the implicit and explicit values of nationalism, Halliday (2000, 164) notes that it is xenophobia and 'national arrogance' which make nationalist sentiments dangerous. It becomes a danger internally and externally when a nation assumes superiority in relation to others.

Nationalist ideology indoctrinates misguided self-belief that one's own nation has the authority to exercise its influence over other nations. Historically, this exercise of extreme patriotism has often led to violence and war. It also causes internal divisions with some groups laying claim to superiority over others. Halliday, through Rousseau, notes, "Every particular society, when it is narrow and unified is estranged from the wider international society. Every patriot hates foreigners" (cited in Halliday 2000). In the context of protectionist nationalism, extreme patriotism creates an environment where the foreign is perceived as strange and essentially 'other'.

While Rousseau can be caught suspect for generalising patriotism as inherently hating foreigners, his statement must be understood within a very specific context of twentieth century extremist nationalism which undoubtedly bore witness to unprecedented violence, war and trauma. During this time, patriotism was used to justify racial, ethnic, and religious discrimination. As such, the relevance of historical narratives to nationalism becomes all the more significant making it necessary to question the validity of historical models in

constructing nationalist movements. Populist nationalism in the form of Donald Trump's anti-establishment nationalist ideology is an extension of how the idea of the nation rooted in an historical context is being revitalized to suit the needs of the contemporary political dynamic. Trump's campaign slogan, "Make America Great Again" is quintessentially a call for the nation to reclaim its status as a global superpower. It also implicitly laments a lost ideal. That which was essentially and distinctly American has given way to an unrecognizable, and therefore undesirable means of identification. This ideology is backward-looking as it attempts to revert to a golden age based on nostalgia for an antiquated ideal of the nation.

Armstrong in *Nations before Nationalism* (1982, xxii) defines nostalgia as the "collective memory of symbols conveying intense affect. He further describes it as a "syndrome...arising from the 'heavy burdens imposed by a thousand years of culture'" (ibid., 16). Nostalgia, where Trump's populist nationalism is considered, represents an attachment to an historic past, which established the nation-state as the ultimate model of political authority. However, nationalist nostalgia is not inherently populist, as Armstrong rightly points out. Rather, it aligns itself with a trigger to national autonomy leading him to classify it along with symbols and signifiers, which come to embody the nation's projection of its sovereignty and power. Regarded as an identity theme, Armstrong is careful to note that nostalgia was "systematically manipulated by elites" (1982, 17). The rhetoric of contemporary nationalist discourse is a continuation of the attempt by those wielding political influence to maintain the claim to a homeland that is rooted in time.

When Trump declares, "The years of American greatness will return again" (Trump 2016c) he invokes nostalgia for a time when the nation-state maintained power and exercised it according to its will. Trump's desire for the nation to return to a "timeless principle" (Trump 2016a) as it regards foreign policy is inherently problematic. Employing twentieth century foreign policies in today's globalized world is a non-starter. The cycles of war and violence that defined the early twentieth century and the foreign diplomacy that occurred as a result is confined to that precise moment in history. Reiterating the aspiration of America to become the global power that it was in the twentieth century, Trump's nationalist ideology criticises the diplomacy of the Obama administration which is seen as undermining the centrality of the nation in global affairs, or as Trump puts it, bowing to the enemy (ibid.). As Trump supporters and far-right movements in Europe rally around the nationalist cry, the general sentiment is that the nation-state's territory, physical and ideological, must be preserved.

The use of nationalist nostalgia is consistent with the emphasis placed on the past in order to build the future of the nation. As in the classical model of nationalist ideology, myth and myth-making are equally important to the neo-nationalist impulse. Historically, myth has been used as a means of legitimizing power. Armstrong uses the concept of identity myth to describe how political ideology maintains homogeneity and henceforth controls the socio-cultural identity of the nation-state (1982, 29). Euro-sceptic leaders often employ myths of the nation as a response to the drive towards increasing European integration. The anti-EU sentiments appeal mostly to those who share a cultural attachment to the nationalist movement. This brand of cultural nationalism, from the perspective of Kohn at least, is seen as "a political unit centering around the irrational pre-civilized folk concept" (cited in Tamir 1993, 83). Cultural nationalism therefore antagonizes the cosmopolitan ideal absolutely and at its core is the threat it poses of unhinging the inclusivity in the post-

national construct. However, those like Tamir are suspicious of any discourse involving post-nationalism. Viewed as “more a nightmare than a utopian vision” (1993, 176), Tamir’s assertive pro-liberal nationalist ideology resounds throughout her discussion. Notwithstanding, post-nationalism seems to be a past ideal. Far-right dogma is reversing its rise to prominence through the rebirth of the nationalist movement.

The neo-nationalistic reinvention of the typical nationalist ethos has created another ‘-ism’; the so-called Trumpism, a belief system in its own right whose main proponent advocates a challenge for the nation to revisit its history and mould its philosophy on classical-modern principles and ideologies of the nation. Trumpism’s discontent with society is in the lack of political fortitude of its current leaders. The nation’s affairs are mismanaged so long as the nation is not placed first at all economic, cultural, and political matters. Liberal cosmopolitanism is a failed paradigm. And if, according to Tamir, liberal nationalism attempts to safeguard national belonging while acknowledging socio-cultural differences of minority groups (Tamir 1993, 79), Trumpism is polarized to the extreme of isolationist nationalism where notions of globalisation and its associated emphasis on cultural difference represent a perceived threat to the nation-state.

When Donald Trump announced his presidential candidacy in June 2015, he rode a wave of apparent dissatisfaction with the political establishment, economic stagnation, diplomatic futility, and a general feeling that America was regressing. Trump stirred the anxiety of victimisation by discussing a host of issues, which, according to him, had caused America to lose its place as the global leader. That China, Japan, and parts of the Middle East are ‘beating’ the United States in economic affairs was the rhetoric used to reinvigorate nationalist sentiments. It became necessary for an American president to be chosen who would rule international affairs with authority that should follow naturally as President of the United States. Trump was the self-professed leader to do this. His promise to bring back the American dream, and to make it stronger, is an appeal to a twentieth century value system based on capitalistic motivations and nationalistic ethos. Trump’s ideology establishes a hardliner approach to military, diplomatic and economic matters. For him, the nation has failed its citizens by becoming, as he says, “like a third world country” (Trump 2015). This state is undesirable as Trump declares himself the candidate who can lead America back into the ‘promised land’.

Donald Trump’s political philosophy resonates profoundly with the neo-nationalist impulse to establish exclusivity and preserve apparent national standards. On a macro level, Trump’s appeal is indicative of a tendency of global populist politics to present the nation in essential terms. It seeks to normalise contentions related to identity and homogeneity, which in turn create ruptures in society. In this way homogeneity imposes nationalism rather than the other way around.⁸ The increased popularity of populist nationalism around the world especially at the turn of the twenty-first century signals a desire to reinforce past ideals that have historically been contingent on discord between the citizens and political tensions. It is far-reaching. The political climate in the United States of America bears striking resemblance to that of Europe where, as the European Union struggles to cope with threats related to terrorism and migration, the populist appeal increases in popularity.

⁸ See Kedourie (1961). Contrary to what Kedourie believes, this paper diverges from the view that nationalism can only create homogeneity. Rather, homogeneity makes nationalism popular.

As with Brexit, which some view as encapsulating a euro-sceptic brand of English nationalism (Holms 2001; Harmsen and Spiering 2004; Vines 2014), the response to European integration is accepted as a conservative response to lack of political autonomy. English nationalism, as Vines (2014, 258) shows, leads those to identify first as 'English', rather than 'British'. One could deduce that the impulse to identify as 'European' would be less forthcoming. A peculiar consequence of Brexit however saw Scotland vote to remain in the EU and further to this, a desire to have another Scottish referendum to leave the United Kingdom. Nationalist sentiments are therefore never straightforward. Scottish politics have on more than one occasion expressed the desire to 'leave' Britain but remain European. Although the Scottish people voted to remain a part of Britain, in effect validating the significance of their British nationality, the political influence is such that Scotland should inevitably assume their own sovereignty and lay claim to a Scottish nationalism, independent of Britain's political reach. The case of Scotland emphasises a fundamental aspect in nationalism studies-that national identity is never fixed. It is always being constructed and reconstructed to suit the needs of the political community. In this way, further to the situational and pragmatic identities as outlined by Smith (1999, 230), the Scottish referendum and the Scottish Brexit vote have seen voters negotiate their national identity as it suited their purposes.

A European identity on the other hand is much less substantial. European Unification attempts to establish new structures based on common values and interests in a shared European community. The EU as a supranational institution is tasked with fostering a common European identity as well as making it relevant to the interests of the individual nation-states. A European identity does not have the historical legitimacy in comparison to national identities. Neither does it have the political legitimacy to validate its claim to acting in the best interests of each nation-state. Indeed, if were to do so then it would run counter to its aim of transgressing the political will of the individual states. Europeanisation and European integration threatens the claim to individual state sovereignty. Milward (1993) would disagree with this arguing instead that European integration has not taken away national sovereignty but actually strengthened it. Milward however discusses this in the context of the nation-states that are seeking entry into the European Union. Therefore, it is in the nation's best interest to have a strong claim to state sovereignty. For those nations that are already EU members, integration both weakens and strengthens national sovereignty. The tensions inherent in the paradox can be understood when far-right nationalists attempt to reconstruct a fragmented nation by reinvigorating nationalist values.

The growing popularity of fervent nationalism is seen as regressive and a danger to integration. Nationalist sentiments create divisions by privileging national identity. It creates an 'us' vs. 'them' paradigm by excluding those who do not share the values of the nation-state. As Spinner-Halev states, "When one feels threatened because of a nascent identity, the identity often becomes stronger" (2008, 613-614). The scaremongering of tensions between minority and majority within the nation undermines the collectivity, which forms the basis of the cosmopolitan nation-state. When Donald Trump declares "I don't want them in our country" (Trump 2016b) it is a re-enforcement of the socio-cultural divide between the citizens, at least as the nation deems it, and the 'others'. Nationalism therefore is not just an ideological movement but also a language (Smith 1991, 72). In fact, it is seen by Smith as more powerful than ideology because of the ability of language to connect with those who share similar sentiments. This has been one of the reasons for Trump's impact in American politics. The claim to nationalist sentiments and political signification

of the same is connected to, and emphasised by, the nationalist rhetoric. Admittedly, which Lægaard (2007, 39) is careful to note, the concept of nationalist language is obscure as is its rhetoric. Liberal nationalism's use of language to reinforce nationalist sentiment is problematic because there is no "systematic distinction" between nationalist views and nationalist terminology. Subjective identification with national values is significant in this regard because it is through the internalisation of abstract nationalist sentiments that individuals come to identify with the national ideology. By doing this, Trump establishes the basis for discrimination and normalises it at the same time.

The Immigration Reform plan, which forms a core aspect of Trump's presidential plan, reads, "A nation without borders is not a nation" (Trump 2016b). This sentiment, which expresses the necessity of borders to a nation, typifies the liberal nationalist ideology. A distinct expression, which has characterised Trump's campaign, is his insistence of a wall to be built across the southern border. The othering of Mexico as a lesser nation and referring to Mexican people as rapists who bring drugs and crime to America (Trump 2015) is a specific example of Trump's general anti-immigration policies. Like Schwarzmantel (2004) who makes the claim of pathological forms of national identification, the nationalist sentiment spearheaded by Donald Trump is ethno-culturally infused with animosity towards those who do not fit the traditional ethnic profile of the nation. Where liberal nationalism holds the belief that a nation has the moral right to decide who becomes a citizen (Leydet 2006), the immigration reforms that the Trump administration promises are intent on closing society to outsiders; refugees, migrants, and Mexicans. The supporters of this ethos internalise and popularise such sentiments, snowballing the entire movement in the process.

Austria has experienced a likewise profound rise in far-right political prominence. The leader of the Freedom Party, Norbert Hofer, is gathering increased support due in large part to his firm stance against some of the EU's concessions specifically as it concerns immigration and border control. Hofer's strong sense of nationalist ideology places him squarely beside those such as Donald Trump and Marine Le Pen. In addition to these, the United Kingdom's Boris Johnson, one of the main instigators of Brexit, should also be mentioned here. During the Brexit campaign, the line that kept repeating was for Britain to 'take back' its country. In fact, Van Oudenaren (2010) shows how historically the United Kingdom has been sceptical of the EU mandate. The neo-nationalist movement of Brexit signalled a core belief by conservatives; that integration must be limited and above all else autonomy should be the norm. The European Union now faces one its toughest challenges yet in light of the far-right insurgence. Anti-EU sentiments run deep in the conservative discourse, and with Great Britain already voting to leave the EU, Austria, an economic powerhouse within Europe, could follow suit. In fact, Hofer has already indicated the desire for a referendum on EU membership (Uhl 2016). There is a strong possibility that the Freedom Party could win the highest office in Austria when the country contests a run-off election-the first ever in the history of Europe. And if the Freedom Party were to win, Austria would become the first Western European country since World War II to have a far-right president.

Of course, the rise in popularity of the far right is concomitant with the economic and political uncertainty of its time. Additionally, there is the refugee crisis, which is the most recent predicament that nations have to confront. Unsurprisingly, the European countries which have endured the brunt of the influx of refugees and migrants; Greece, Austria, Hungary, France, and Germany, are the very countries that have experienced a dramatic insurgence of far right

popularity. In the United States of America where immigration issues have always occupied the attention of government policy, Donald Trump uses anti-immigration rhetoric to stir the sense of nationalism within the dissatisfied population. They see the establishment as not delivering to the people and are motivated by anxiety. Therefore, Donald Trump's persona as one fighting for the common man resonates profoundly. Although presented as populist, Trump's proposed policy on immigration and cultural affairs belies the political rhetoric. Though self-professed to be fighting for the working man, Trump's economic policies in particular threatens to potentially reinforce the disparity separating the rich from the poor. Yet during the race to win the Republican nomination, Trump performed extremely well when it came to securing the vote of blue-collar workers.

Across the Atlantic, it was the working-class who were considered to have significantly influenced the Brexit 'Leave' vote. This class of people are generally seen as dissatisfied with the political elite and demand political change. The economic downturn has also been used to appeal especially to blue collar workers. Far right populist parties oblige by presenting their nationalist ideology as the answer to the socio-economic and political stagnation. Malešević however views the ideologisation of national identity as "largely metaphoric and hazy, and hence futile" (2011, 273). Equally as insubstantial is the contradiction between real and imagined identity and the level on which either exist as abstract entities. While Malešević's thesis of unempirical national identity does carry weight, especially in the contemporary brand of far-right nationalist ideology, it still remains that as a subjective point of reference national identity establishes a necessary and therefore very real framework in support of nationalist claims. To contextualise this, the political climate of the Trump-Clinton presidential race is once which is characterised by a tension between an extreme, post factual type of liberal nationalism and liberal cosmopolitanism that attempts to resist. For Trump supporters, national identity is far from an abstract ideal. In fact, the Republican presidential nominee constantly and consistently reinforces the significance of identity, and by extension the need for identification with the very real presence of a nationalist claim.

Where the Euro-sceptic brand of conservative nationalism is considered, claims to national identity are usually on the basis of historical, ethnic and religious justifications. At this point, the ethno-symbolist school of thought becomes useful in providing a framework for understanding the context in which euro-scepticism and far-right populism continues to extend its influence. According to Smith (1999, 9) "for ethno-symbolists, what gives nationalism its power are the myths, memories, traditions, and symbols of ethnic heritages and the ways in which a popular *living past* has been, and can be, rediscovered and reinterpreted by modern nationalist intelligentsias."

The intelligentsia has historically been a source for the perpetuation of nationalist ideology through time. This is the context, which established the nation-state as the legitimising power and nationalist sentiment the central ideology. Therefore, nationality, nation-ness and nationalism are pragmatic establishments maintained by a political elite. Smith argues that these elements are "institutionalized cultural and political forms created by the political institutions of the state" (2008, 325). These institutions reinforce national differences and reproduce the elitist ideas of ethno-symbolist ideology.

This sense of nationalism ascribes a shared ethnic history to the prevalence of the political community over time. It presents itself as contesting the modernist

paradigm of nationalism which views the process of nationalism as being a product of modern epoch and not having historical roots. Despite the differing opinions on the conception of the nation-state as contended by ethno-symbolism and modernist paradigms, both offer national identity and political power as integral to the construction of nationalist movements. However, the ethno-symbolic framework, as discussed by Smith (1999), proves a useful approach particularly when contextualizing euro-sceptic nationalism.

One of the main claims made by Smith (1999) for ethno-symbolism is that nations and nationalism are embedded in historical phenomena. Therefore, the myths, memories, and traditions are embodied by the nation through time and continue to shape the future course of the nation. According to Antonsich (2009, 3), the volume of migration to Europe over the next four decades will change the ethno-demography of Europe to the extent where a projected sixty percent of the population will have an immigrant background. This is the problem facing the hyphenated nation-state. It also reveals the arbitrary co-relation between national affect and state control. Conservative nationalism attempts to restructure nationalist sentiments around ethnic ties, which includes establishing differences as the basis for exclusion. Deutsch's (1969, 138) observation that nationhood is founded on "a common error of their ancestry and a common dislike of their neighbours" brings together the partisan claims to popular nationalist sentiments. It also emphasizes the subjectivity on which the nation-state makes its claim to power and sovereignty.

Donald Trump's rhetoric is filled with dissatisfaction that America's enemies are 'winning' at their expense. Therefore, the 'American way' of handling global affairs no longer commands its place among the world powers, according to Donald Trump. So too for far-right extremists such as Norbert Hofer and Marie Le Pen. The far right leaders hold the belief that the nation cannot serve the interests of its own people while being bound by a supranational organization. The Eurobarometer index attempts to document the public opinion in the EU as well as in the nation-state. Immigration has been ranked the second highest concern at the national level, and the most important issue facing the European Union (European Commission 2015). At the national level, this concern has gradually increased since 2011 and in the context of Europe as a whole, it has experienced a sharp rise since 2014. Immigration has provided the ideal context for ethno-symbolic nationalism to thrive. It is as if, according to Williams (2003), borders have inherent ethical value (cited in Antonsich, 2009). Newman (2003) takes this further in his discussion of cultural borders.

According to Newman, "Cultural borders offer protection against infiltration of values which are not compatible with the hegemonic practices of the majority, be they social and economic status, religious affiliation and/or residential homogeneity" (2003, 14). Borders are reinvented through difference. This process of bordering infuses ethno-cultural value, which gives prominence to preserving homogeneity and creates a socio-political barrier to assimilation by the 'outsider'. Radical far-right nationalism in Europe is largely ethnocentric which is manifested by an ideology of maintaining exclusivity and preserving homogeneity. Therefore, the European Union's motto of 'unity in diversity' is challenged more than ever, and will continue to be tested by migration flows. The ethno-symbolist brand of nationalism has seen parties such as Hofer's Freedom Party and Le Pen's Front National instigate policies which are inherently racist and exclusive. Anti-immigration narratives highlight the extent to which radical far-right nationalism promotes discrimination as a result of ethnocentric values.

Neo-nationalism is therefore inherently political. Using Gellner's claim of congruency between nationalism and politics (1983), the importance of the far-right movement is appropriate in contemporary society. However, the rhetoric of nationalism has occupied political discourse for centuries. It holds that any given population should be divided and identified according to characteristics as outlined by political doctrine. From the eighteenth century to the twenty-first, this simple but incredibly monolithic ideology occupies a large part of neo-nationalistic attitudes. Donald Trump's claim that "the nation-state remains the true foundation for happiness and harmony" (Trump 2016a) is suitable to the general code of nationalist fervour. Added to this is his scepticism of international unions. It is fitting that a conservative neo-nationalism should feel as such and it comes as little surprise after Trump openly praised Britain's decision to leave the EU as well as his constant criticism of NATO and NAFTA. The scepticism towards external unions is indicative of similar far-right movements in Europe, which hold Europhobic and anti-EU sentiments.

While dissatisfaction with the European Union reached its climax, at least up to this point, with Brexit, there has been increasing feelings of anti-EU discontent. The growth of euro-sceptic thought has seen a likewise growing body of literature dedicated to the phenomenon (Holmes 2001; Tiersky 2001; Van Oudenaren 2010; Harmsen and Spiering 2004). They point to the resurgence of nationalist ideology throughout Europe as well as the challenges faced by the individual states and how nationalism has redefined itself as a response to internal and external threats. Approaching the contentious debate of European integration, Tiersky (2001) examines how "today's international system inflates each national situation". The fundamental link between the nation and internationalism is such that any change in either affects the other absolutely. Further to this is the unwillingness to go past the desire for individual nation-states in favour of one united federation.

As a prime example of the tension between the two, France, a founding EU member, finds itself tasked with navigating a shared space within the European Union while maintaining its historically strong sense of national identity. Its leader of the far-right Front National (FN), Marine Le Pen is placing increased pressure on President Francois Hollande for a 'Frexit'. At the core of this disconnect is the idea of state sovereignty. Following the historic Brexit vote, Le Pen expressed admiration for the decision made by the United Kingdom and promptly announced the same course of action for France should she be elected as President. Advocating a Europe of re-born nations, Le Pen (2016) believes that the European Union should give way to a Europe of free and sovereign nations. The constant mentions of sovereignty and the need to preserve some form of innate nationalist ideology forms the core of Le Pen's political identity, and by extension, that of the Euro-sceptic.

France's right-wing influence however has already been successful in denying the EU a claim to increased political and economic power. In 2005 the French voted in the majority to reject the proposed EU constitution. The resounding 'no' vote signalled a radical shift in how the EU was perceived as it highlighted dissatisfaction with the supranational agency. The change in relationship with one of the EU's key members has since then seen a significant rise in far-right support which view the organisation as threatening state sovereignty. European Integration is generally seen as creating homogeneity throughout the member states in matters of socio-economic policy. However, the individual nations seek their own individual homogeneity making integration incompatible. Euro-scepticism proves that the European region is far too diverse to be

homogenised and the nations too divided on matters of cultural, economic and political interest.

Smith (2000, 53) offers a valid explanation of why the European Union has been able to appease its members. That Europe lacks unifying myths, memories, and symbols makes the political consolidation of the continent problematic. Furthermore, when the EU does attempt to foster unity, it is on the basis of political decisions, which have historically been divisive and discriminatory. The dilemma facing the EU in particular and post-nationalism in general therefore concerns the idea of unifying principles, which can transcend the singularity of the nation-state. Hearn (2015) calls for a negotiation between the two and not just an attempt to disregard either in favour of the other. This is a difficult process when fundamental conservative nationalism resists the interdependency brought on by globalisation. Hearn's attempt at mediating the two ideologies is an attempt to go past the essential qualities of both. However, their differences are more complex and therefore not easily reconcilable.

The need to go past nationalism is supported by Habermas (1998, 118) who argues "The level of the shared political culture must be uncoupled from the level of subcultures and their pre-political identities'. The cultural and political structures, which support the persistence of nationalist sentiments, are those elements that must necessarily be transcended in the post-national context. The process of going past nationalism however, and towards a conception of the nation as existing outside the boundaries of political influence is complicated by the significance of political organisation to national identity. Political organisation also contributes to the formation of memory, and it is this memory, which binds people together. Spinner-Havel (2008) notes that identity and state are intricately connected therefore separating them is not only a difficult process, but it also does not ipso facto make national identity disappear.

Identity among communities comes to signify the sustenance of the nation-state through time. Spinner-Havel argues for a mutual dependence between the political organization and the community as it regards the cultural identity of the people. One problem with this is the complexity of national identity, which is undermined by Spinner-Havel's claim. It does not account for the minority community who would possess their own national identity, which may or may not be aligned with the majority. Therefore, the memory of cultural and political identity differs within the nation-state leading to different historical accounts of memory. When discussing identity formation in the nationalist context it is important to ask the question 'whose identity?'. To overlook this fundamental question would be a simplification of the intricacy within which politics, culture and identity are interconnected.

Halikiopoulou et al (2013) however, argue that the popularity of far-right parties is not because of their radical values, per se, but rather they are perceived as 'legitimate' and 'normal'. Far right parties must therefore disguise their mainstream values in order to prevent radicalisation to the extent where their claims to state sovereignty is seen as undesirable. One of the reasons for the strength of the Front National party is its adherence to mainstream values, which, ironically, legitimises its place among the political establishment (Charalambous 2015). Especially with regard to anti-immigrant rhetoric, far-right nationalist parties although fundamentally exclusionary realise the necessity to present their extremist views which might potentially run counter to their aims of consolidating and exerting conservative power in a democratic context. Thus, conservative parties must always be seen as acting in the best interests of the nation-state. Making reference to 'civic values', Halikiopoulou et

al examine how the far right parties of Europe attract support despite their quasi-racist ideology. Parties such as the Front National (FN) operate with a duality that sees them maintain their core values while perpetuating exclusivity.

For Brown (1999, 293) civic nationalism is not necessarily liberal in ideology but he nevertheless concedes that where civic values appeal to ethno-cultural affects, it becomes unavoidably intertwined with cultural nationalism which is the thrust by the nation state to uphold ethno-symbolic values. Among the various far-right parties spread throughout Europe, the FN can be considered as one of the most politically legitimate through its appeal to civic values and the simultaneous preservation of conservative nationalist ideology. One manifestation of this is the ability of far-right nationalist sentiments to be both inclusionary and exclusionary. For Lægaard (2007) European liberal political views conflates liberal and national values where the former is presented as normative. This janus-faced characteristic, described as such by Hobsbawm (1990), is characteristic of the far-right neo-nationalist drive. As Hainsworth, O'Brien and Mitchell (2004, 45) show, the Front National's pro-European appeal has been a rhetorical strategy used by its leader to advance the cause of radical nationalism.

As Hobsbawm states, "When society fails, the nation appears as the ultimate guarantee" (1990, 173). Nationalism therefore thrives in, and is sometimes dependent on, disintegrated socio-cultural and economic structures. In these societies, it becomes necessary to first identify the source of the ruptures, which are usually projected onto external forces. These forces include minority groups, issues of trade, and weak foreign policies. The desire to reclaim the failed nation-state mobilises the nationalist desires within the community contributing to a disparity between those who can identify with the political claims of the state, and those who cannot. Such claims, as seen in the United States of America and Europe, are reflective of the conservative nationalist discourse. This context resembles what Hobsbawm calls the "illusion of nations and nationalism...further exaggerated by the semantic illusion which today turns all states into 'nations'" (Hobsbawm 1990, 177). The convolution of nation and state problematizes any discussion of the political implications that arise as a result of the annexation of the two.

Notwithstanding the contradictions and predicaments involving the nation-state, it has provided a useful framework for nationalism studies and a reference point for the discourse of globalisation and Euroscepticism, which have garnered increased scholarly attention. Despite the failings of conservatism nationalism, it is nonetheless grounded on a fervent belief in the guarantees of the nation-state. This is why the protectionist Donald Trump and far-right leaders such as Marine Le Pen continue to be successful in two very different geo-political contexts. It is also the reason for the success of Brexit and the resultant popularity of similar anti-EU movements. The rise of Euroscepticism is a consequence of the continued survival of the belief in the nation-state as the ultimate protector of sovereignty and autonomy. Indeed, judging by the popularity of anti-EU sentiments and the relative approval of Donald Trump as a prospective US president, the world has witnessed a significant re-rise of nationalist movements, which has shown no sign of waning in significance or relevance.

The political landscape of Europe, like that of the United States of America, could change significantly by the end of the year 2016. As the world becomes more integrated, protectionist ideology is attempting to pull the reigns and steer the nation towards stricter economic, social, and military control of its

resources. The presence of leaders such as Donald Trump, Marine Le Pen, and Norbert Hofer has served to push the respective nations further right. Whether or not Donald Trump becomes the forty-fifth president of the United States of America, Le Pen oversees 'Frexit', or Norbert Hofer's Freedom party wins the run-off election, far right politics seems to be the new order of the day.

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SLOVENIAN E-GOVERNMENT: A CITIZEN-CENTRED PERSPECTIVE

Marinko BANJAC¹

ICT and the Internet are frequently seen as a viable solution for achieving better government, increasing citizens' political participation and improving service quality and the quality and delivery of government services. This article explores the systematisation and services of the Slovenian e-government through a citizen-centred lens. The development and current systematisation and functioning of e-government is analysed in two respects. First, the article assesses and interprets the (historical) formation of Slovenian e-government from its early beginnings, especially focusing on key documents such as strategies, action plans and certain Internet-based tools intended for wide citizen use. The aim is to disclose how citizens as end-users have been perceived and encouraged to actively participate in (e-)government. Second, the Slovenian e-government is analysed via an interpretation of available statistical data with an emphasis on how citizens use e-government, how efficient and effective it is, and whether it can be considered a participatory platform for citizens to become engaged in political matters.

Key words: e-government; Slovenia; citizenship; e-participation; e-democracy.

1 INTRODUCTION

Electronic government (e-government) is no longer simply regarded as an added value but as a fundamental component of countries' aim to improve their governance. Although seen by different authorities as one of the key elements of successful governance, the e-government concept remains elusive and vague for various reasons. The very different and complex political and institutional contexts in which e-government is implemented are not the least important of these reasons. Given these environmental differences, e-government is also known by different, interchangeable terms such as electronic governance,

¹ Marinko BANJAC, PhD, is assistant professor at the Faculty of Social Sciences, University of Ljubljana.

digital government, online government etc. (Grönlund and Horan 2005, 63). Even more importantly, the concept has been defined in many ways that vary significantly as a result of different theoretical perspectives, methodological outlooks and dissimilar priorities of governmental strategies and concrete policies.

However, most scholars (see Welch, Hinnant and Moon 2005; Carter and Bélanger 2005; Jaeger and Thompson 2003) agree that one of the main focuses when developing e-government in many countries is on the interactions between the government and the citizens as users. Looking from a citizen-centred perspective, e-government is for example defined simply as “utilising the Internet and the World-Wide-Web for delivering government information and services to citizens” (UN and ASPA 2002, 1). Abie et al. (2004, 8–9) claim that e-government may be considered a powerful tool for effectively organising and integrating a large amount of available information as well as a tool for seamlessly integrating citizen interaction with its services. The novel forms of communication and interaction not only affect the relationship between citizens and governments but also transform citizens’ understanding of their identities, political processes and governmental arrangements, including their possible political actions. For example, Silcock (2001, 88) argues that e-government is “the use of technology to enhance the access to and delivery of government services to benefit citizens [...]. It has the power to [...] deliver a modernised, integrated and seamless service for their citizens. The relationship is no longer just a one-way ‘us-versus-them’ proposition; rather, it is about building a partnership between governments and citizens”. Similarly, Kumar, Mukerji, Butt and Persaud (2007, 64) contend that the quality of the tools and services provided to citizens can be significantly improved with e-government while attaining greater efficiency for all participants. E-government tools and services also play a crucial role in legitimising authority since the provision of always-available services can improve the citizens’ level of satisfaction and enhance their acceptance of the public sector. Correspondingly, Silcock (2001, 89) states that citizens demand ‘one-stop shopping’ and ‘service-in-an-instant options’ from their governments which are increasingly becoming the norm in the public sector, transforming not only the services but also citizens’ attitudes to the government and thus the relationship between the state and the citizens. Steven L. Clift (2004, 2) goes even further by arguing that e-government is one piece of the e-democracy puzzle in which governments as public institutions need to play a proactive role in the online world by offering the citizens possibilities to participate in democratic processes while at the same time striving to more effectively meet public challenges in the information age (Clift 2004, 3). Notwithstanding Clift’s notion of e-government being part of e-democracy, it should be stressed that the latter cannot be regarded solely in relation to the former. There are many e-democracy theories and practices (Päivärinta and Sæbø 2006) that are quite often reflected and implemented as a potentially critical or even subversive instalment challenging the prevailing institutionalisation of contemporary dominant democratic (offline and online) practices (Dahlberg and Siaperä 2007). What the majority of perspectives have in common is their emphasis on novel ICT-based possibilities for citizens’ participation. Therefore, it is not rare for the new technological possibilities, especially web-based ones, to be regarded as an extension of active citizenship. The latter is broadly understood in this article as citizens’ engagement in various political processes.

However, despite the importance of citizens as end-users of e-government services and particularly the performance of web-based government websites and tools in facilitating citizen-government interaction, relatively little research

is available on the topic. Most research available on e-government services focuses, for example, on the private sector (government-to-business) (Benbunan-Fich 2001). Other studies that analyse e-government seldom consider the (historical) process and context of e-government development as well as citizens' behavioural aspects and the frequency of using online services not only to obtain information but also to interact and transact with the government. Therefore, to analyse Internet-based e-government services in an effective way, several important features must be considered. While the development process and characteristics of websites and tools are important, the frequency and specific ways in which individuals actually use them must also be taken into account and rigorously analysed.

This article explores Slovenian e-government systematisation and services through a citizen-centred lens. I reflect and interpret the development and current practical systematisation and functioning of e-government in Slovenia. In this, I particularly concentrate on the question of how citizens are perceived and targeted via governmental policies, strategies and e-government websites and tools that encourage and permit their active participation and involvement in government. In this light, the paper is structured as follows. First, I theoretically reflect on contemporary practices of citizenship, especially in relation to the novel forms of political engagement and processes in the information age. I explore the notions and perceptions of e-government, particularly as concerns e-participation and other forms of online citizens' activities that are incorporated by the authorities at different levels in order to stimulate and enhance the citizens' use of the new ICTs and especially the Internet.

In the second part, I proceed to analyse the formation of Slovenian e-government from its early beginnings, looking in particular at key documents such as strategies and action plans as well as the main Internet-based tools intended for wide citizen use. E-government can hardly be analytically assessed if no consideration is given to the diachronic process in which e-government has evolved and developed, especially with regard to the context of individual citizens and their relationship to government in a specific cultural and socio-political environment (Evans and Yen 2005, 2006). Therefore, my intention here is to disclose how citizens as end-users and as such a target population of e-government have been perceived, considered and dealt with in various government documents and implemented e-government tools.

In the third section of the paper, I draw from the theoretical reflections and available research on the evaluation/analysis of e-government from a citizen-centred perspective (Kumar et al. 2007; Lili, Bretschneider and Gant 2005) in order to present and explain the methodological framework/model for analysing the Slovenian e-government. It is worth stressing at this point that, while there are numerous dimensions of citizens' online political activities (see Schwartz 1996), my focus is on the systematisation and functioning of Slovenian e-government relative to citizens' online behaviour and activities. Therefore, I built an analytical model along four dimensions (each consisting of corresponding variables), namely Slovenian Internet-user characteristics, e-government adoption, e-government website and tools design, and e-government service quality as perceived by Internet users (citizens). Fourth, I show and interpret statistical data on Slovenian e-government according to these four analytical dimensions. The data for each variable related to a specific analytical dimension is considered in a comparative manner by juxtaposing the data for Slovenia and the EU average so as to place the findings related to

Slovenian e-government within a broader (European) context. In the concluding section, I present and discuss the main findings.

2 TRANSFORMATIONS OF CITIZENSHIP, E-PARTICIPATION AND DIGITAL GOVERNMENT

As a concept, social status, and a set of political practices, citizenship has always been a contested concept. However, as Sassen (2002, 7) writes, citizenship is most commonly defined in terms of the legal relationship between the individual and the polity, the latter predominantly being a nation state. Historically, it was the evolution of polities closely related to state formation processes that gave citizenship, especially in the West, its full institutionalised and formal character. This made nationality a key component of citizenship. This long-term process contributed to an understanding of citizenship as a legal status of an individual in terms of state membership. Many developments in economic and political spheres within states in the nineteenth and twentieth centuries contained an articulation between the nation state apparatus and the growth of citizens' rights and entitlements. Thus, the state came to be seen as a primary agent ensuring the well-being of practically all members of a society. Although predominant, this did not fix and stabilise the meaning of citizenship. Isin (2002, 2) clarifies that the "modern conception of citizenship as merely a status held under the authority of a state has been contested and broadened to include various political and social practices of recognition and redistribution". This also added to the reinvigoration of theoretical distinctions: communitarian and deliberative, republican and liberal, feminist, post-national and cosmopolitan notions of citizenship (Sassen 2002, 10).

Various political and social practices were not only reflected in the theorisations of citizenship but also contributed to the transformations and thus novel forms of citizenship (Ong 2006, 499). Especially at the end of the 20th century, the use of different technologies, including ICTs, enhanced the consolidation of a new type of citizen, the e-citizen. Di Meglio and Gargiulo (2009, 33) argue that this new form of citizenship is not simply a new step in the process of expanding political participation but also widely understood as an alternative way for gaining access to various rights. E-citizenship represents a new way of exercising at least some of the civil, political and social rights that citizens already have but do not effectively put into practice.

The impact of these new technologies and their use is so powerful and obvious that many authors (Castells 1998; Parry 2008) believe we are witnessing completely new societal arrangements in which, among others, changes in the forms of citizens' political participation occur. In this context, the Internet and modern ICTs are understood as a new arena for political action, identification and behaviour. Connecting people and communities through the new ICTs is seen as enabling the political participation of the entire population as well as the co-operation of ever increasing numbers of individuals in decision-making processes that influence the structure and organisation of the society in which we live. Technological enthusiasts (Morozov 2014) also argue that ever more people are socialising, working, organising and searching for information via the Internet. Enthusiasts have praised the Internet's potential benefits, arguing it will reduce inequalities by removing barriers to information and consequently allow citizens with different backgrounds to improve their human capital, search for and find jobs, and improve their lives. On the other hand, sceptical voices have cautioned that the Internet's unequal spread across the

citizenry will not reduce but increase inequalities. Hence, the novel forms of communication and the Internet will continue to improve the opportunities of the already privileged while denying opportunities for advancement to the underprivileged (Hargittai 2003, 824).

Regardless of these critical voices, the Internet and ICTs are frequently taken as a viable solution to people's current apathy and indifference with respect to participation in formal political processes. As Carter and Stokes (1998) highlighted, we are continuously witnessing the withdrawal of citizens from participation in formal political processes and decision-making on matters that concern the individual and his/her life. The new technological possibilities offer easier and quicker solutions for participating in political processes, while the Internet and social media provide platforms for the activities and socio-political engagement of the citizens. The Internet and new ICTs are valued as a source of active citizenship – an opportunity for individuals to participate through modern communication channels, social networks etc. in the decision-making processes that affect their lives. Hermes (2006, 304) argues that the Internet does not necessarily create new citizens, although it certainly allows new citizenship practices.

Governments have also not been immune to the fresh opportunities extended by the Internet and ICTs in general (Komito 2005, 39). As new digital technologies and practices have spread, digital government advocates have sought to recruit them for the elusive task of improving how government agencies function (Postill 2012, 166). Therefore, the Internet introduces new modes of governmental conduct and allows for a specific support system for an ordered method of government that is intimately connected with what is usually called 'electronic government' or 'e-government'. There are many different interpretations and thus meanings of e-government. However, perhaps most broadly, e-government refers to the use of information and communication technologies (ICTs) in the public administration for the delivery of state services. For example, the OECD defines e-government as "the use of ICTs, and particularly the Internet, as a tool to achieve better government" (OECD 2003).

Governments and international actors have sought to increase the number of citizens who participate in governance by broadening the network of citizens who involve themselves in policy formation (see OECD 2001). Various policy initiatives and concrete programmes to increase citizens' participation in policy-making and evaluation have emerged, and an obvious way of increasing civic commitment is to use the new technologies to enable greater participation and information exchange by citizens (OECD 2001; Norris 1999). Although many ICT developments in government have focused on service delivery or e-government rather than on public participation (Mahrer and Krimmer 2005), the participation of citizens is a key strategic aim of government when planning e-government solutions. The modernisation agenda that has stimulated the development of e-government endeavours is widely regarded as having an ethos of the citizen as a consumer of services. This so-called consumerist perspective is sometimes seen as contradicting the notion of a citizen as an engaged and politically active member of society. This furthermore devalues citizenship as a concept in the sense of neglecting the ideals of public participation. Still, governments seek to use the Internet and social media technology for activities such as democratic participation and engagement, co-production, in which governments and the public jointly develop, design and deliver government services to improve service quality, delivery and responsiveness, and crowdsourcing solutions and innovations, seeking

innovation through public knowledge and talent to develop innovative solutions to large-scale societal issues (Bertot, Jaeger and Hansen 2012).

3 THE DEVELOPMENT OF E-GOVERNMENT AND SUPPORT FOR CITIZENS' ONLINE PARTICIPATION IN SLOVENIA

In order to understand how Slovenia developed its strategies and systematisations in the field of e-government and how it stimulated and enabled the citizens' online activities (including e-participation), we need to consider and reflect on which strategies and laws related to e-government were adopted in the past, and which specific practical tools and websites were offered to citizens. We need to reflect on how they were implemented as a way to enhance the citizens' online activities directly related to government and its various fields.

Slovenia's e-government development path is not something that started abruptly or out of nowhere. It was built on the Slovenian public sector's initial computerisation already in the early 1970s and subsequent decades. As Vintar et al. (2003, 137) remind, it was especially in the 1990s that saw a major thrust in the informatisation of the public administration, which was supported by establishing a "specialised Government Agency for informatics which is responsible for the development of a national IT infrastructure and development of e-government". Thus, the intensive informatisation during the 1990s and the development of the public sector's IT infrastructure served as strong foundations for the early projects oriented to e-government undertaken in the late 1990s (Vintar et al. 2003, 137). Between 2001 and 2006, the Slovenian government and administrative bodies experienced profound organisational changes. The development and implementation of e-government tools formed part of these changes, marked in that period by strategy and programme documents, among which the most important are the E-government Strategy until 2004, the E-government Strategy for Local Self-Government, and the Strategy of the Republic of Slovenia for the Information Society (Dobnikar and Nemec 2007, 360). At the turn of the millennium, two additional foundations for the future development of e-government were laid. The first is the adoption of the Electronic Commerce and Electronic Signature Act. The government adopted the Act on 13 June 2000 and it came into force on 22 August 2000. Related Act no. 215/2002 on eSignature regulated the creation, usage, rights and obligations of corporate entities and individuals, as well as the trustworthiness and protection of digitally signed e-documents (European Commission 2015, 22). The second one is publication of the document entitled "Strategy for E-commerce in the Public Administration for the period 2001–2004" in February 2001.

These developments continued in 2002 when the government adopted the Action Plan for e-government up to 2004. This Action Plan concretely articulated the objectives, electronic services and tasks entailed in establishing e-government up to the end of 2004. The document explicitly defined the basic principles, key activities and projects needing to be implemented in subsequent years in order to develop e-government in Slovenia. One of the most visible achievements after the Action Plan had been published was the launching of the enhanced 'E-government – State Portal' (now e-Uprava) in December 2003. From the outset, it offered various services to citizens, legal entities and public employees (European Commission 2015, 18). Already at the start, the e-government state portal was conceived as a public portal of the Republic of

Slovenia for citizens and an electronic entry point for various services provided by state bodies or public administration bodies (Slovenian Ministry of Public Administration 2015). The portal's key purpose is to provide online administrative services to citizens and thus provide an additional, electronic path for the provision of these services in addition to the standard ones (ibid.). Another major change in the context of Slovenia's e-government development came in 2004 when, as a result of the appointment of a new government, the responsibility for e-government policy was transferred from the Ministry of the Information Society (that had then ceased to exist) to the new Ministry of Public Administration (European Commission 2015, 17–18). This ministry was conceived, structured and organised in such a way as to incorporate various offices whose goal is to strengthen the public administration. This entailed the improvement and simplification of (online) public administration procedures and development of e-government.

From 2005 until 2010, Slovenia adopted three documents relevant to the development of e-government and enhancement of digital citizenship. In June 2005, the Government adopted Slovenia's Development Strategy (Government of the Republic of Slovenia 2005), an overarching future-oriented document setting out the vision and objectives of Slovenia's development in which the overall welfare of every citizen is at the centre. In April 2006, the Government adopted the E-government Strategy of the Republic of Slovenia for the Period 2006 to 2010 (SEP 2010). This document clearly stated, that "e-government includes ensuring the participation of various groups and institutions in discussing topics of national importance and the functioning of state and public administration. In order to do so, various methods are employed for the automating of tasks, especially for external (requesting services, distribution of products, e-democracy), as well as internal communications (linking records, automatic processing)" (Government of the Republic of Slovenia 2007, 4). In this document, digital citizenship is also brought to the fore by underlining a key vision which is "to provide citizens and businesses with friendly, simple, accessible and secure electronic administrative services, e-democracy applications and information available on the Internet anytime anywhere, for all of their life events" (ibid., 5). Following publication of the Strategy, in February 2007 the Slovenian Government adopted The Action Plan for E-government for the Period 2006 to 2010. Based on these three documents, the Slovenian Government endorsed several projects aimed at stimulating citizens' participation, among which probably the most visible is the "my.suggestion.gov.si" (predlagam.vladi.si) <http://predlagam.vladi.si> project, a web tool which enhances residents' participation in government policy-making. The Slovenian Government endorsed the project on 23 July and presented it as part of the broader efforts to integrate the population into the processes of shaping government policies and actions. The project opens up a new communication channel between citizens and the state and among the citizens themselves (Vlada RS 2011). Its primary purpose is to encourage the people of Slovenia to submit their views, suggestions and proposals on the regulation of certain substantive issues. Thus, the Government's project was chiefly intended to achieve the greater participation of individuals and civil society in the formulation of government policies and to enhance dialogue between civil society and the state (ibid.).

While no new strategy for e-government was launched between 2010 and 2015, certain major developments with regard to the Government's activities in the area of e-government services were in progress. Among others, the application *Supervisor* was set up with the aim to improve the transparency of the Government's public spending and activities. The service was established by the

Commission for the Prevention of Corruption in August 2011 (European Commission 2015, 13). However, the most important development in this period (2010–2015) was the start of preparations for a new strategy in the field of the information society, including e-government. In 2014, the Ministry of Education, Science and Sport prepared an initial platform for developing new strategic documents in relation to the information society and electronic communications, among which the most overarching was the Strategy of Information Society Development until 2020 (MIZŠ 2016b). One starting point when preparing the Strategy of Information Society Development until 2020 was the recognition that Slovenian society must take advantage of the development opportunities of ICT and the Internet. Based on this recognition, a key development principle was to develop an inclusive digital society (MIZŠ 2016a). After the consultation process (public discussion of draft versions), the Government finally adopted the Strategy on 10 March 2016 in which special attention is paid to the citizens: “all citizens should have fully accessible services which stimulate the development of digital society and citizens to be involved in this development” (MIZŠ 2016b, 37).

4 METHODOLOGY OF THE ANALYSIS OF SLOVENIAN E-GOVERNMENT FROM A CITIZEN-CENTRED PERSPECTIVE

Looking through a citizen-centred lens, e-government in its most basic sense refers to the delivery of government information and services online through the Internet or other digital means directly to the citizens (Muir and Oppenheim 2002). Similarly, Kumar et al. (2007, 68) argue that “the ultimate objective of e-government programs ought to be the frequent and recurring use of online services by citizens not only for obtaining information but also for interacting and transacting with the government”. Yet, while various technological challenges arise in the implementation of e-government services and tools (Ebrahim and Irani 2005), another key challenge is to use the available ICTs to actually enhance the operational and other capacities of government, while improving the quality of life of the citizens by redefining the relationship between citizens and their government (Gautrin 2004, 1). That is why research and analysis of e-government through a citizen-centred lens is necessary and must be continually conducted (Jaeger and Bertot 2010, 2).

The analysis of the development and implementation of e-government from a citizen-centred perspective must take into account and include at least several dimensions. According to a model for assessing the adoption of e-government developed by Kumar et al. (2007), these are: (1) user characteristics; (2) e-government adoption; (3) e-government website and tools design; and (4) e-government service quality. Below, I explain each of these dimensions, including their significance for conducting an analysis of e-government.

User characteristics is a relevant dimension since there are quite big differences among citizens regarding those who do and those who do not or cannot access computers and/or the Internet. This is due to the gap between citizens' attributes including gender, education, income, age, households, business, and geographic areas at different socio-economic levels with regard to both their opportunities to access information and communication technologies (ICTs) and their use of the Internet for a wide variety of activities (Akman et al. 2005). All of these factors and personal circumstances affect how Internet users behave, experience and use the Internet and e-government services. Thus, the analysis will contain three variables with regard to user characteristics, namely:

(1) the level of Internet access in Slovenia; (2) the frequency of Internet use in Slovenia; and (3) the type of Internet use.

Concerning e-government adoption, Warkentin et al. (2002, 159) describe it as “the intention to ‘engage in e-Government’, which encompasses the intentions to receive information, to provide information and to request e-Government services”. Do Internet users in Slovenia use e-government websites and tools at all? How often and how specifically do they use them? Variables responding to those questions are: (1) the frequency of e-government use; and (2) the type of e-government activities of individuals via websites.

E-government website and tools design is particularly important for reaching out to citizens and communicating with them. Government must pay special attention to designing websites and tools for them to be useful, effective and efficient. Among others, this requires a consideration of elements such as ease of navigation, aesthetics, content, accessibility etc. As Kumar et al. (2007, 70) explain, all of these elements in combination will directly influence users’ experience with a website and, ultimately, their satisfaction with and adoption of it. The analysis in this article will contain two variables concerning e-government website and tools design, namely: (1) perceived ease of finding information on e-government websites; and (2) perceived usefulness of e-government websites.

The last dimension is the quality of e-government services. This is closely related to citizens’ satisfaction with the e-government and its adoption of websites and tools (Reichheld, Markey Jr. and Hopton 2000). There is now a relatively widespread realisation that e-service quality is almost a precondition for the success (or failure) of e-government projects (Chutimaskul, Funilkul, and Chongsuphajaisiddhi 2008). It is therefore crucial for governments to ensure those services have quality characteristics such as reliability, ease of use, security etc. (Alanezi, Kamil and Basri 2010, 1). Citizens need to feel secure and satisfied with e-government services if they are to use them regularly. With regard to the quality of e-government services, three variables will be included in the analysis, namely: (1) users’ satisfaction level on the ease of using the e-government service on websites (usability); (2) problems experienced when using e-government websites; and (3) types of problems and/or failures.

To interpret the Slovenian e-government through these four dimensions (and corresponding variables), I will draw on available Eurostat data, particularly the Information Society Statistics database (Eurostat 2015). The data given in this domain are collected each year by the National Statistical Institutes and based on Eurostat’s annual model questionnaires on ICT (Information and Communication Technologies) usage in households and by individuals (ibid.). Within the database, a special ad hoc e-government module was implemented in 2013, which is also the main data source I draw from, particularly to show and interpret variables related to the e-government dimensions of the analysis (e-government adoption, e-government website and tools design, and e-government service quality) (ibid.).

5 KEY FEATURES OF SLOVENIAN E-GOVERNMENT: A CITIZEN-CENTRED VIEW

Contemporary e-government tools and services clearly rely on a high-quality ICT infrastructure, especially high-end Internet connections. ICT infrastructure

is identified as one of the biggest challenges for e-government, particularly to enable the appropriate delivery or exchange of information and to open up new forms of delivery of new services (Ndou 2004, 5). Sharma and Gupta (2003, 34) also emphasise that implementing the whole e-government framework requires a strong technological infrastructure. In order to deliver e-government services, a government must therefore develop an effective telecommunications infrastructure. The involvement of governments and suitable e-government tools is particularly important when addressing and seeking to reduce the so-called digital divide among citizens. Governmental ICT applications can play a crucial part in shrinking the digital divide between the young and elderly, women and men, the illiterate and the educated, or even between less developed regions and countries (Stoiciu 2011). All of these factors and personal circumstances critically influence how citizens behave, experience and use the Internet and how e-government is positioned in a specific social environment. The benefits of e-government services are very much determined by the number and type of users of these services, and the frequency of their use (United Nations 2012, 101). Therefore, I start the analysis with an overview of Internet-user characteristics that considers three key variables, namely: (1) the level of Internet access in Slovenia; (2) the frequency of Internet use in Slovenia; and (3) the type of Internet use.

In Slovenia, 78% of all households had Internet access in 2015, which is slightly below the average of the EU-28 (83%). Remarkably, all households in Slovenia with Internet access (78%) have a broadband connection, whereas the EU-28 average is 80%. These figures show that Slovenia and the EU countries in general have achieved a high level of availability of broadband Internet connections.

The data on the frequency of Internet use in Slovenia in 2015 show that 61% of individuals use the Internet on a daily basis (compared to the EU-28 average of 67%). The share of individuals who use the Internet at least once a week (including daily) is slightly higher, at 71% (the EU-28 average is 76%). Internet users in Slovenia typically access the Internet at home. A survey from 2013 shows that 70% of individuals use home Internet access, while 34% access the Internet at a place of work.

When considering Internet-user characteristics, the most important aspect is how citizens use the Internet; are they passive users (for example, limited to seeking information) or do they actively engage in online communities and participate in civic and political affairs? In 2015 (see Table 1 below), 61% of individuals in Slovenia (the EU-28 average is the same) used the Internet to find information about goods and/or services. Fewer Slovenian citizens use the Internet as a source of news. Namely, 56% of individuals (compared to the EU-28 average of 54%) used the Internet to access and read online news sites/newspapers. Even lower is the share of citizens (38% compared to the EU-28 average of 45%) who used the Internet to consult wikis (to obtain information and/or knowledge on any subject).

Probably the most widespread active Internet use today is participating in social networks (creating user profiles, posting messages and other contributions to Facebook, Twitter etc.). In Slovenia, only 37% (the EU-28 average is 50%) of citizens were involved in social networks. Posting opinions on civic or political issues via websites (e.g. blogs, social networks etc.) can also be considered one of the expressions of active digital citizenship. Available data on this kind of political participation come from 2011 when 14% of Slovenian

individuals (the EU-27 average is the same) participated in online environments.

TABLE 1: THE TYPE OF INTERNET USE (ACTIVE/PASSIVE)

Variable	Indicator	Slovenia (% of individuals)	EU-28 (% of individuals)
The type of Internet use - Passive use (2015)	To find information about goods and services	61	61
	To access and read online news sites/newspapers	56	54
	To consult wikis	38	45
The type of Internet use - Active use (2015)	To participate in social networks	37	50
	To post opinions on civic or political issues via websites (e.g. blogs, social networks etc.)	14	14

Source: Eurostat (2015).

We can conclude from the data shown above that in Slovenia passive use of the Internet is more widespread than active political participation or engagement. While the passive type of use in Slovenia is comparable to the EU-28 average, Slovenian Internet users are less likely to actively participate online than users in other EU member states on average. The fact that there are more passive users is not surprising. Passive users are prevalent in the real world (Montague and Jie Xu 2012, 703), which is precisely why they need to be considered as much as active users when e-government websites and tools are being conceived and developed. As I show below, influenced by the general prevalence of passive Internet use in Slovenia, e-government users are also much more inclined to the passive use of services and tools.

Being familiar with the characteristics of Internet users in Slovenia, I now focus on those dimensions of the analysis specifically related to the e-government, starting with e-government adoption. The latter is about citizens' intention and commitment to take advantage of the opportunities offered via e-government. Among others, this encompasses the intentions to receive information, provide information and request e-government services. Variables related to e-government adoption are: (1) the frequency of e-government use; and (2) the type of e-government activities of individuals via websites.

When specifically considering the frequency of individuals' e-government activities via the Internet, quite a large share of individuals in Slovenia interacted at least in some way with public authorities (see Table 2 below). In 2015, 45% of individuals had contacted public authorities via websites in the previous 12 months. This figure is interesting, especially when compared to 2014 when more than half (53%) the population had interacted with public authorities in the preceding 12 months. Slovenia obviously experienced a considerable drop in the share (8%) of persons contacting and/or communicating with public authorities. In addition, quite a big digital divide is visible in the use of e-government services. The share of persons interacting electronically with public authorities is highly noticeable when different groups of society are compared. In Slovenia, 24% of those citizens who had interacted electronically with public authorities had no or only low formal education. On the other hand, 79% of individuals with a higher formal education had used e-government services to contact public authorities. Although, as Stoiciu (2011) argues, e-government should play a decisive role in bridging the digital divide, the reasons for it are highly complex and debatable. This, of course, means that the mere implementation of e-government can hardly be seen as a solution since other elements need to be considered, such as promoting ICT skills and digital literacy in a non-discriminatory and inclusive manner.

With regard to the second variable of e-government adoption (the type of e-government activities of individuals via websites), individuals in Slovenia have most regularly interacted with public authorities in Slovenia to obtain various types of information from websites (see Table 2 below). In 2015, 41% of individuals had obtained information from public authorities' websites at least once in the previous 12 months. This is just above the EU-28 average of 40%. Quite frequently, people also use the possibility to obtain the official forms available at various government websites. In 2015, 28% of Slovenians had downloaded at least one official form in the preceding 12 months. Individuals in Slovenia use the available governmental tools to submit completed forms much less.

TABLE 2: CITIZENS' E-GOVERNMENT ADOPTION

Variable	Indicator	Slovenia (% of individuals)	EU-28 (% of individuals)
The frequency of e-government use	Interaction with public authorities (previous 12 months - 2015)	45	46
	Interaction with public authorities (previous 12 months - 2014)	53	47
The type of e-government activities of individuals via websites	Obtaining information from public authorities' websites (2015)	41	40
	Downloading official forms (2015)	28	28
	Submitting completed forms (2015)	18	26
	Taking part in online consultations or voting to define civic or political issues (2015)	5	8

Source: Eurostat (2015).

According to the statistical data from 2015, 18% of individuals had submitted an official form at least once in the previous 12 months. This share is much lower than the EU-28 average (26%). Obviously, Slovenian citizens are much more familiar with searching for various types of information and downloading official forms than exploiting the possibility of completing administrative procedures via the Internet (see Table 2 above).

A more active form of e-government participation is civic or political participation in the form of taking part in online consultations or voting to define civic or political issues (e.g. urban planning, signing a petition). In 2015, only 5% of individuals in Slovenia (compared to the EU-28 average of 8%) took part in online consultations or voting to define civic or political issues (see Table 2 above). The most politically engaged in an online environment (e.g. taking part in online consultations or voting) are individuals aged 25–34 years, although the percentage is still quite low (11%). Therefore, Slovenian citizens more regularly take advantage of e-government possibilities and tools to obtain information or to complete administration procedures than they actively engage in political matters. This is not surprising since general observations (see Stoiciu 2011) point out that what most e-government systems and services are lacking is the development of e-participation and the inclusion of various social categories in policy-making and decision-making.

The next dimension of e-government analysis is the design of the e-government website and tools. This concerns the government's use of a proactive approach to anticipating and responding to citizens' demands and providing integrated e-government services tailored to users' needs. Appropriate utilisation of ICTs, especially the Internet, by a government holds the potential to increase citizen satisfaction with e-government. Similarly, better and more convenient services, more accessible and complete information, and new and improved channels of

communication may reduce the information gap and improve citizens' trust in government (Welch, Hinnant and Moon 2005, 372). The variables related to this are: (1) perceived ease of finding information on e-government websites; and (2) perceived usefulness of e-government websites.

One of the most crucial aspects of e-government design is the ease of finding information on e-government websites. Namely, perceived ease of use increases e-government usage. The results of a survey conducted in 2013 show relatively high satisfaction with the ease of finding information on e-government websites among Slovenian users (41%), especially compared to the EU-28 average of 32% (see Table 3 below). Users who were most satisfied with the ease of finding information were individuals aged 16–24 and 25–34 years (67% for both groups). On the other hand, only 7% (compared to the EU average of 6%) of all users of Slovenian government websites expressed their dissatisfaction with the ease of finding the information they were searching for.

TABLE 3: CITIZENS' PERCEPTION OF E-GOVERNMENT DESIGN

Variable	Indicator	Slovenia (% of individuals)	EU-28 (% of individuals)
Ease of finding information on e-government websites	Mostly satisfied (2013)	41	32
	Mainly dissatisfied (2013)	7	6
Perceived usefulness of e-government websites	Mostly satisfied (2013)	47	33
	Mainly dissatisfied (2013)	1	5

Source: Eurostat (2015).

Besides the level of ease of finding information, another key aspect of e-government design is the perceived usefulness of e-government services and tools. If the latter do not correspond to citizens' needs, they are also not relevant to them and their demands, which thereby hampers the interaction between various authorities and the population. In 2013, almost half the users of Slovenian e-government websites found the information they obtained to be useful, while only 1% of the population using e-government websites were mainly dissatisfied with the usefulness of the information available (see Table 3 above).

The last dimension of the e-government analysis is e-government service quality. This dimension is closely related to overall customer (citizen) satisfaction and the quality of the e-government (Omar, Scheepers and Stockdale 2011, 431). I will examine it in terms of three variables, namely: (1) users' satisfaction level with the ease of using e-government services on websites (usability); (2) problems experienced when using e-government websites; and (3) types of problems and/or failures.

The quality of e-government services with regard to Slovenian citizens' satisfaction with the ease of using them is largely perceived as good. Namely, 40% of individuals are mainly satisfied with the effectiveness, efficiency and intuitiveness of the web-based e-government services. The percentage of satisfied Slovenian users is quite high, also when compared to the EU average (30%). Correspondingly, the share of Slovenian citizens who are mainly dissatisfied is low (5%) and comparable to the EU average of 6% (see Table 4 below).

TABLE 4: CITIZENS' PERCEPTION OF E-GOVERNMENT SERVICE QUALITY

Variable	Indicator	Slovenia (% of individuals)	EU-28 (% of individuals)
Users' satisfaction level with the ease of using e-government services on websites (usability) (2013)	Mostly satisfied	40	30
	Mainly dissatisfied	5	6
Problems experienced when using e-government websites (2013)	Had experienced at least one problem when using e-government websites	17	17
Types of problems and/or failures (2013)	Found insufficient, unclear or outdated information	10	9
	Had experienced a technical failure of the e-government website	8	10

Source: Eurostat (2015).

When looking at e-government service quality through the problems individuals experienced when using e-government online services and/or websites, the individuals' perception is slightly different. Here, 17% of individuals (the EU average is the same) had experienced at least one problem when using e-government websites in the preceding 12 months. Interestingly, it was not technical failures of services or websites that were most commonly perceived as a problem, but insufficient, unclear and/or outdated information. While 10% of Slovenian respondents had actually stumbled upon inadequate information, another 8% of them had experienced a technical failure when browsing a website or using services. Compared to the EU average, the share of people who experienced a technical failure is slightly higher (10%) and just 1% above those who found insufficient, unclear and/or outdated information (see Table 4 above).

6 CONCLUSION

In today's rapidly digitalising societies, it is commonly argued that in the current technology-inspired and driven world e-government is a way to allow citizens to become acquainted with and participate in government processes. Governments and other authorities are directly reaching out to the people and thus improving their services by, for example, making communication between various governmental institutions more effective. On one hand, this keeps citizens supplied with the necessary information and, on the other, governments develop and use e-government to improve the efficiency and effectiveness of public service delivery.

As we have shown, Slovenian e-government has developed gradually over decades, although the so-called intensive informatisation of the public sector during the 1990s and the development of the IT infrastructure is largely regarded as a crucial pre-step in the actual formation of e-government. This is especially because some of the early e-government-oriented projects in the second half of the 1990s were strategically reliant upon this progress. Slovenia continually adopted strategies and other relevant documents targeting informatisation and ICT use as a backbone upon which concrete solutions were conceived and implemented. Especially after Slovenia joined the EU in 2004, it followed the common key directions including, for example, the e-government Declaration presented in November 2005 at the EU Ministerial E-government

Conference in Manchester, and the Digital Agenda for Europe (2010). As I have shown, one of the Slovenian government's primary aims at that time (and still is) was to conceive and implement e-government services with the aim of improving citizens' quality of life, reducing administrative burdens on citizens and to increasing citizens' trust in government and democracy.

However, the citizen-centred analysis of Slovenian e-government revealed that Slovenian Internet users are predominantly passive Internet users, meaning they use the Internet to find information but they rarely actively participate or engage in various governmental matters. This general inclination of Slovenian online citizens is also reflected in their e-government behaviour since e-government users are much more inclined to the passive use of the available services and tools. This finding is also relevant in light of the fact that, generally speaking, while quite a large proportion of Slovenian Internet users is aware of the e-government tools and services, Slovenia experienced a drop in the share of people who used e-government websites. This leads us to the conclusion that government must continually engage in activities to increase awareness of and popularise e-government usage. However, these promotional activities are by themselves far from sufficient if the government is to go beyond merely offering various types of information and the online completion of administrative procedures to the citizens. In order for e-government to become a participatory platform allowing citizens to express their views and get engaged in political matters, citizens as well as both their online behaviour and needs must be placed at the centre of the design and delivery of e-government. In this light, e-government should be better tailored to meet the specific needs and priorities of different users (especially so-called passive users). This means that citizens' usage patterns must be continually analysed and monitored in order to provide more personalised services and tools to ensure greater participation and engagement opportunities.

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ECONOMIC CONDITIONS AND TAX COMPLIANCE: THE MEDIATING EFFECT OF TRUST

Vytautas KUOKŠTIS¹

This paper presents an attempt to combine the economic and sociological approaches to tax (non)compliance. It is argued that the way economic conditions affect (non)compliance might depend on the stock of political trust present in a country. More specifically, while economic hardship is expected to lead to lower compliance and higher shadow economy, this effect might be less substantial in societies with a higher level of trust. This happens because tax compliance decisions by individuals with higher trust in political institutions (and thus higher tax morale) are less affected by the changing economic costs and benefits of compliance. This theoretical argument is tested empirically with data on EU member states for the years 2000–2011. The paper finds empirical support for the main hypothesis.

Key words: tax compliance; trust; crisis; VAT gap; shadow economy.

1 INTRODUCTION

Tax compliance – i.e. the extent to which taxpayers obey tax laws – is of obvious practical importance. Without sufficient tax revenues, no state can function effectively. The ability to extract tax revenue can also be interpreted as an important indicator of state's strength. Historically, this ability has influenced states' survival chances. For instance, in the eighteenth century, a 'powerful "fiscal-military state" emerged in Britain', which 'was able to extract higher levels of taxation than the French state, with less tension and resistance, and to use the revenue to fund loans for warfare and imperial expansion' (Daunton 1998, 103).

¹ **Vytautas KUOKŠTIS**, associate professor at Vilnius University's Institute of International Relations and Political Science, Lithuania. His research focuses on international and comparative political economy. *Acknowledgments:* This work was supported by the Lithuanian Research Council grant No. GER 2005/03 "Good governance and trust in public institutions creating welfare society in Lithuania". An earlier version of the text was presented at the 24th World Congress of Political Science in Poznan, July 23-28, 2016. I thank Vaidas Malinauskas and Donatas Dranseika for research assistance and Grzegorz Poniatowski for sharing data.

In addition, the study of tax (non)compliance provides an interesting arena to explore one of the most important and intriguing debates in social science. This debate revolves around the question of human motivation. Are people instrumentally rational, as posited by the adherents of the rational choice approach, or are they driven by other considerations, such as norms of fairness and reciprocity? Briefly, the economic approach grounded in the rational choice theory views tax (non)compliance as stemming from individual rational decision-making, which resolves around individual material benefits and costs of compliance. In contrast, the 'sociological' approach argues that tax compliance can be linked to norms, in particular to trust in political institutions and/or fellow citizens. This trust in turn generates tax morale, conceived as 'the intrinsic motivation to pay taxes' (Halla 2010, 2).

Both approaches have found support in the literature. This is not surprising. It seems intuitively plausible that human-beings could be driven both by rational calculation of material self-interest as well as broader motivations having to do with morale and norms. This paper presents an effort to combine the insights of these perspectives in a particular way. It hypothesizes that the effect of economic conditions might be *conditional* on the level of trust in a country. Specifically, the main hypothesis formulated in this paper states that, as the economic conditions deteriorate, tax compliance decreases, but this effect is weaker in countries where there is more trust in political institutions. In other words, this implies that the *difference* in tax compliance between high trust and low trust societies is bigger during periods of economic hardship compared to 'normal' times.

This paper contributes to the literature in several ways. First, it presents a theoretical argument as to why we could expect that economic environment's impact on tax compliance might vary depending on the level of political trust. Second, it presents an empirical test of this hypothesis and finds evidence in support of it. While the hypothesis of such a *conditional* effect has been mentioned in the literature (Kuokštis 2015), it has not yet been empirically tested. Although this paper presents only the first attempt at empirical analysis of this hypothesis, the initial results are encouraging. Third, the analysis leads to some practical implications concerning tax revenue planning.

The next section of the paper presents existing theories of compliance (the economic and the sociological approaches) as well as the main argument of this paper. The section after that discusses data sources and provides descriptive statistics. Subsequently, an econometric analysis is presented. The paper ends with conclusions and implications.

2 THEORY

2.1 The economic approach

The economic approach to human behaviour (Becker 1978) views (non)compliance as an outcome of rational calculation related to material self-interest. According to this view, an individual weighs her (expected) costs and benefits stemming from the act of (non)compliance.² If the (expected) benefits are higher than the (expected) costs of noncompliance, the individual chooses

² See, for instance, Andreoni, Erard, and Feinstein (1998) for a review.

not to comply, and vice versa. The main benefit of noncompliance is the 'saved' tax liability, which is concealed from the government. The main cost is the (expected) penalty from noncompliance in the form of fine and/or imprisonment in case the individual gets caught. According to this approach, 'tax evasion is correlated negatively with the probability of detection and the degree of punishment' (Frey and Torgler 2007, 3).

This parsimonious model makes intuitive sense and allows generating falsifiable predictions. Broadly speaking, one would expect the individual to be more likely to comply, the lower the benefits of noncompliance and the higher the costs of noncompliance. More specifically, the model predicts that lowering tax rates and decreasing the administrative burden of paying taxes as well as increasing the probability of getting caught would tend to lead to higher compliance. Most of the predictions of the economic school find support in empirical studies (Slemrod 2007). According to Slemrod, 'the stark differences in compliance rates suggest strongly that deterrence is a powerful factor in evasion decisions' (ibid., 45).

Interestingly, the economic approach allows generating predictions about how compliance can change depending on the economic environment. Specifically, the expectation is that compliance declines in periods of economic crises. Schneider, Buehn, and Montenegro (2010, 4) identify 'the state of the "official" economy' as one of the primary driving forces of the shadow economy. In their words (ibid., 7-8), 'in a booming official economy, people have a lot of opportunities to earn a good salary and "extra money" in the official economy. This is not the case in an economy facing a recession; more people try to compensate their income losses from the official economy through additional shadow economy activities'. As was put by Poghosyan, 'according to basic models of tax compliance, taxpayers facing economic distress or bankruptcy may perceive the downside risk of tax evasion (penalties) to be smaller compared to the potential upside gains (avoiding bankruptcy)' (Poghosyan 2011, 4). Furthermore, as argued by Sancak, Xing, and Velloso (2010, 14), 'firms and households are more likely to evade taxes when they are, for instance, credit constrained and financially distressed'. Overall, the argument is that the costs of compliance increase during the 'hard times', and thus one could expect tax compliance to fall.³ More specifically, Brondolo lists these reasons why tax compliance might decrease during crises. First, 'when credit is tight or unavailable, credit-constrained taxpayers may be tempted to use tax evasion as an alternative source of finance for their operations' (Brondolo 2009, 5). Second, 'taxpayers who face severe economic stress – such as the risk of bankruptcy – may perceive the downside risks of tax evasion (penalties) to be minimal compared with the potential upside gains (avoiding bankruptcy)' (ibid., 5). Third, 'if an economic crisis leads to a shift in economic activity from the formal to the informal sector, compliance is likely to decline, since it is widely recognized (by definition) that the rate of noncompliance is much higher in the informal sector' (ibid., 5). One could also add that during crises tax administration agencies might find themselves overwhelmed (due to the increasing shadow economy, new challenges and possibly more limited resources), which could reduce the probability of getting detected and thus lower the expected cost of tax evasion.

³ In addition, Brondolo (2009, 5) mentions three other factors why in times of crises tax revenue might decline at a faster pace than GDP: '(1) the tendency of some tax bases to decline faster than GDP in the face of an economic downturn, (2) a decline in commodity prices and related revenues, and (3) discretionary changes in tax policy'.

Inter alia, this means that 'long-run revenue elasticities do not hold well during output contractions and expansion' (Poghosyan 2011, 3). Besides, 'evidence suggests that tax revenues (including neutral and regressive taxes) tend to fall more sharply than their respective tax bases during recessions, and recover more strongly than bases during booms' (ibid., 3). Poghosyan investigates the case of Lithuania and finds 'strong evidence of cyclicalities in the elasticity of VAT revenues' (Poghosyan 2011, 3). Sancak, Xing, and Velloso (2010) reach similar conclusions upon investigating the relationship between the output gap (a measure of the economic situation) and tax revenue efficiency (which partly reflects (non)compliance). They find 'a positive and significant relationship between these variables', with consistent results 'for quarterly and annual data, and across advanced and developing economies' (ibid., 1). According to the authors, 'a worsening (improvement) in the VAT C-efficiency is driven by shifts in consumption patterns and changes in tax evasion during contractions (expansions)' (ibid., 1). In other words, VAT tax compliance declines during economic downturns, which in turn leads to lower revenue collection. The upshot is that there should be a significant relationship between the economic situation in a country and the level of tax compliance/shadow economy. Specifically, the worse the economic situation, the lower the expected level of compliance. As summarized by Brondolo (2009, 6), 'empirical evidence on the impact of recession on taxpayer compliance is sparse, but tends to confirm the likelihood of some worsening'.

2.2 The sociological approach

The economic approach has been challenged on several grounds. On the theoretical level, one big difficulty that the economic approach encounters is a huge amount of uncertainty concerning the probability of detection. Most individuals simply do not have any reliable information on which to make reasonable guesses regarding this issue. Empirically, the model has also been challenged. According to Slemrod (2007, 39), 'considerable experimental (and anecdotal) evidence suggests that the story of tax evasion involves more than amoral cost-benefit calculation'. One of the most significant challenges is the fact that many more people are paying taxes than would be expected based on the economic model (Andreoni, Erard, and Feinstein 1998, 819). As was put by Halla (2010, 2), 'it is a well-known fact that neo-classical models of tax compliance over-predict real-world compliance'. According to Kahan (2001, 333-334), 'what makes the conventional collective action model go off course, moreover, is its unrealistic understanding of human motivation. In collective action settings, individuals behave not in the materially calculating fashion characteristic of *homo economicus* but rather in the richer, more emotionally nuanced fashion distinctive of what Herb Gintis and Ernst Fehr call *homo reciprocans*. When they perceive that others are behaving cooperatively, individuals are moved by honour, altruism, and like dispositions to contribute to public goods even without the inducement of material incentives.'

The sociological school views the act of paying taxes as a form of social contract in which citizens comply with the government and provide funding for it, in turn expecting the delivery of public goods. The expectation therefore is that tax (non)compliance should be correlated with the fairness of government's procedures, the quality of the public goods provided, as well as government's trustworthiness. In other words, the more people trust the authorities, the more likely they are to have the high tax morale and thus comply with tax laws. Tax morale is defined 'as the intrinsic motivation to pay taxes' (Frey and Torgler 2007, 140). This concept 'measures an individual's willingness to pay taxes, in

other words, the moral obligation to pay taxes or the belief that paying taxes contributes to society' (ibid., 140); tax morale 'also includes the moral regret or guilt over cheating on taxes' (Torgler 2005, 526). Therefore, in societies where there is more trust in political institutions one would expect to find higher tax morale, stronger compliance, lower shadow economy, and less prevalent tax evasion.⁴ Empirically, these predictions have received ample support. Researchers have found trust in political institutions as well as other related indicators, such as pride in one's country, to be significant predictors of tax morale (Cummings et al. 2006). Interestingly, Frey and Feld (2002) argue that an overreliance on deterrence instruments and an 'authoritarian' approach can backfire because it can crowd out the intrinsic motivation to pay taxes.

2.3 The mediating effect of trust

As noted above, scholars representing the economic approach have hypothesized and found empirical evidence that the economic situation has an influence on compliance with tax laws. Concretely, as the economic situation deteriorates, non-compliance increases as more people start evading taxes and exiting into the shadow economy.

It has also been mentioned above that trust in political institutions can have a significant influence on tax compliance (through its effect on boosting tax morale). However, is it possible that the effect of economic situation *interacts* with the stock of trust, at least on the aggregate country level? Before presenting the main theoretical argument of this paper, one should mention that several authors have hinted at the possibility of such a conditional relationship or even stated it explicitly. To begin with, several authors have empirically explored how various indicators of institutional quality (such as rule of law, control of corruption, differences between advanced and developing countries, etc.) can affect the impact of economic conditions upon tax compliance, with somewhat mixed findings (Sancak, Xing, and Velloso 2010; Center for Social and Economic Research 2013). For instance, according to the analysis by the Center for Social and Economic Research (2013, 98), 'if taxpayers are less likely to comply with VAT during economic downturns, then we expect the sensitivity of the VAT Gap to the business cycle to be greater in those countries with persistently weaker compliance'. To the extent that these dimensions are related to political trust, those findings are relevant for the argument presented in this paper. Furthermore, Brondolo (2009, 6) has argued that the 'economic' reasons for higher tax evasion during crises may be 'reinforced by social norms: in a recession, taxpayers may perceive (1) the tax agency to be less stringent in enforcing the tax laws or (2) that other people are evading taxes more, making it less risky or more socially acceptable to evade taxes themselves'.

At the same time, one should also mention that the authors in existing literature have not laid out detailed arguments about the possible 'conditioning' effect of institutions upon the relationship between crises and compliance; neither have they specifically addressed the impact of 'political' trust. A partial exception can be found in Kuokštis' (2015) analysis of the experience of Estonia and Lithuania during the Great Recession. Kuokštis argues that the diverging experience of the two Baltic countries during the crisis, and more specifically Estonia's higher

⁴ Of course, the existence of social norms as a deterring factor could be framed in terms of the 'economic' approach by arguing that evading taxes increases costs in terms of guilty conscience (see, for instance, Slemrod (2007, 39)). However, in my opinion, such framing does not contribute to analytical clarity.

success in reducing the budget deficit, cannot be attributed to either economic structural factors (such as the severity of the crisis) or government decisions during the downturn (such as tax policy or spending changes). Instead, Kuokštis explains this by a higher expansion of shadow economy in Estonia during the economic downturn, which he in turn attributes to a higher level of 'political' trust in Estonia compared to Lithuania. In discussion, it is stated that 'trust's importance for fiscal performance might actually *increase* during "hard times"' (ibid., 571). However, Kuokštis does not present a clear argument about *how* and *why* there should be such a conditional relationship, nor does he provide a comprehensive test of the argument.

To begin the presentation of the theoretical argument, let us assume that there are two countries, A and B. In country A, there is a higher proportion of people who trust the government, and therefore there are more people with high tax morale who do not justify cheating on tax under any circumstances than in country B. Let us assume further that, for people who do not trust the government and thus have low tax morale, the economic model presented above works well in the sense that it does a good job of predicting their behaviour. When making the decision about tax compliance, these people consider solely individual material costs and benefits of doing so.

Now consider two periods that differ in terms of economic conditions. Period 1 is marked by economic growth and low unemployment. Conversely, in period 2, there is an economic recession, which leads to a growth in unemployment. What are the expectations about tax (non)compliance and shadow economy in these two countries in the two different economic periods? Remember that based on the previous assumption changing economic benefits and costs significantly affect the decisions of people with low trust and low tax morale. Also, remember that a worsening economic environment affects compliance negatively because it increases the costs of complying and decreases the benefits of doing so. One could therefore predict that non-compliance will increase faster in the country with low political trust and low tax morale than in the country with high trust and high tax morale. This is because low tax morale people are affected by the changing costs and benefits associated with changing economic environment (they evade taxes more), while high tax morale people are not (they do not justify cheating on tax, even if the benefits of doing so increase). In other words, the effect of trust on tax compliance is *conditional* on the state of the economy: as the economic situation deteriorates, the *difference* in tax compliance between high trust and low trust societies widens. This means that in low trust societies economic contractions add to non-compliance at a faster pace than in high trust societies (alternatively, one could also say that the effect of the economic situation upon compliance is dependent upon the level of trust, as compliance is expected to be more sensitive to the change in economic circumstances in lower trust societies).

It is noteworthy that the traditional question used to determine tax morale from World Values Survey and European Values Study is the following: 'do you justify cheating on tax?'. Respondents are then presented with answer options ranging from 1 ('never') to 10 ('always'). Thus, people choosing option 1 (which tends to be the most popular answer) declare to 'never' justify tax evasion, which is compatible with the explanation above, namely that even if the economic situation (and consequently the results of individual cost-benefit calculation) changes for the worse, those 'high tax morale' individuals are not going to (or at least are less likely to) turn to shadow economy. Going back to our example

from the real world, in 2008, as many as 54 percent of Estonians chose the 'never' option and only 38 percent of Lithuanians did.⁵

The explanation laid out above can also be framed with reference to the famous Albert Hirschman's model of 'exit, voice, and loyalty' (Hirschman 1970).⁶ According to Hirschman, individuals (clients, employees or citizens) have two basic options in reacting to a situation, which they find unsatisfactory. They can either 'exit' the situation (for instance, by switching suppliers, quitting the job or leaving the country) or they can use 'voice' (by openly declaring their dissatisfaction or, in the context of politics, voting for other politicians and/or policies). However, 'loyalty' – i.e. commitment to a given organization (firm or state) – can be important in conditioning, channelling the response to dissatisfaction. More specifically, if individuals are committed to ('loyal to') a given organization, they are less likely to 'exit' and more likely to 'voice' their concerns. When applied to the tax compliance issue, one could thus deduce that 'loyal' individuals (as revealed by their trust in political institutions and high tax morale) are less likely to 'exit' into shadow economy when the economic situation deteriorates. Of course, it is also possible that people are content with the situation at hand in the first place, and there is no pressing need to express their dissatisfaction (either because they approve of particular anti-crisis policies pursued or because they tend to trust political institutions in general). Interestingly, Hirschman relates 'loyalty' to a certain amount of 'irrationality': 'there are those who stay with A out of "loyalty," that is, in a less rational, though far from wholly irrational, fashion' (ibid., 38).

3 DATA SOURCES AND DESCRIPTIVE STATISTICS

To test the theoretical predictions, I use data from European Union member states for the years 2000 to 2011 (the period is limited by data availability for the dependent variables). The economic situation is captured by the change in the unemployment rate in a given country. Data for unemployment were taken from the Eurostat database. Unemployment data were available for all countries and all years under investigation (2000–2011).

For obvious reasons, it is very complicated to arrive at a good estimate of the extent of tax (non)compliance. I use two measures of the dependent variable in this paper. First, I use Value added tax (VAT) gap indicator, which is 'defined as the difference between the theoretical VAT liability and the collections of VAT' (Center for Social and Economic Research 2013, 10). Data for the VAT gap (measured in percentage of GDP) were taken from a comparative study on VAT gaps in 27 member states (Cyprus was excluded) of the European Union (EU) carried out by the Center for Social and Economic Research (2013). The use of the VAT gap measure to estimate tax (non)compliance has several advantages. First of all, VAT is usually an important source of revenue for many governments. Second, VAT systems are usually more easily comparable across countries than other taxes, such as property taxes or social security contributions (Poghosyan 2011, 8). This is especially true in the case of the EU member states because 'the EU has attempted over the years, in line with the objectives of the Single Market, to harmonize these parameters with a series of Directives' (Center for Social and Economic Research 2013, 11). Finally, the report prepared by the Center for Social and Economic Research (2013)

⁵ Based on data from European Values Study (2008).

⁶ See also Greskovits' (1998) work on reactions to economic and social hardships in the transition region in the 1990s.

provides an opportunity to obtain comparable data across different EU member countries. As another measure of (non)compliance, I use shadow economy estimates provided by Elgin and Öztunali (2012, 6) whose method “relies on microfoundations and (...) is not based on ad-hoc econometric specifications and assumptions”. Shadow economy level is measured in percentage of GDP. Both dependent variables enter regression equations in changes, not levels, and are thus measured in percentage points.

As for political trust, I chose to measure it as trust in the national legal system. One reason for this is simply that Standard Eurobarometer provides these data for most country-years in the sample.⁷ On a conceptual level, trust in the legal system can be considered to represent what is called “order institutions” (along with institutions such as the courts and police system) rather than “partisan” institutions (such as the parliament and political parties) (Rothstein and Stolle 2008). Whereas trust in “partisan” institutions might be related to people’s political ideological leanings, trust in “order institutions” could be considered to represent a distinct dimension of trust related to citizens’ opinions regarding the effectiveness and impartiality of the state’s institutional system. Trust in legal institutions arguably captures well citizens’ views on the fairness and effectiveness of the state’s legal system and even the whole administrative machinery, as well as on whether the funds paid to the government in the form of taxes will be put to good use.

Table 1 below provides descriptive statistics of the variables analysed in this paper. The average VAT gap in the EU member states in 2000–2011 stood at 16.8 percent of GDP, ranging from a minimum of 1 (Ireland in 2002) to a maximum of 49 percent (Romania in 2001). Shadow economy ranged from 9.1 percent of GDP (Luxembourg in 2008) to 35.1 percent (Bulgaria in 2000), the average value standing at 21.5 percent. As for trust, its average value for all countries for the whole period stood at 47.6 percent. The lowest value of the index was in Bulgaria in 2007. At the opposite end of the spectrum, Denmark had a level of 67 percent in the years 2008 and 2009.

TABLE 1: DESCRIPTIVE STATISTICS OF THE VARIABLES USED IN THE ANALYSIS

	Min	Max	Mean	N	Standard deviation
TRUST	12	87	47.6	248	17.0
VAT gap	1.00	49.0	16.9	311	10.5
Δ VAT gap	-19.0	16.0	0.4	284	4.3
Shadow	9.1	35.1	21.5	279	7.1
Δ Shadow	-1.1	0.8	-0.2	253	0.2
Unemp	1.9	21.4	8.5	335	3.9
Δ Unemp	-4.5	14.6	0.1	311	1.9

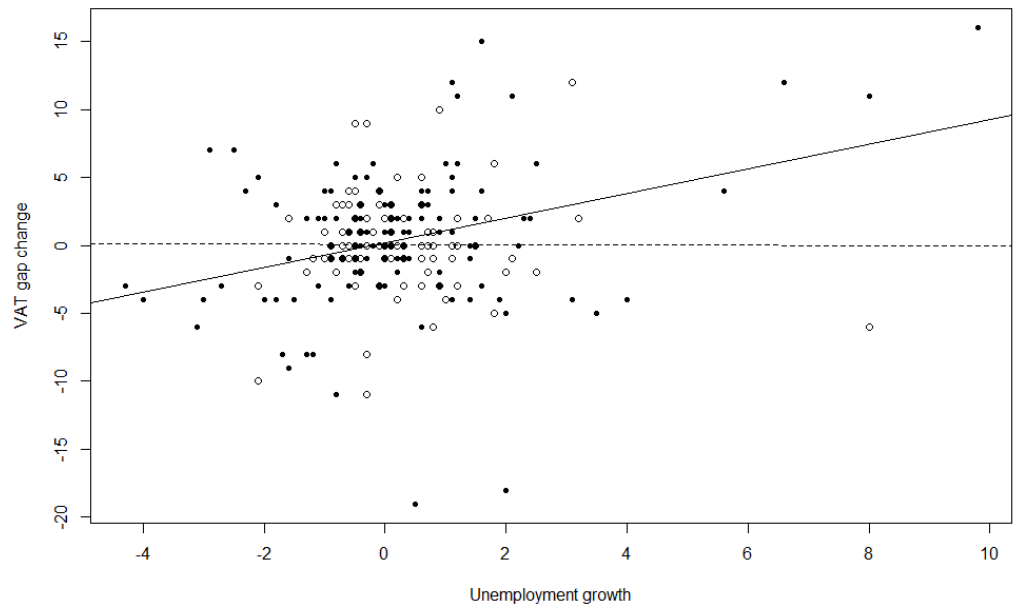
Sources: VAT gap (in percentage of GDP) data from the report by the Center for Social and Economic Research; unemployment data (in percentage) from Eurostat; shadow economy data (in percentage of GDP) from Elgin and Öztunali (2012); trust data (in percentage of respondents who tend to trust the national legal system) from Standard Eurobarometer surveys; author’s calculations.

⁷ Trust in national legal system data were not available for 2011 for all countries, and for the year 2002 for the new member states. As Eurobarometer surveys are carried out twice a year (Spring and Autumn waves), an average trust level for the year is calculated, unless only one trust data point is available for a particular year, in which case that measure is used to represent the whole year.

4 EMPIRICAL ANALYSIS

I start with simple scatter plots depicting the relationship between changes in unemployment rate and increase in the VAT gap for two subgroups of the sample: low trust country-years (with trust in legal system below sample average) and high trust country-years (trust in legal system above sample average). Figure 1 shows the scatter plots for the two subpopulations along with respective regression lines. Black points and solid regression line depict the relationship for low trust country-years, while empty points and dashed line illustrate this relationship for high trust country-years. As one would expect based on the theory presented above, there is a stronger relationship between changes in unemployment and changes in the VAT gap for low trust country-years than for high trust country-years. In fact, looking at the dashed regression line, one could say that, when trust in the legal system is high, changes in unemployment have no association with changes in the VAT gap. On the other hand, when trust is low, an increase in unemployment is linked to an increase in the VAT gap.

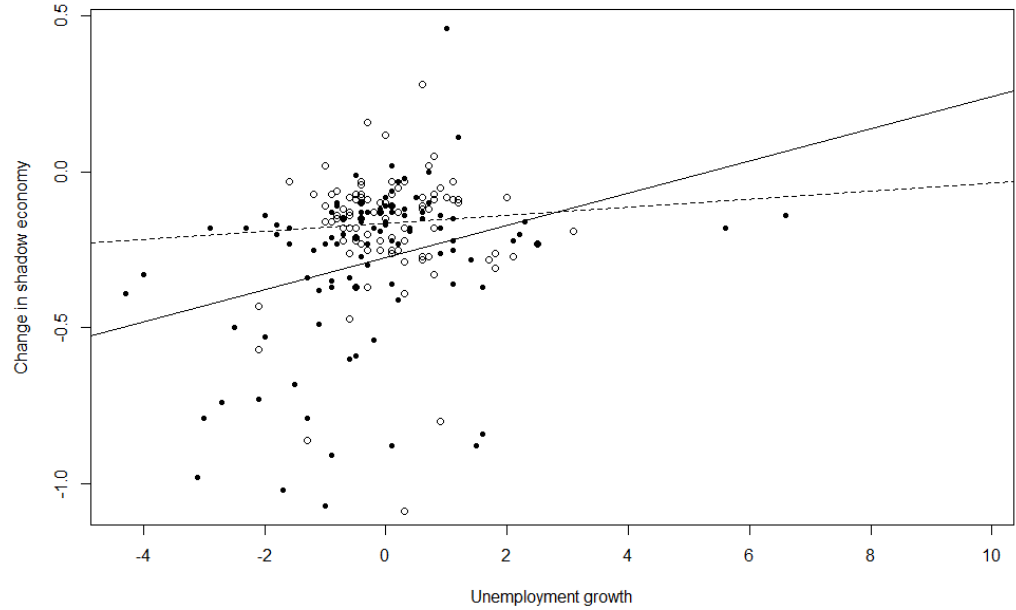
FIGURE 1: RELATIONSHIP BETWEEN UNEMPLOYMENT GROWTH (IN PERCENTAGE POINTS) AND VAT GAP CHANGES (IN PERCENTAGE POINTS)



Notes: black points and solid regression line depict the relationship for low trust country-years (below average trust), while empty points and dashed line mark this relationship for high trust country-years (above average trust). Source: author’s compilation.

Figure 2 below does the same for the relationship between changes in unemployment and changes in shadow economy. The main conclusion holds: this relationship is markedly stronger when trust is low (black dots and solid regression line) compared to high trust settings (empty dots and dashed regression line).

FIGURE 2: RELATIONSHIP BETWEEN UNEMPLOYMENT GROWTH (IN PERCENTAGE POINTS) AND SHADOW ECONOMY CHANGES (IN PERCENTAGE POINTS)



Notes: black points and solid regression line depict the relationship for low trust country-years (below average trust), while empty points and dashed line illustrate this relationship for high trust country-years (above average trust). Source: author’s compilation.

These insights are made more precise in Table 2, which presents regression models explaining both changes in the VAT gap and changes in shadow economy. Different regression models were run for the full sample, low trust country-years, and high trust country-years. Looking at the effect of unemployment on changes in the VAT gap for low trust country-years (Model 2), one can see that there is a strong and statistically significant relationship: a 1 percentage point increase in unemployment is associated with a 0.9 percentage point increase in the VAT gap. At the same time, there is no relationship between changes in unemployment and the VAT gap for the high trust sample (Model 3). As for shadow economy, in low trust settings, a 1 percentage point increase in unemployment leads to a 0.05 percentage point increase in the shadow economy (Model 5) but has no significant association when trust is high (Model 6).

TABLE 2: REGRESSION MODELS EXPLAINING VAT GAP AND SHADOW ECONOMY CHANGES FOR THE FULL SAMPLE, LOW TRUST GROUP, AND HIGH TRUST GROUP

	Dependent variable: Δ VAT gap			Dependent variable: Δ Shadow economy		
	1 (full sample)	2 (low trust)	3 (high trust)	4 (full sample)	5 (low trust)	6 (high trust)
Δ Unemp	0.632*** (0.151) [0.002]	0.906*** (0.228) [0.000]	-0.010 (0.275) [0.970]	0.029*** (0.009) [0.000]	0.052*** (0.016) [0.003]	0.013 (0.024) [0.597]
R-squared	0.059	0.118	0.000	0.039	0.097	0.003
N	283	120	105	252	98	96

Notes: Constant terms are not shown. Standard errors in parentheses; *** indicates significance at the 0.01 level, ** indicates significance at the 0.05 level and * indicates significance at the 0.1 level; p-values based on cluster robust standard errors reported in brackets (clustered by country). Source: author’s calculations.

Finally, to present an even more formal treatment of the mediating effect of trust on the relationship between economic conditions (proxied by changes in unemployment) and tax non-compliance as well as the shadow economy, I ran regression models by inserting interaction terms between trust in the legal

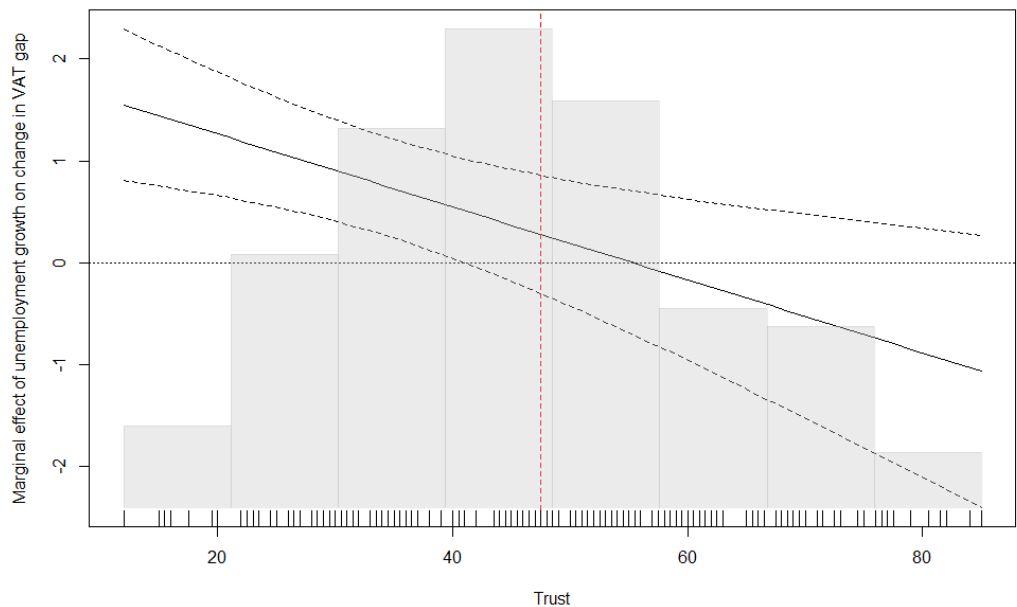
system and changes in unemployment. I expect the interaction coefficient to be negative and statistically significant. As shown in Table 4, this is indeed what is found both when the dependent variable is the change in the VAT gap (Model 1) and when the dependent variable is the change in the shadow economy (Model 3). Furthermore, this result is robust to the inclusion of time and country fixed effects (Models 2 and 4).

TABLE 4: REGRESSION MODELS EXPLAINING VAT GAP AND SHADOW ECONOMY CHANGES AFTER THE INCLUSION OF THE INTERACTION TERM BETWEEN UNEMPLOYMENT AND TRUST

	Dependent variable: Δ VAT gap		Dependent variable: Δ Shadow economy	
	1	2	3	4
Δ Unemp	1.944*** (0.473) [0.000]	1.979*** (0.503) [0.000]	0.135*** (0.042) [0.000]	0.094*** (0.034) [0.052]
TRUST	-0.005 (0.017) [0.630]	0.02 (0.066) [0.747]	0.004*** (0.001) [0.040]	-0.001 (0.003) [0.739]
Δ Unemp X TRUST	-0.034*** (0.012) [0.000]	-0.036*** (0.013) [0.000]	-0.002** (0.001) [0.001]	-0.002** (0.001) [0.072]
Fixed country effects	No	Yes	No	Yes
Fixed year effects	No	Yes	No	Yes
R-squared	0.100	0.249	0.164	0.675
N	225	225	194	194

Notes: constant terms are not shown. Standard errors in parentheses; *** indicates significance at the 0.01 level, ** indicates significance at the 0.05 level and * indicates significance at the 0.1 level; p-values based on cluster robust standard errors reported in brackets (clustered by country). Source: author’s calculations.

FIGURE 3: MARGINAL EFFECT OF UNEMPLOYMENT GROWTH ON CHANGES IN THE VAT GAP CONDITIONAL ON THE LEVEL OF TRUST IN THE NATIONAL LEGAL SYSTEM

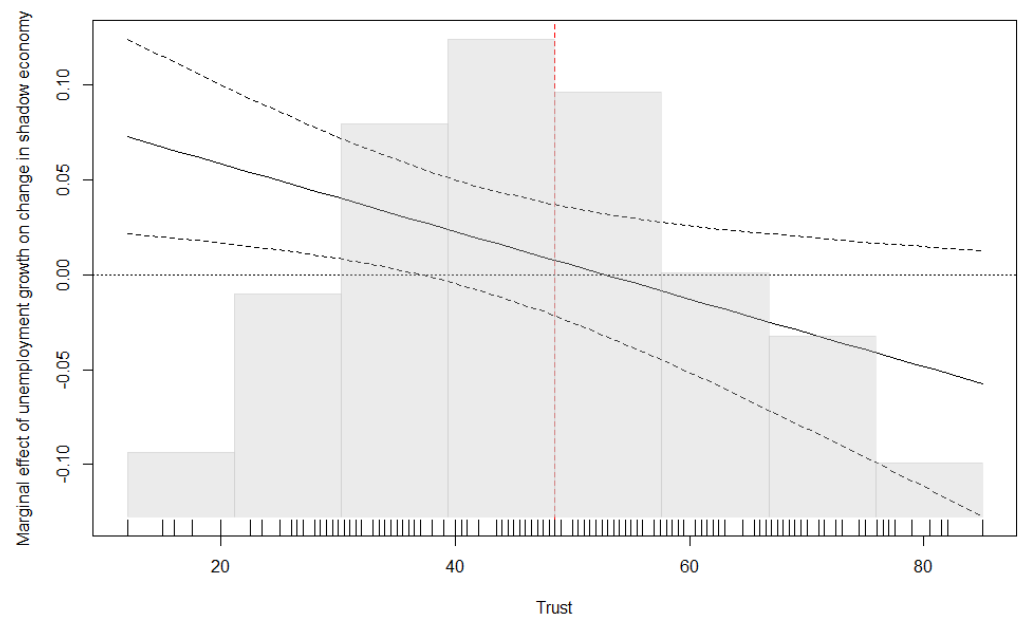


Notes: dashed lines represent 95 percent confidence intervals. Source: author’s calculations based on Model 2 from Table 4.

Figure 3 presents the marginal effect plot of the influence of unemployment changes on VAT gap growth for different levels of trust. In an analogous way, Figure 4 depicts the relationship between unemployment changes and shadow economy growth, as mediated by the level of trust. These Figures were

generated based on the results of models 2 and 4 from Table 2.⁸ As can be seen, there is a significant positive relationship between changes in unemployment and changes in both VAT gap and shadow economy at low levels of trust (when trust is below around 40 percent). At higher levels of trust, there is no longer a significant relationship between economic conditions on the one hand and tax (non)compliance as well as shadow economy on the other. Overall, therefore, the evidence presented here seems to indicate that trust does insulate the level of compliance (as measured by the VAT gap and shadow economy) against the impact of the economic environment.

FIGURE 4: MARGINAL EFFECT OF UNEMPLOYMENT GROWTH ON SHADOW ECONOMY CHANGES CONDITIONAL ON THE LEVEL OF TRUST IN THE NATIONAL LEGAL SYSTEM



Notes: dashed lines represent 95 percent confidence intervals. Source: author’s calculations based on Model 2 from Table 4.

5 CONCLUSIONS AND IMPLICATIONS

This paper aimed to partly combine two competing schools of thought aiming to explain tax compliance: the economic and the sociological. The economic approach emphasizes individual material benefits and costs of compliance, while the sociological one stresses the importance of norms, in particular trust in political institutions. This paper presented and tested a hypothesis that trust mediates the relationship between the economic environment and compliance. This means that economic downturns tend to separate high trust societies from low trust ones in terms of the compliance gap. The hypothesized mechanism is as follows: high trust societies have more citizens with high tax morale, which means that they are less likely to turn to tax evasion even if the costs of compliance increase (as they tend to during crises); by contrast, in low trust societies there are more individuals who base their decisions purely on material cost-benefit analysis and thus start complying less when the economic situation worsens.

⁸ To produce the marginal effect plots, I use R code written by Anton Strezhnev (2013).

Before presenting implications of the analysis, it is necessary to provide a caveat. This was only the first attempt at empirically explore the hypothesis about the effect of economic conditions on compliance that is conditional on trust, and the analysis has several limitations, such as the concern about possible endogeneity, lack of control variables in the models, and the focus on macro country level data rather than individual level data. That said, the paper did present a step in trying to combine economic and sociological explanations of compliance by looking at their possible *interaction*. In the future, it would be worthwhile to investigate other ways of how these influences might interact, rather than treating them as independent. For instance, one could explore whether the effect of other 'material' factors, such as the probability of getting caught or the amount of tax that needs to be paid, also varies depending on the level of trust. In addition, as mentioned above, it would be worthwhile to check whether the identified relationship also holds at the individual level. Besides, although this paper presented a possible explanation of why trust's importance might increase in times of economic crises, one could come up with other potential explanations for this observed correlation. For example, one might note that during economic contractions many governments seek to (or are forced to) pursue fiscal consolidation. This is what happened during the Great Recession in many EU member states and other countries across the world. Fiscal consolidation usually implies an increase in taxation. If people generally do not trust the government, they can be expected to express their dissatisfaction especially in times of crisis, when cooperation is of even bigger importance.

Another possible way to explain the conditional relationship identified in this paper is by paying attention to people's cognitive limitations. People generally do better at rational cost-benefit calculation when facing a more familiar, predictable environment. Due to the fact that economic downturns, especially severe ones, bring about higher uncertainty and unpredictability, one could hypothesize that taxpayers are less likely to use rational analysis during such times. Instead, they might use mental shortcuts, or 'heuristics', to make decisions. One such heuristic device might be trust in political institutions. For instance, Scholz and Pinney (1995) have argued that trust in political institutions can serve as a heuristic device in estimating the probability of detection in case of tax evasion.

The paper also highlighted the role of trust for economic performance generally and fiscal results in particular. It therefore belongs to an influential strand in literature emphasizing the importance of trust, but adds an interesting twist to it. According to the analysis provided in this paper, trust might be both *more* and *less* important than one could expect looking at earlier scholarship on this issue. Based on this paper, one could argue that trust is *less* important when the economic environment is benign. At the same time, the paper highlighted that during hard times trust is even *more* important.

Overall, the discussion on explanations of tax compliance might have important practical implications. For instance, one important point of disagreement in academic and policy debates has been related to what the most effective way of increasing compliance is. On the one hand, the economic approach suggests increasing penalties (thus making evasion less economically attractive), while the sociological approach argues that in some cases intensifying coercive measures can backfire, as the government loses legitimacy which then leads to lower tax morale. Going back to the analysis of this paper, one could formulate a practical implication that it is necessary to build up not only fiscal reserves, but also 'reserves of political trust' in pre-crisis times. Furthermore, when

forecasting tax revenues (as well as deriving fiscal deficit and debt projections), one could pay attention to the level of political trust in a given country's institutions. When writing about changing tax elasticities, Sancak, Xing, and Velloso (2010, 1) noted that 'particularly during major economic booms and downturns, policy makers should look beyond simple, long-run revenue elasticities and incorporate into their analysis the effects of the economic cycle on tax revenue efficiency'. Based on the analysis presented in this paper, one could conclude that this advice should be especially heeded in countries with a lower stock of political trust.

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THE AFFIRMATIVE ACTION POLICY: A TALE OF TWO NATIONS AND THE IMPLEMENTATION CONUNDRUM

Kwame Badu ANTWI-BOASIAKO¹

The enforcement of affirmative action programs such as quotas has not only generated endless debate in many countries but has also encountered resistance from those, usually conservatives, who question the fairness of such a program or policy. Brazil and the United States of America are two of the destinations for enslaved people of African descent who were, on their arrival to their new countries, treated as second-class citizens and had to endure institutional, political, and legalized structural racism and discrimination in high education. This paper provides some of the definitions of affirmative action found in the literature and discusses the struggles of the Brazilian government is using to addressing past discrimination in university admissions. Some legal challenges of affirmative action policy regarding university admissions in the United States are provided to show the implementation conundrum of the policy. Despite the controversial nature of the policy the impact theory is utilized to predict the policy's possible benefits and outcomes.

Key words: public policy; slavery; affirmative action; discrimination; higher education.

1 INTRODUCTION

Using race as a factor in admission into a university in the United States of America has been a conundrum that has seen several court decisions on affirmative action.² While some of the court decisions might slightly contradict

¹ **Kwame Badu ANTWI-BOASIAKO** is the Chair of the Department of Government and Full Professor of public administration and political science at Stephen F. Austin State University, Nacogdoches, Texas, USA where he teaches in the Public Policy, Program Evaluation, Research Methods and American Government. His primary research interest includes traditional institutions and democracy in Africa, decentralization, terrorism, and diversity in the public sector.

² The debate on using race as a factor in university admission seems to be fading off. There are several cases where the courts have ruled against universities using race as factor in college

previous court rulings, affirmative action is not a law in the US, however, public universities in Brazil, by law, have to utilize the quota-law in university admission for non-whites who were historically discriminated because of their race. The two main factors that have fuelled the affirmative action debate are as result of slavery and colonization where Europeans enslaved and took ownership of the properties of the natives: Brazil and the US.

European dominance of the world is not a new phenomenon, “For centuries, Europeans whose narratives are based on their own concept of how the world ought to be, have written on the politics of *non-European countries*, insisting on how *others (non-Europeans)* ought to behave to be accepted in the international community” (Antwi-Boasiako 2014, 38). According to Weatherby et al. (2011, 19), Europeans, or Westerners, believe they are “destined by history to act as the trustee for a less fortunate colonial world,” which they terrorized for centuries. Historically, Westerners do not see anything evil about terrorizing weaker societies by forcing their religion, culture, and language on them including taking their lands. For example, the Native American Indian lands, in North America, would go to their new European settlers as they annexed lands and forced the natives onto reservations becoming prisoners on their own land (Geisler 2014). As President William McKinley, the 25th president of the United States, would justify “the annexation of the Philippines on the grounds that the United States would bring Christianity *and civilization* to the islands” (Zinn 1995, 305–306). In the same spirit, the Portuguese “had largely a free hand in Africa, Brazil, and parts of Asia” (Weatherby 2011, 19) while the Spanish spontaneously conquered the rest of the Americas and the Pacific. In all, the Europeans invaders saw the natives as lesser human beings and treated them as properties including the enslaved Africans who were imported to the occupied lands including north and south America: The US and Brazil.

However, there were attempts by some of these colonizers who terrorized their enslaved citizens to address the unfortunate barbaric issues of lynching, racism, and discrimination against their defenceless minorities and rightful land owners: The natives. One of the policies used by governments to addressing this historically legalized discrimination against minorities, particularly Blacks, is affirmative action, which faces resistance by conservative ideologues arguing that such a policy is not only unfair but it is a reverse discrimination against dominant groups. This conservative stance in both countries cements the notion that the slave masters knew that their policies were intentionally discriminatory. This paper looks at definitions of affirmative action policy as discussed in the literature, and how the United States and Brazil have attempted to use this policy to addressing past discrimination in higher education through university admissions. The impact theory is utilized to predict the possible impact of the affirmative action policy in the two countries. So how does policy affect change?

2 THE IMPORTANCE OF POLICY AS A TOOL OF CHANGE

Social scientists have various models and theories through which policy analyses are made in relation to decision making. The art of crafting policy is more of a process as it must involved various actors, if such a policy would be beneficial to society as a whole. However, because of ideological differences,

cultural background, including religious beliefs, enacting a policy has always and would continue to be a political conundrum. A good policy is likely to adopt the political system model where initial inputs to solving a problem are discussed before decisions are made. However, there are competing approaches to arriving at a policy decision through group, institutional, or elite theories (Anderson 2006, 18–24). None of these theories is seen as a panacea in solving a political issue, like racism and discrimination, but they provide guidelines in arriving at a decision or an outcome. So why is a policy to resolving racism, discrimination, and access to educational institutions become a problem? Categorization of policies helps to identify specificity and what issue is to be addressed. For this paper, we classify policy into substantive and procedural. Substantively, policies are involved in the future actions of government in addressing an issue or issues.

Unfortunately, substantive policy does provide advantages and disadvantages to different sections of society but the responsibility of who is going to take (implement) action becomes governmental or administrative procedural. It, therefore, leads to the creation of administrative directives specifying the “process and techniques that ...can be use [d] in carrying out their programs (*policies*) (ibid., 10). Anderson sees policy as “a relatively stable, purposive course of action...dealing with a problem or matter of concern” (ibid., 18). While Kraft and Furlong (2007, 4) maintain that public policy by extension is what “governments choose to do or not to do about public problems.” The authors insist that a problem is publicly recognized or perceived unacceptable condition, which needs government intervention. Given our understanding of public policy, as a tool of change to curb discrimination, racism, and university admissions, how useful is affirmative action? From a public policy perspective, there would always be a conflict over who gets what and when (Wilson 2006). Scholars have presented different definitions and approaches regarding public policy, however, they affirmed that a policy must distinguish between what governments will and will not do (Kraft and Furlong 2007). Hence it is the responsibility of both the American and Brazilian governments to identify how they want to address the issues of historical discrimination, which does not seem to go away in both countries. Theodoulou and Cahn (1995, 2) posit that addressing an issue of public concern through policy could involve both formal and informal actions, which means addressing discrimination in higher education could be the result of legislation, executive orders, rules, and regulations. The authors maintain that a policy must be an “intentional course of action with an accomplished end as its objective. Here, such a policy must be seen as the government activities that would a positive outputs and impact on the targeted recipients of the said policy.

3 AFFIRMATIVE ACTION POLICY: IS IT NECESSARY?

There have been historical trends to discourage discrimination through government policies and programs in many nations including the United States of America and Brazil. Despite the introduction of affirmative action in both countries, racism and discrimination still exists in many forms, particularly in the educational sector and law enforcement or the criminal justice system. Abel and Sementelli (2004, 91) see discrimination from a rather historical perspective of subjectivity. That means “oppression and social injustice are often the result of social and historical constructs. All such constructs are addressed to historical and not contemporary conditions...”. So the demand for fairness and equality by minorities may be, according to the authors, buried in

history and not present conditions in both countries. While one may objectively concur with the authors premise it could be also argued that the persistence of social inequalities and injustices in the United States of America and Brazil could be explained through historical social systems and political structures that have not been fully deconstructed to reconstruct a system where all Brazilians and American citizens have equal opportunities in educational and the criminal justice system in both countries.

Understandably, capitalist societies allocate resources unequally among groups in an open market economy but racism, slavery, and colonization have caused persistent disadvantage for minorities. For example, in the United States, it was uncommon for blacks to be admitted into all white educational institutions. Racial segregation was not only common but also constitutional. For example, with the Civil Rights Act of 1866, all persons born in the United States, "with the exception of American Indians, were "declared to be citizens of the United States." It further states that all people had the right to "equal employment and accommodations... regardless of race or previous condition of servitude," but this did not provide enough teeth to cause any needed societal changes, and was eventually judged as unconstitutional in 1883 with regard toward private entities or individuals being required by the government to participate (Moore 2005, 76).

However, in a case of *Plessy v. Ferguson* (1896), the US Supreme Court did rule that "separate but equal" accommodations on railroad cars kowtowed to the Fourteenth Amendment's guarantee of equal protection. Unfortunately, but to the delight of conservatives, especially southerners in the United States of America, that decision became a legal tool to justify segregation in all public facilities, including schools. So from 1896 segregation had a solid constitutional backing until 1954 when in a case of *Brown v. Board of Education of Topeka, Kansas*, the US Supreme Court ruling declared segregation in public educational institutions unconstitutional. In 1957 the state of Arkansas, under its Governor, Orval Faubus, used the state National Guard to bar nine black students' entry into its all-white Little Rock Central High School. It took the US federal government and military to intervene for those students, the "Little Rock Nine" to attend school. Here, it was the wilful action of the US Federal government that desegregated the schools through military intervention. Affirmative action policy arguably, is also seen as intervention to ensure diversity and equality. Segregation socially created "unequal two-class society exacerbating extreme racism that condemns Blacks into deep poverty" (Duncan 1999, 188). An attempt is made here to look at this one policy, affirmative action, which has been used in the literature as one of the several interventions to confront discrimination, racism, social, and educational inequalities both countries.

4 TRACING THE GENESIS, POLITICS OF AFFIRMATIVE ACTION, AND SELECTED COURT CASES

As a policy, affirmative action has been something of an amalgamation of historical enigma, which lacks a solid coherent foundational framework but a combination of court decision, presidential executive orders, and administrative policies. Skrentny (1996) traces the roots of affirmation action to centuries of old English administrative practice to ensure justice for all citizens. As Skrentny noted the English administration was favoring just a section of the masses and others who were equally contributing to the up keep of the British Empire but were not enjoying equal benefits. Thus, it was only very few people, individuals

of European decent, who had access to certain amenities. How did affirmative action policy make it across the oceans to the Americas is a poser as the genesis of the policy in Brazil and the United States of America remains a perpetual conundrum. Nevertheless, the literature pins the origin of affirmative action in the United States, for example, to 1935 (Skrentny 1996; Tomasson, Crosby and Herzberger 2001). However, tracing the roots of affirmative action policy in Brazil dates back to the slavery period (Fausto 1999) but did not have the same political momentum as in the 2000s. Would the policy work through set aside quota in the higher educational systems of both countries? And what is the affirmative action? No matter how it is defined the interpretation can be political and controversial.

5 THE POLITICS AND LEGALITY OF A DEFINITION

Affirmative action in the United States and Brazil may be defined slightly differently however, regardless of which definition one works with, it tends to serve the same purpose. It is the amalgamation of intervention policies, set of laws, and administrative practices with the goal of ending and correcting the effects of a specific form of discrimination. The administrative practices may include but not limited to government-mandates, government-sanctions, and voluntary private programs that tend to focus on access to education specifically granting special consideration to historically excluded racial groups including women or non white males. Regarding admission into universities and higher education, affirmative action refers to admission policies that provide equal access to education for those groups that have been historically excluded or underrepresented, such as women and minorities.

The affirmative action literature lacks precise and concrete definition either in the legal or political arena. There are several schools of thought when it comes to defining affirmative action. This lack of consensus in the literature has encouraged each school to advance its agenda based on its ideological understanding of affirmative action. It should be noted that globally, “nations have some type of affirmative action policies in higher education admissions,” which could relate to “caste, class, disability, ethnicity, gender, or race” (Moses et al. 2014, 11). Proponents of affirmative action mostly liberals, see beyond the legal definition and focus more into the matters of social justice and equal opportunity for all (ibid., 168-176). Even within this school of thought, while there may be variations in the definitions of affirmative action, the common denominator of proponents’ definition is the use of policies and programs to eliminate underrepresentation of qualified people from certain groups and positions where their participation is discouraged. They see such a policy as improving diversity and inclusive approach to reflect the composition of the entire population.

Opponents, usually conservatives, on the contrary, see it as a system or situation of preference where some individuals, minorities especially, who are considered “less qualified,” as the critics put it, get extra boost or points given their race. Simply put, critics and conservative ideologues see the 2012 Brazilian affirmative action – laws of quotas – policy as reverse discrimination against Whites who are presumed more qualified (Daflon et al. 2013). Conservatives, insist “that easing access to higher education denies the

principle of merit that brings excellence to universities."³ According to Antonio Freitas, Provost of the Getulio Vargas Foundation, a private university in Brazil argues that the affirmative action quota policy "is bad for the future of Brazil, because the main objective of universities is research, is to achieve quality"⁴ as a result of the implementation of the policy "eventually you may not have the most qualified people in engineering, in medical school, in the most challenging areas which Brazil needs to develop" (Carneiro 2013).

Admittedly, affirmative action policies can influence college admission procedures as well as addressing the issue of underutilized population in the public sector or educational departments (Francis and Tannuri-Pianto 2012). Moore (2005) noted that many organizations do internal self-study to determine whether "utilization falls short of the available pools of talent" (Crosby et al. 2006, 587). If the numbers reveal that, for example, qualified women and people of colour are underutilized, then the organisation must establish goals and plans to correct the problem. However, the U.S. Supreme Court decision has forbidden the use of strong preferential treatment or strict quotas, as opponents of the affirmative action policy view the quota laws as preferential treatment for the less qualified students. The Court ordered the Equal Opportunity Act of 1974, which empowers federal courts to require organisations guilty of discrimination to use affirmative action. Crosby et al. noted that organisations and educational institutions often implement voluntary affirmative action policy, even though the federal government may not mandate such an action. This was the practice of some of the universities in Brazil before the quota laws of 2012. Well noted among those universities was The Federal University of Rio de Janeiro (*Universidade Federal do Rio de Janeiro*, UFRJ). For the affirmative action policy to be seen as a good policy, according to Wilson (2006), it must reflect the actions of what the government plans to achieve in the long run.

Liberals, usually supporters of affirmative action policy, believe that it helps with issues such as social justice, and equal opportunity. However, as Salinas (2003) noted, critics of affirmative action view it as a way for people who are less qualified to get preferential treatment. Affirmative action is supported by the idea of diversity, and educators focus on the increased diversity aspect rather than merit. Diversity in education has many benefits. Universities with diverse student populations expose individuals to new perspectives, allowing them to engage in deeper and more complex learning situations. It also prepares students for future interactions in an increasingly diverse society and increases the likelihood that students will seek out more diversely integrated communities while helping to bring social stability in society (Crosby et al. 2003). Rice (2010) discussed the importance of diversity in the public sector. He found out that in the public sector minority representation decreases as rank (or grade) increases. Rice maintains that minority representations in the public sector top grades is dim, hence the need for more minorities entering high education.

For educational admissions, students get accepted based on merit, which is usually based on standardized testing. However, this does not show how much

³ See BBC News, August 31, 2013: Issue No, 285: Brazil: Universities take affirmative action. Available at <http://www.bbc.com/news/business-23862676>.

⁴ Not only do some conservatives see affirmative action as reversed discrimination but they believe that the quota policy reverses the progress of Brazil: Antonio Freitas insists it is a backward trend, which sees Brazil on the wrong path while others argue that the affirmative action policy is in the right direction. See <http://reiffcenterblog.cnu.edu/2016/02/a-step-in-the-right-direction-affirmative-action-in-universities-in-brazil/>.

students progressed through their education. To determine merit, it is important to know where an individual started, not just where that person ended up. Affirmative action policy tries to level the playing field and attempts to take into account pre-existing historical differences in access to resources, educational opportunities, socioeconomic status, “and a lot of other social and cultural factors... Affirmative Action, therefore, can be defined in this vein merely as an attempt to correct the systematic error that exists in our subjective evaluation of merit” (Crosby et al. 2003, 12). If minorities had the same access to resources as dominate groups do, then their representation in top colleges and higher management should be similar to that of their percentages in the population (Salinas 2003).

6 AFFIRMATIVE ACTION AND SLAVERY

Brazil, like the United States, is one of the popular final destinations of enslaved Africans. Brazil was Portuguese colony, whose geographical location availed it for European sailors. Unlike other colonies in the Americas, Brazil was the only Portuguese colony on the American continent (Bernardino-Costa and Rosa 2013, 183–184).

Colonized Brazil, like in the ancient India Caste⁵ system and the United States had a social structure that segregated its people based on the colour of their skin (Matthews 2002). The Portuguese, like the Americans, saw their race (whiteness) as pure and superior; therefore people of non-European descent were considered inferior, unintelligent, uncouth, and second-class citizens including the natives (Duncan 1999). As Bernardino-Costa and Rosa noted after the Sexagenarian Law of 1885, Brazil tried to get rid of Black slaves, just as the United States wanted to resettle Black slaves back in Liberia,⁶ Africa, and allow European migrant workers to *whiten* the populations of the two countries. This was an attempt to replace the so-called “inferior Blacks” from Brazil and the United States. According to the authors, “this migration was not only a solution to the labour problem but also an opportunity to whiten-and therefore” as they put it, “civilize- the country, since science⁷ claimed that Whites were superior to non-whites: that is Blacks...” (Bernardino-Costa and Rosa 2013, 185). This brief

⁵ The India caste system was by and large based on occupation rather than skin color but the reference made here is to show how historically people were identified based on social segregation. See the History of India's Caste System, available at <http://asianhistory.about.com/od/india/p/indiancastesystem.htm>. See also Perez (2004).

⁶ There was an attempt to whiten the United States population therefore a movement, the American Colonization Society (ACS) in the 1800s wanted to resettle all the freed slaves back to Africa since the slave masters saw the growing number of the Black population as a threat and problem for the Whites. See the Founding of Liberia in 1847, available at <https://history.state.gov/milestones/1830-1860/liberia>. The ACS also wanted to export the freed slaves to the Caribbean Islands including Haiti depriving the Blacks their birthrights. See <https://psmag.com/remember-that-time-abraham-lincoln-tried-to-get-the-slaves-to-leave-america-c73fd238eaff#4712gvmxg>.

⁷ It is rather unfortunate but there are several white studies that claim Blacks are “less intelligent” and cannot sustain European civilization. This is a debate arguable many people would not want to discuss it openly but there are evidence in the literature to support this claim while others think its Biblical and creation of God: The so-called famed historian Arnold Toynbee (1934, 15) wrote in his history book: “It will be seen that when we classify mankind by color, the only primary race that has not made a creative contribution to any civilization is the Black race.” See Christianity and Faith, available at <http://www.christianityandrace.org/p/black-and-iq-distribution-jesus-said.html> and also see Fur at DNA pioneer's theory: Africans are less intelligent than Westerners, available at <http://www.independent.co.uk/news/science/fury-at-dna-pioneers-theory-africans-are-less-intelligent-than-westerners-394898.html>.

history tried to depict what minorities went through in both countries and arguably, this discriminatory attitude has not completely evaporated.

Discrimination against minorities is not a new phenomenon. In the United States of America, for example, punishing or lynching a slave or descendants of African slaves was not uncommon (Matthews 2002) and the story was not different in Brazil. According to Krueger (2002), African slaves in Brazil were just tools for production just as in the United States of America, they worked “constantly to please the master’s desires...And if a slave ever dared to run away, they’d come after him, and with a very sharp knife they’d puncture the soles of his feet...During slavery, the Brazilian slaves were prohibited from wearing footwear” (Krueger 2002, 174). In his article, *Brazilian slaves represented in their own words, slavery & abolition*, Krueger qualitatively chronicles the deliberate atrocities committed on Black slaves and how they were prevented from enjoying certain things as human being including good education. For example, as Humphries (1995) noted, in the earlier days of the United States of America, it was a crime for Blacks to have formal education. Recounting in their own words, Krueger noted the plight of a slave who echoed his life in a typical day, “I was soon placed at hard labour, such as none but slaves and horses are put to... I was compelled to carry them [stones] that were so heavy it took three men to raise them to my head ... I was then sent out to sell bread for my master ... the lash was my portion...” (Krueger 2002, 179). Given this legitimated cruelty of the slave masters, which was constitutionally (legally) acceptable, governments however, attempted to address issues of discrimination against minorities especially after the abolishing of slavery in both countries.

7 AFFIRMATIVE ACTION WHO’S INTERPRETATION WORKS?

While Brazilian affirmation action policy on education dominantly focuses on the quota-based approach to addressing access to higher educational institutions, the term can also refer to any collection of programs, incentives, and policies “designed to remedy the present effects or past discrimination” (Chun and Evans 2015, 1). It is also seen as “a set of positive anti-discrimination policies, stemming largely from a series of Executive Orders, intended to include stigmatized groups in preferred positions of society, aims to promote institutional desegregation” (Aja and Bustillo 2015, 27). Our understanding of affirmative action relies on a revised version of the universal principle of equality where the state is to recognize the differences and redress the vulnerabilities of social groups through corrective programs (Cicalo 2012, 3–7). Theoretically, it brings to mind the works of John Rawls (2001) who argues for *justice of fairness*. This theory, which is supported largely by civil rights movements across nations, is equality through difference and also popular among liberals (Kymlicka and Norman 2000). This means conservative ideologues are more likely to reject or resist affirmative action policy. Politically, issues concerning affirmative action, like immigration, religion, and abortion tend to divide Americans and Brazilians into ideological compartments: Conservatives/Liberals.

Such a divide is sometimes so deep that opponents and supporters of affirmative action fail to critically analyse each other’s argument and line of reasoning. This unfortunate impasse is not uncommon in American and Brazilian legislative chambers. Conservatives are by no means ignorant of the historical atrocities against minorities in the United States and Brazil. The

Portuguese (white) injustices meted out to the minority are abundant in the literature, and it would be very myopic on the part of the resisters to argue otherwise. Matthews (2002) also argues how minorities in the United States lived under the mercy of the people European decent (whites). In fact, he goes further to show minorities who were regularly reduced to second-class citizens were publicly lynched and education was never on the horizon for minorities. When it comes to education, the conservative argument in both nations have come a long way to end discrimination and therefore the affirmative action policy may rather bring divisions among the populations with such racial distinctions and quotas, which is likely to help just a section of the population and in the long run may not be beneficial to all.

To the conservative school of thought, these two countries are more or less capitalist societies where the individual must be competitive in their dealings to earn a living. Such individualistic attitudes of capitalism help build a nation for prosperity. What conservative narratives fail to factor into their analyses are the everlasting impact of slavery and colonization and institutional structures that have held back minorities for centuries. Despite this assertion, it is difficult to characterize Brazilian or American politics into solely conservative or liberal ideology. The desire to dichotomize and explain issues on the basis of *we versus them or the other* tends to eclipse the substance and outcomes of a genuinely constructive debate on issues like discrimination in education, the quota system, and race, which are of national interest to all. It is unfortunate that the literature dichotomizes policy issues where such categorization limits the voices of the other segments of the population, who may not want to identify themselves with either of the two schools of thought but have valuable inputs to contribute on those issues. The argument for affirmative action policy or the quota laws in Brazilian educational system, for example, needs a critical examination and an in-depth analysis rather than the current assumption that those who resist the policy of favouring minorities are racists or conservative ideologues. Conservatives understand integrations, but such a mix should be done on competitive basis and not reserving quotas for the less qualified.

8 MEASURING AND ASSESSING AFFIRMATIVE ACTION METHODS

Garrison-Wade and Lewis used seven objectives to measure affirmative action methods and policies: These included, all possible outcomes, social factors, fluidity of challenges and perceptions, validity of measures, review of the original goals of the program, and the ability of the entity to fulfil their anti-discriminatory method. The authors, emphasised on outcomes argued "The anticipated outcomes of affirmative action policies include improved educational opportunities for students regardless of race or gender, increased diversity in enrolment, and positive effects of both learning and democratic outcomes" (Garrison-Wade and Lewis 2003, 3).

Even though Brazil is lawfully using the quota system for admission into universities, this methodological approach has been considered illegal in the United States of America. However, the University of California has demonstrated multiple affirmative action methods that include high school outreach programs, "focus on achievement over aptitude testing, admissions emphasis on how students have faced negative circumstances, eligibility under high graduation percentage plans, and guaranteed admission plans based upon community college course requirements" (Kaufman 2007, 6). As an example of support for preference style affirmative action, during a conflict at the

University of Michigan in 2000, the argument was made that “if legacies, athletes, and other groups deemed beneficial to the university were given preferential treatment so too could minority groups (Aja and Bustill 2015, 38). Attention is brought to the unique characteristic of this proactive types of affirmative action, which is argued as why they prove more effective than others, by “the fact that it is the only means of correcting injustices in the United States that does not rely on the aggrieved parties to come forward on their own behalf” (Crosby et al. 2006, 592). According to the authors, this distinction is made between equal opportunity initiatives, which is considered reactive on discrimination is detective, while affirmative action incentives such as admissions policies and outreach programs are reaction are proactive, or rather avert to discrimination.

9 AFFIRMATIVE ACTION AND UNIVERSITY ADMISSION IN BRAZIL

Affirmative action policies in Brazil would exist to benefit the majority of the population, as non-whites are now more than whites.⁸ According to Davis (2014, 74), “over half of Brazil’s population was classified as non-white: either as Blacks (6.9%) or mixed, commonly known as *pardo* (44.2%).” He noted that while nearly two-thirds of white students go to college, less than one-third of non-white students are able to gain admission. The author posits that of the total college graduates in 2009, 4.7% were Blacks and 5.3% were mixed. In fact, descendants of Africans make up a significant proportion (46.5%) of the Brazilian population. “Yet they have a very low representation in *High Education*, where they comprise under 20% of the total student population” (McCowan 2007, 591).

Higher socio-economic groups, usually whites, in Brazil have the best access to higher education opportunities. This is due to the limited spots within public universities, where entrance is determined by the *vestibulares*, which give those with high quality secondary education a better chance. Higher education enrolment in Brazil has been increasing steadily since the 1990s. This increase has led to a considerable growth in the private universities, but most Brazilian students cannot afford the tuition and fees of for-profit private universities. At public universities nearly 8.4 candidates do apply for each spot, while there are 1.5 applications per spot at private universities (McCowan 2007, 584–585). Thus nearly 38% of private universities vacancies go unfilled (INEP 2004) while the public universities, where tuition is free, are not able to accommodate all their applicants. Interestingly, the free public universities are arguably superior to private universities, so that the students who are enrolled in public universities disproportionately come from the private high schools that Brazil’s privileged classes attend. Unfortunately, poor Brazilians attend the poorly resourced public schools, and those who graduate and go on to college predominately go to private universities, which account for 70% of higher education students in Brazil (Paixão and Carvano 2008).⁹

⁸ Minorities in Brazil are now becoming the majority and the white population is gradually dwindling. See data from 2010 Brazil census, available at <http://www.bbc.com/news/world-latin-america-15766840>.

⁹ See also Edward Telles and Marcelo Paixao (2013).

10 THE RACE CONUNDRUM IN BRAZIL AND THE UNITED STATE

The use of affirmative action policy in any educational system is problematic on many grounds, in that any use of racial categorization in decision-making is socially harmful. Racism has been damaging to every fabric of society, and any attempt to eliminate the problems that racial discrimination and racial differences have created has become legally and politically challenging. Universities in both countries have struggled to correct historical discrimination in their educational systems regarding race but continue to face resistance from those who reject the idea that race is used as a variable for university admission.

The State University of Campinas in São Paulo State (Unicamp), applied an *Affirmative Action and Social Inclusion Program* (PAAIS) to its national *Vestibular* (Davis 2014). It also expanded the definition of merit to include individual experiences and differences in addition to *vestibular* scores. Affirmative action policies are difficult to implement in Brazil due to the complexity of defining race. It's difficult to determine race in Brazil by ancestry, because almost everyone has some traces of African descent. While the US has 6 categories to classify race, such simple classification in Brazil is extremely difficult (Loveman, Muniz and Bailey 2012). Moore (2005, 49) makes the claim that if schools "are unable to maintain diversity among their student bodies and faculty, the goal of an equitable society will not be realized; this ties into the American cultural belief and social structure where it is the educated members of society who set and make the most important societal and cultural decisions and standards. If the educated population is not representative to the American populace, then populations not represented will be at a great disadvantage at the end of the day.

Schwartzman (2008) noted that affirmative action policies that rely exclusively on the *Negro* label may be excluding many lighter-skinned Afro-Brazilians who may still suffer disadvantages based on skin colour, but who tend to classify themselves as *pardo*. Through the affirmative action policy, universities may be admitting students from a relatively well-off segment of the population, who are disproportionately likely to come from "multi-racial" families and therefore might have a wider *realm of possibility* in their choice of labels. Schwartzman insists the problem with access to higher education cannot be solved by just having quotas in the universities because many Brazilians do not even qualify for admission to universities. He further argues that the public pre-university institutions are weak and mostly attended by the poor. Whites and privileged send their kids to private secondary schools where they are more likely to obtain higher entrance scores to get into public universities for free. There is the need to improve primary and secondary education in Brazil for the public schools to be able to compete with private schools on entrance exams. How can this be done? The next section uses the impact theory to discuss how the quota law may improve not only the educational system in Brazil but also its effect on the public as a whole in the long run.

11 HIGHER EDUCATION FROM THE BOTTOM UP: THE DISPARATE IMPACT THEORY

There are several theories to justify or reverse historical discrimination but “The most common theory of discrimination, referred to as *disparate* treatment, occurs when there is evidence of discriminatory intent in the employment decision in question” (Pyburn et al. 2008, 145). The disparate impact theory states that employment, housing, and other areas such as education can be considered discriminatory and illegal if a policy has an unequal and negative impact on people of a protected class. This theory initially arose to deal with specific practices that maintained past and intentional discriminations. Even though the theory does not require evidence, it has been justified based on the difficulty of being able to prove intentional discrimination as a result of past policies seen as the status quo. The United States of America and Brazil historically and intentionally had policies that were discriminatory against the descendants of slaves, where access to education and accommodation were denied because of their colour.

Nations will only be successful if the whole educational system is reformed especially at the elementary and secondary levels. It would be too “difficult for any university system to correct inequalities developed through the previous years of schooling” (McCowan 2007, 581). Under prepared university candidates retards the steady progress of instructions at the university level. There were few proposals in Brazil for the Federal government to get involved in affirmative action for the universities. One of the proposal “would oblige all federal universities to set aside half of their places for students from public schools, some of which would be reserved for African Brazilians and indigenous peoples depending on the proportions of these groups in the state in which the university is located” (ibid., 591). Another proposal suggests replacing the *vestibular* exam with results from the ENEM, which was an existing assessment. This was to remove the need for students to take pre-vestibular courses, which were not available to everyone as a result of affordability (finance). It was also suggested distant education might help accommodate the large number of applicants to universities in Brazil. This would help universities admit more students without increasing expenditures. McCowan noted that by encouraging distant education such an approach might increase enrolment at lower costs and provide access to higher education for students in more remote areas. While the Ping-Pong debate over the affirmative action or the quota system did draw attention at various states since 1999, the highest court of the land moved in decisively to end the racial ideological battle on university admissions.

In April 2012, the Brazilian Supreme Court recognized the constitutionality of racial quotas in universities, and unanimously approved the Affirmative Action Law. In arriving at their decision, the Justices argued that the federal government has the ability to correct past discriminations to ensure diverse community in universities across the country to achieving a more equal opportunities for all Brazilians. Pouncing on the Supreme Court’s decision, President Dilma Rousseff, the 36th President of Brazil, enacted an affirmative action program, called the “Law of Social Quotas” on August 29, 2012. This law requires federal public universities to reserve half of their admissions to students from characteristically poor public high schools, and half of those positions for low-income families or for those who declare themselves as Black, mixed, indigenous or natives.

Even though using affirmative action, as part of university admission is not new in Brazil, it became law of the land in 2012. This means it is too early to assess the full impact of the law as presented. However, a full impact of the law is predicted here using the impact theory. This theory was first set forth in the 1970s with the idea that there was a catastrophic collision between the earth and protoplanet some billions years ago. This, according to Matson (2012), resulted in the formation of the moon: While the celestial formation is not the focus, and beyond the scope of, this paper, the genesis and the understanding of the impact theory is borrowed here as used in the study of program and policy evaluation (Bingham and Felbinger 2002). In program evaluation, the impact theory is used to evaluate an end result or the impact a policy had in addressing an issue: Political, social, education or economic. Rossi et al. (2004) describe impact theory as a cause-and-effect sequence in which certain program activities are instigating causes and certain social benefiting the effects they eventually produce.

Given such a broad understanding of the impact theory as presented above, it is used here as the conceptual framework to predict that the Brazilian affirmative action program as directed by the Brazilian Federal Government, after its implementation is more likely to raise the educational credentials of Blacks in Brazil.

12 CONCLUSION

One of the main policies that governments use to address discrimination is affirmative action, which seeks to provide equal opportunities to minorities in government, employment, and education. Issues, such as affirmative action, religion, and abortion divide conservative and liberal on ideological lines, so it is important to understand both sides of the argument in practical terms. Supporters of affirmative action argue that the policy helps with social issues and encourages a diverse society while opponents insist that the policy will lower the educational standards to only benefit certain groups, which would not benefit society in the long run. However, by neglecting the impact of slavery and colonization in both countries, one is forced to accept the historical status quo as the socially putative norm. The discriminatory political and educational structures in countries that engaged in slavery and colonization are such that it is almost impossible to dismantle them. Affirmative action, arguably, is to promote social equality through the preferential treatment for the historically disadvantaged as a result of oppression, colonization, or slavery. However, opponents reject such preferential treatment for minorities. Despite the fact that affirmative action debates are fading in the United States, it has gathered momentum in Brazil. It is argued that selecting someone into a university, primarily on the basis of their colour other than their actual qualifications can be counterproductive to society as a whole.

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