

*Timothy Snyder*

Die Amerikanische  
Krankheit

*Ruth Wodak*

„Retro-normale  
Zukunft?“

*Yana Chernova*

Chronicle from  
Belarus

*Shalini Randeria, Kim Lane Scheppele, Nancy Fraser*

## Democracy in Question

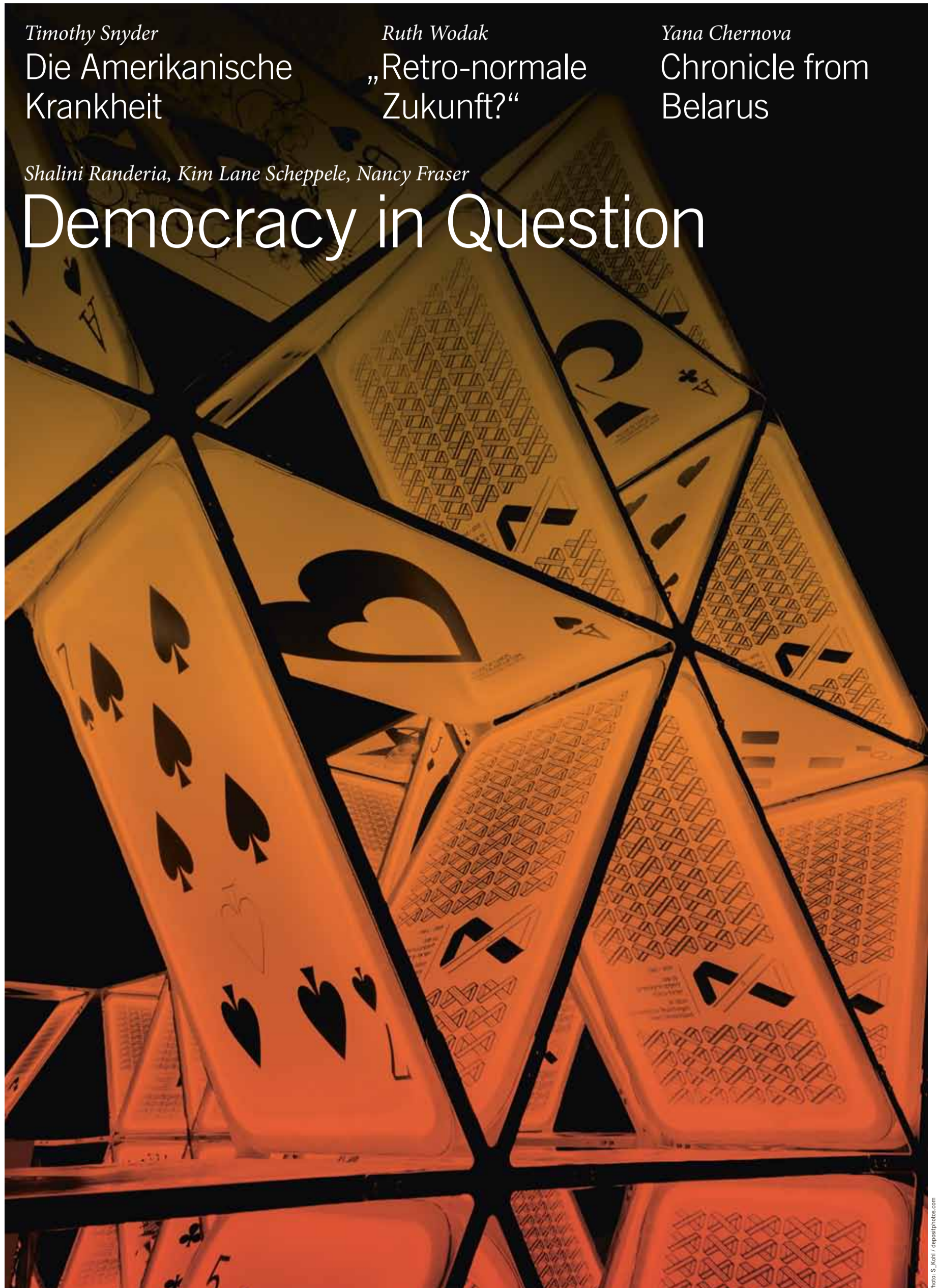


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# Contents

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## HEALTHCARE AND POLITICS

- Corona-Impfstoff: Geopolitisches Instrument  
oder öffentliches Gut? / von Shalini Randeria ..... 3
- Wenn Politik und Gesundheitswesen versagen /  
von Timothy Snyder ..... 4

## THE FUTURE OF DEMOCRACY

- Democracy in Question / New Podcast Series  
Hosted by Shalini Randeria ..... 5
- „Retro-normale Zukunft“? Die schrittweise Aushöhlung  
pluralistischer Demokratien / von Ruth Wodak ..... 7
- Who Governs in Deep Crises? / by Wolfgang Merkel ..... 8
- Demokratie als Lebensform.  
Ein deutsches Missverständnis / von Till van Rahden ..... 9
- Anker in unruhigen Zeiten:  
100 Jahre österreichische Verfassung / von Miloš Vec ..... 10
- Vor 30 Jahren erschien die erste Ausgabe  
der Zeitschrift *Transit – Europäische Revue* / von Klaus Nellen ..... 11
- Understanding Illiberal Democracy  
in Eastern Europe / by Venelin I. Ganev ..... 12

## PROTEST MOVEMENTS

- Is There an End in Sight in Bulgaria? /  
by Dimitar Bechev ..... 13
- Putin's Aging Regime Gets Heavy-Handed /  
by Maria Lipman ..... 14
- The Festival Age: Origins of a Phenomenon /  
by Yuri Andrukhovych ..... 15
- Chronicle from Belarus / by Marci Shore ..... 16
- “We Want to Live and Not Be Afraid to Speak” /  
Interview with Yana Chernova by Lidiia Akryshora ..... 16

## MIGRATION AND BORDER POLITICS

- Salty: Traces of Migration, Death, and  
the Art of Paying Attention / by Amade M'charek ..... 18
- Refugees, Migrants, and Rethinking Power  
amid Covid-19 Pandemic / by Ayşe Çağlar ..... 19
- “Chronicle of a Death Foretold”: The Moria Fire /  
by Müge Dalkıran-Alexandridis ..... 20
- Afghans, Asylum and the 2015 Legacy / by Lucy Ashton ..... 21

## INSIDE ACADEMIA

- Solidarity in Academia / by Alicja Rybkowska ..... 22
- Scholarship and Freedom / by Geoffrey Harpham ..... 23



Institut für die Wissenschaften vom Menschen  
Institute for Human Sciences

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# Editorial

In einer Demokratie zu leben ist keine Selbstverständlichkeit. Welchen Herausforderungen und Angriffen sie weltweit gegenübersteht, ist nicht nur Thema dieser Ausgabe, sondern auch die vorrangige Frage, mit der sich das Institut für die Wissenschaften vom Menschen (IWM) in Wien seit seiner Gründung im Jahr 1982 auseinandersetzt. Die aktuelle Ausgabe, die in weiten Teilen noch vor den US-Wahlen entstanden ist, versammelt Beiträge von international renommierten WissenschaftlerInnen, JournalistInnen und KünstlerInnen, die entweder einen Forschungsaufenthalt am IWM absolviert oder an Veranstaltungen bzw. Projekten des Instituts teilgenommen haben (einige davon physisch, andere virtuell). Einige der Bücher, die am IWM entstanden sind, werden auszugsweise in dieser Ausgabe bzw. fortlaufend auf unserer Website unter der Rubrik „Made in IWM“ vorgestellt. Neu ist zudem die Podcast-Reihe „Democracy in Question“, die von IWM Rektorin Shalini Randeria moderiert und in dieser Ausgabe vorgestellt wird. Details auf [www.iwm.at](http://www.iwm.at).

Inhaltlich geht es in den Beiträgen der Autorinnen und Autoren um folgende Schwerpunktthemen: die Zukunft der Demokratie angesichts illiberaler Tendenzen; politische Protestbewegungen, die sich gegen Korruption und autoritäre Herrschaft richten – von Bulgarien bis Weißrussland; Reflektionen und Erfahrungsberichte zum Thema Migration und Asyl sowie die Auswirkungen der Covid-19 Pandemie, die keinen gesellschaftlichen wie politischen Bereich unberührt lassen. <

Living in a democracy is not something to be taken for granted. The challenges and attacks it faces worldwide are not only the subject of this issue, but also the primary question with which the Institute for Human Sciences (IWM) in Vienna has been dealing since its foundation in 1982. The current issue, which was compiled before the US elections, brings together articles by internationally renowned scholars, journalists, and artists who have either spent a fellowship in residence at the IWM or participated in events or projects of the Institute (some of them physical, others virtual). Some of the books produced at the IWM are presented in excerpts in this issue or showcased continuously on our website under the section “Made in IWM.” Another new feature is the podcast series “Democracy in Question,” moderated by IWM Rector Shalini Randeria. For details see [www.iwm.at](http://www.iwm.at).

Contentwise the authors of this issue critically reflect on the following issues: the future of democracy in the light of illiberal tendencies; political protest movements directed against corruption and authoritarian rule—from Bulgaria to Belarus; reflections and reports on migration and asylum as well as the effects of the Covid-19 pandemic, which leave no social or political sphere untouched. <

Anita Dick  
Marion Gollner

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The magazine IWMpost reports on the activities of the Institute for Human Sciences (IWM) and offers original contributions by its fellows and guests. IWMpost is published two times a year and sent to subscribers free of charge.



# Corona-Impfstoff: Geopolitisches Instrument oder öffentliches Gut?

VON SHALINI RANDERIA

*Ist es legitim, einen Impfstoff, der mit öffentlichen Geldern entwickelt und hergestellt wurde, als Eigentum eines privaten Unternehmens patentieren und vermarkten zu lassen? Dieser Frage geht IWM Rektorin Shalini Randeria in dem gekürzten Artikel aus dem Sammelband *Jenseits von Corona* nach und beschreibt wie in einem Klima der Angst und des medizinischen Wetttrüstens nationale Interessen zunehmend gegen internationale Solidarität ausgespielt werden.*

Im Schatten des nationalstaatlichen Wettlaufs um einen Impfstoff gegen Covid-19 arbeiten derzeit über 160 Forschungsgruppen in privaten Unternehmen, staatlichen Einrichtungen und universitären Laboren in teils beispielloser internationaler Kooperation an dessen Entwicklung. Doch schon vor seiner ersehnten Markteinführung ist der Impfstoff umstritten.

Die Pandemie hat in einem Klima der Angst und Unsicherheit einen emotionalisierten Diskurs ausgelöst, in dem nationale Interessen gegen offene Grenzen oder internationale Solidarität ausgespielt werden, Protektionismus gegen Freihandel, Eigenverantwortung gegen die Verantwortung des Staates, die Rechte von StaatsbürgerInnen gegen die von MigrantInnen und Flüchtlingen. Werden Regierungen, die an der Finanzierung der Impfstoffforschung beteiligt sind, Preis und Verteilung regulieren können, während sie große Lagerbestände für den nationalen Verbrauch sichern? Wird dies eine Dominoreaktion von Schutzmaßnahmen wie Exportverboten oder -einschränkungen auslösen?

## Zwischen Patent und Profit

Es gibt viele offene Fragen bezüglich des Preises, der Zugänglichkeit und der gerechten Verteilung des Impfstoffs. Ausschlaggebend für diese Bedenken sind Fragen zu geistigen Eigentumsrechten. Sollte der Coronavirus-Impfstoff als öffentliches Gut allgemein und kostenlos zur Verfügung gestellt werden, würde dies auf globaler Ebene allerdings neue und innovative, institutionelle Lösungen erfordern. Denn die Märkte bieten für solch einen Weg nur wenig Anreiz, da private Akteure davon nicht in gleichem Maße wie von einem durch Patente geschützten Produkt profitieren würden.

Die meisten Forschungs- und Entwicklungsgelder für Impfstoffe stammen entweder aus der öffentlichen Hand oder von Philanthropen, da für die Pharmaindustrie Investitionen in Impfstoffe ein wesentlich größeres Risiko als die Medikamentenproduktion darstellen. Der Staat wäre daher in der Lage, Unternehmen mit öffentlicher Unterstüt-



Statue des britischen Künstlers Martin William vor dem Hauptsitz der WHO in Genf. Sie zeigt ein Kind, dass einen Impfstoff erhält.

zung zu verpflichten, dass sie ihre geistigen Eigentumsrechte im neu etablierten Patent-Pooling-Mechanismus der WHO für Covid-19 aufnehmen lassen.<sup>1</sup> Die von der WHO ins Leben gerufene Solidaritätsinitiative kann nicht nur zur Senkung der Transaktionskosten für Firmen und zur Beschleunigung des Innovations- und Produktionsprozesses beitragen, sondern auch für Verteilungsgerechtigkeit sorgen.

Mächtige Pharmakonzerne wurden bereits in der Vergangenheit für ihre Preispolitik scharf kritisiert, die neu-patentierten Medikamente außer Reichweite von ärmeren Bevölkerungsgruppen in allen Ländern – insbesondere aber in den Niedriglohnländern – stellt. Um ein aus der Vergangenheit bereits bekanntes Szenario abzuwenden, wonach wohlhabende Länder den größten Teil der weltweiten Impfstoffversorgung für sich sichern, haben sich kürzlich mehrere Staaten des Globalen Südens in der WHO zusammengeschlossen, um zur Errichtung eines *Covid-19 Global Commons* für Daten und Technologie aufzurufen.

Die im Mai angenommene Covid-19-Resolution der *World Health Assembly* fordert die Gewährleistung eines gerechten globalen Zugangs zu Covid-19-Medikamenten und -Impfstoffen, sowie einen flexiblen Umgang mit Rechten an geis-

tigem Eigentum. Da die Hälfte der bisher am weitesten entwickelten Impfstoffe aus China stammt, ist es bemerkenswert, dass die chinesische Führung auf dem Weltgipfel die europäische Forderung nach der Behandlung des neuen Impfstoffs als globales öffentliches Gut aufgriff – im Gegensatz zu dem Slogan „*America First*“ der US-Regierung, die just auf dem Höhepunkt der Pandemie im eigenen Land aus der WHO ausgetreten ist. In diesem Zusammenhang ist der von 37 Staaten unterstützte *Covid-19 Technology Access Pool* der WHO ein wichtiger Mechanismus, der alle öffentlichen, privaten und gemeinnützigen Organisationen auffordert, Wissen, Daten und geistiges Eigentum zu teilen, die für die Herstellung von Covid-19 Impfstoffen und Medikamenten benötigt werden.

## Leistbarer Impfstoff für alle?

Eine positive Entwicklung, die zu einem gerechten Zugang sowie einer fairen Verteilung des zu entwickelnden Impfstoffes beitragen könnte, ist der Zusammenschluss von insgesamt 165 Staaten, von denen 75 diese Zusammenarbeit aus eigenen Mitteln finanzieren. Den 90 einkommensschwachen Staaten wird der Anschluss an Gavis *COVAX Advance Market Commitment* durch Spen-

den ermöglicht.<sup>2</sup> Hoch verschuldete Länder, insbesondere in Afrika und Lateinamerika, denen internationale Kreditgeber Sparmaßnahmen und Kürzungen öffentlicher Investitionen im Gesundheitswesen auferlegt haben, verfügen nicht über die Ressourcen, ihre BürgerInnen testen, behandeln oder impfen zu lassen. Durch Initiativen wie das *COVAX Advance Market Commitment* könnte ihnen der Zugang zum Impfstoff ermöglicht werden, sobald dieser verfügbar ist.

An Partnerschaften von öffentlichen und privaten Akteuren wird ein weiterer umstrittener Aspekt geistiger Eigentumsrechte sichtbar. Das *Indian National Institute of Virology*, eine öffentliche Einrichtung, isolierte den Virusstamm und konnte anschließend in Kooperation mit einem privaten Biotech-Unternehmen präklinische und klinische Untersuchungen zur Impfstoffentwicklung durchführen. Allerdings wurde lediglich das private Unternehmen als Principal Investigator, Hauptsponsor und Lead Coordinator dieser Versuchsreihen angeführt, was es in die Lage versetzt, als alleiniger Patentinhaber eines Impfstoffes zu fungieren und potenzielle Gewinne hierfür einzustreichen.<sup>3</sup> Zudem richtet sich die Kritik am *Indian Council of Medical Research* gegen die Aushandlung einer extrem hohen Prei-

sobergrenze für Covid-Tests, die sie für die Mehrzahl der BürgerInnen unerschwinglich macht und es privaten Firmen und Labors ermöglicht, enorme finanzielle Vorteile aus der Coronakrise zu ziehen. Indien ist aber in diesem Zusammenhang kein Sonderfall.

## Geopolitische Interessen vs. öffentliche Gesundheit

Obwohl die US-Bundesregierung seit Monaten nicht einmal simple Maßnahmen zur Eindämmung der Ausbreitung des Virus umsetzen konnte, hat sie kürzlich die *Operation Warp Speed* ins Leben gerufen, ein Milliarden-Dollar-Programm zur Unterstützung der raschen Entwicklung von Impfstoffen und Medikamenten gegen Coronaviren, die damit schnellstmöglich der amerikanischen Öffentlichkeit zur Verfügung gestellt werden sollen. Kritiker verweisen auf die Intransparenz der Finanzierung und der Entscheidungsfindung des US-Programms, das bereits rund 4 Milliarden US-Dollar in sechs Unternehmen investiert hat, die verschiedene Arten von Impfstoffen erproben. In Indien wie in den USA hat die Öffentlichkeit kaum Möglichkeiten, die Hintergründe der künftigen Patentierungen in Erfahrung zu bringen und nachzuvollziehen, welche öffentlichen Mittel in deren Entwicklung geflossen sind, ohne dass der Staat an den Gewinnen beteiligt sein wird.

Supermächte wie China und die USA wären in der Lage, die Gewinnmaximierung der dort ansässigen Pharmariesen zu begrenzen. Es ist jedoch unwahrscheinlich, dass eine der beiden Regierungen eine solche Regulierung vornehmen wird, da einerseits der Handelskrieg zwischen den USA und China derzeit eskaliert und andererseits Unternehmen in beiden Ländern sich im Rennen um den Impfstoff befinden. Diese angespannte Situation bereitet den Nährboden für zahlreiche Verschwörungstheorien über das Virus, anstatt wissenschaftliche Zusammenarbeit zu fördern. Beide rivalisierenden Regierungen bezichtigen sich gegenseitig, das Virus erschaffen und freigesetzt zu haben. Geopolitisches Kalkül und Nationalstolz

Photo: FABRICE COFFRINI / AFP / picturedesk.com

vermischen sich mit der Sorge um öffentliche Gesundheit und Impfskepsis, sodass es zunehmend schwerer fällt, Fakten und Fiktion voneinander zu trennen.

Die gegenwärtige Pandemie sollte uns dazu bewegen, einen möglichen Impfstoff sowie die öffentliche Gesundheit selbst als globales öffentliches Gut zu behandeln, wie der UNO Generalsekretär neulich betonte. Die weltweite Bekämpfung des Coronavirus könnte ähnliche Maßnahmen erfordern wie die vollständige Ausrottung der Kinderlähmung durch die allgemeine Verfügbarkeit einer kostenlosen Schluckimpfung vor einigen Jahrzehnten. Auf die Frage, wem der von ihm entwickelte Polio-Impfstoff gehöre, bemerkte Jonas Salk: „Den Menschen, würde ich sagen. Es gibt kein Patent. Könnten Sie die Sonne patentieren lassen?“

Wer das Rennen um den Impfstoff gewinnen wird, ist nicht abzusehen. Solange sein Status als globales öffentliches Gut unklar ist, gibt die Frage nach Verfügbarkeit, Zugänglichkeit und Erschwinglichkeit des Corona-Impfstoffs weiterhin Anlass zur Sorge. Ein ebenso ernstes Problem aber stellt die weitverbreitete allgemeine Skepsis gegen Impfungen unter den BürgerInnen westlicher Länder dar. Ob die Coronakrise die Impfbereitschaft fördern könnte, bleibt abzuwarten. Neben der Entwicklung eines sicheren und wirksamen Impfstoffs, zu dem weltweit ein gerechter Zugang gewährleistet ist, könnte sich letztendlich auch die öffentliche Akzeptanz und das Vertrauen in eine Impfung gegen Covid-19 als entscheidend dafür herausstellen, wie wir in Zukunft mit dem Coronavirus leben werden. <

- 1) Silverman, Ed: The WHO launched a voluntary Covid-19 product pool. What happens next? *STAT Pharmalot*, 29. Mai 2020.
- 2) CEPI: More than 150 countries engaged in COVID-19 Vaccine Global Access Facility. *The Coalition for Epidemic Preparedness Innovations (CEPI)*, 15. Juli 2020.
- 3) Shukla, Shobha, Bobby Ramakant und Sandeep Pandey: Vaccine politics: What's behind ICMR's strange love for private research institutions. *Counterview*, 15. Juli 2020.

**Shalini Randeria** ist Rektorin des Instituts für die Wissenschaften vom Menschen (IWM) in Wien. Darüber hinaus ist sie Professorin für Sozialanthropologie und Soziologie am Graduate Institute of International and Development Studies in Genf sowie Direktorin des dortigen Albert Hirschman Centre on Democracy. Eine Langfassung dieses Artikels wurde im Sammelband *Jenseits von Corona. Unsere Welt nach der Pandemie – Perspektiven aus der Wissenschaft* (Bielefeld: transcript, 2020) publiziert.



Am Sonntag, dem 17. Januar 2021, moderiert Shalini Randeria eine Podiumsdiskussion zum Thema Covid-19-Impfstoffe im Rahmen der Reihe „Europa im Diskurs – Debating Europe“ im Burgtheater. Details werden rechtzeitig bekanntgegeben: [www.iwm.at](http://www.iwm.at) bzw. [www.burgtheater.at](http://www.burgtheater.at)

# Wenn Politik und Gesundheitswesen versagen

VON TIMOTHY SNYDER

*Es war schon viel zu leicht, in diesem Land zu sterben, bevor das Coronavirus in die Vereinigten Staaten gelangte. Unser stümperhafter Umgang mit der Pandemie ist das jüngste Symptom unserer Krankheit, einer Politik, die Schmerz und Tod statt Sicherheit und Gesundheit bringt, Profit für einige wenige statt Wohlstand für viele, schreibt der US-Historiker und IWM Permanent Fellow Timothy Snyder in seinem jüngsten Buch Die Amerikanische Krankheit. Vier Lektionen der Freiheit aus einem US-Hospital. Der nachfolgende Text ist ein Ausschnitt daraus.*



Kunstprojekt „In America, How Could This Happen?“ vor dem Washingtoner RFK Stadium, 27. Oktober 2020.

Photo: MediaPunch / Action Press / picturedisk.com

Adam Mickiewicz, ein großer romantischer Dichter, begann ein berühmtes Gedicht mit den Zeilen:

*Litauen! Vaterland! Du gleichst dem Wohlbedinden. Wie groß Dein wahrer Wert ist, kann nur der ergründen, Der Dich verlor.*

Genauso ist es mit der Gesundheit; man lernt sie erst schätzen, wenn sie verloren ist. Mit der Wahrheit ist es so wie mit der Gesundheit: Man vermisst sie erst, wenn sie verschwindet. Wir sehen, wie wichtig medizinisches Wissen und lokales Wissen sind, jetzt, da sie sich auflösen. Wenn man seine Gesundheit völlig verliert, wenn man stirbt, ist sogar die Sehnsucht nach Gesundheit weg. Etwas Ähnliches gilt für die Wahrheit. Wenn wir die Menschen verlieren, die Fakten produzieren, laufen wir Gefahr, die Idee der Wahrheit selbst zu verlieren. Der Tod der Wahrheit bringt den Tod von Menschen mit sich, denn Gesundheit hängt vom Wissen ab. Der Tod der Wahrheit bringt auch den Tod der Demokratie mit sich, denn das Volk kann nur regieren, wenn es über die Fakten verfügt, die es braucht, um sich gegen die Macht zu verteidigen. Mehr als 150 000 Amerikaner sind sinnlos gestorben, weil allen Amerikanern die Wahrheit vorenthalten wurde. Wir brauchen jetzt die Wahrheit über das, was geschehen ist, damit sich solche Dinge nicht wiederholen. Wir können nicht frei sein ohne Gesundheit, und wir können nicht gesund sein ohne Wissen. Wir können dieses Wissen nicht durch uns selbst als Individuen erzeugen: Wir

brauchen einen allgemeinen Glauben an den Wert der Wahrheit, Profis, deren Aufgabe es ist, Fakten zu schaffen, und robuste Institutionen, die sie dabei unterstützen. Das ist ein Beispiel für das Paradoxon der Freiheit: Wir können nicht wir selbst sein ohne Hilfe; wir können nicht in der Einsamkeit gedeihen ohne die Solidarität der anderen. Wir können nur dann ein Gleichgewicht zwischen Einsamkeit und Solidarität herstellen, wenn wir eine faktische Welt teilen, die uns in die Lage versetzt, den größeren Sinn unseres Handelns zu erkennen. Während einer Pandemie können wir uns für die Einsamkeit entscheiden, weil wir mit anderen solidarisch sind, weil wir wollen, dass sie leben und es ihnen gut geht. Lokaljournalisten warnen uns vor Gefahren, helfen uns, Probleme zu erkennen, und schützen uns vor den spalterischen Abstraktionen der Ideologie und den süchtig machenden Emotionen der Technologie. Während ich dies schreibe, brauchen wir noch viel, viel mehr Tests für das Coronavirus. Für die Zukunft brauchen wir eine nachhaltige Politik zur Unterstützung einer unabhängigen lokalen Berichterstattung. Eine Wiederherstellung der Wahrheit und die Anwendung der Wahrheit auf die Gesundheit können als Reaktion auf eine Pandemie ihren Anfang nehmen. Wir hätten den Lokalzeitungen 2009 aus der Patsche helfen sollen; wir hätten ihnen 2020 aus der Patsche helfen sollen. Jetzt können sie erneuert werden durch eine Steuer auf die sozialen Medien, die ihre Arbeit ausgebeutet,

ihre Lebensgrundlage zerstört und das Land geistig ärmer und gesundheitlich schwächer gemacht haben. Doch das Bekenntnis zur Wahrheit muss über den Reflex hinausgehen, das massenhafte Sterben abzuwenden. Wir müssen uns auch daran erinnern, was wir darüber wissen, wie man ein gesundes Leben führt. Unser gegenwärtiges System der kommerziellen Medizin ist schlecht darin, uns diese Grundlagen zu vermitteln. Die Zentralisierung der traditionellen Medien in unserem Land implodierte schließlich in das schwarze Loch der sozialen Medien, die Faktizität konsumieren, ohne sie zu produzieren. In ähnlicher Weise schwächt die Zentralisierung der kommerziellen Medizin die Stimmen der Ärzte und

**Timothy Snyder** ist Professor für Geschichte an der Yale University und ein Permanent Fellow am Institut für die Wissenschaft vom Menschen (IWM) in Wien. Sein jüngstes Buch *Die Amerikanische Krankheit. Vier Lektionen der Freiheit aus einem US-Hospital* ist im September 2020 im C.H. Beck Verlag erschienen. Für seine Arbeiten wurde er u.a. mit dem Hannah-Arendt-Preis, dem Leipziger Buchpreis für Europäische Verständigung und zuletzt mit dem Österreichischen Ehrenkreuz für Wissenschaft und Kunst ausgezeichnet.



macht sie langsam zum Sprachrohr der Unternehmen, die Krankenhäuser besitzen oder Medikamente verkaufen. Was Ärzte wissen, ist immer schwerer zu hören, bis es schließlich von dem verdrängt wird, was Geld einbringt. Ärzte haben ihre eigenen Methoden, um zur Wahrheit zu gelangen: durch wissenschaftliche Tests, aber auch durch den Dialog mit den Patienten. Sie können uns helfen, die Tatsachenwelt wiederherzustellen, aber nur, wenn wir ihnen den Respekt entgegenbringen, den sie verdienen. <

## US Elections 2020 A Fateful Decision for the USA, Europe and the World?



Am 18. Oktober 2020, wenige Wochen vor den US-Wahlen, fand im Burgtheater eine hochkarätig besetzte Podiumsdiskussion zu den möglichen Auswirkungen einer Wieder- bzw. Abwahl Donald Trumps für die USA und das transatlantische Verhältnis statt. Zu den TeilnehmerInnen zählten:

**Steven Erlanger**  
Diplomatischer Chefkorrespondent für Europa, *The New York Times*

**Raimund Löw**  
Journalist und Historiker; ehem. ORF-Korrespondent in den USA

**Eva Nowotny**  
ehem. Diplomatin und österr. Botschafterin in den USA

**Timothy Snyder**  
Historiker (Yale University); IWM Permanent Fellow

**Ivan Vejvoda (Moderation)**  
IWM Permanent Fellow; Leiter des Projekts *Europe Future's*

Das Video der gesamten Diskussion ist im englischen Originalton verfügbar auf: [www.youtube.com/IWMVienna](https://www.youtube.com/IWMVienna)

Die Veranstaltungsreihe *Europa im Diskurs – Debating Europe* ist eine Kooperation von Burgtheater, ERSTE Stiftung, IWM and *Der Standard*.

Photo: Matthias Cremer

# Democracy in Question

NEW PODCAST SERIES HOSTED BY SHALINI RANDERIA

The new podcast series *Democracy in Question*, hosted by IWM Rector Shalini Randeria, features some of the most important voices in contemporary academia. They reflect on a variety of democratic experiences and experiments the world over. While each of the ten episodes (see p. 24) addresses contemporary challenges to democracy in different contexts, the series is also committed to exploring themes in the *longue durée* of democracy that have occupied social scientists over the years. The slightly revised excerpts below are taken from Shalini Randeria's conversations with **Kim Lane Scheppele** and **Nancy Fraser**.



Russian artist Andrei Molodkin's artwork *Democracy (Detail)*, on display at Multimedia Art Museum Moscow.

## Undermining Democracy by Democratic Means: How Can We Stop It?

PODCAST WITH KIM LANE SCHEPPELE

**Shalini Randeria:** Over the past decade we have witnessed new elected leaders using democratic mandates to undermine and subvert the constitutional systems of checks and balances that they inherited. You coined the oxymoron sounding term 'autocratic legalism' to describe this particular kind of regime. What do you mean by the term and what kind of a regime is this?

**Kim Lane Scheppele:** There are never tanks in the streets in these new kinds of takeovers. Instead, what is visible is something that looks like normal politics. When budding autocrats are propelled into power, they start removing lots of checkpoints on executive power. They very often say, "We have to go after the judiciary, because the judiciary is against change, it is anti-democratic." It looks like normal politics because you have an election, and the election is supposed to produce legitimate results.

And what gets produced thereafter are new laws in the legislature; and old laws upended in courts. What could possibly be wrong with this? And yet, if you do not have an independent judiciary you might as well have tanks in the streets.

**Randeria:** One of the things we are also seeing in these new soft authoritarian regimes is a process of undermining or manipulating the rules of the game of the electoral process itself. Could you remind us of these changes?

**Scheppele:** Election law has got to be in every country one of the most detailed, technical, and potentially corruptible areas of law. When Orbán came to power in 2010, he won 53% of the vote, and it translated into 67% of the seats in the parliament. With his two-thirds majority, he started to change the constitution and the electoral system. The Parliament had around 450 representatives,

which is a lot for a tiny country like Hungary. Orbán announced that he would cut the number in half so that each representative would be more visible, more responsible. Even the opposition thought this was a good idea. But then suddenly you have to draw the boundaries of all the new electoral districts. And when Orbán did that with the help of consultants from the U.S., he designed them in such a way that he won 98 of 106 districts in 2014.

**Randeria:** Your diagnosis of autocratic legalism would also apply in a way to Trump with his brazen attempts to control the courts and the Justice Department, dismantle the Postal Service, but also to change electoral laws and suppress minority votes. But surely many of these strategic moves by the Republican Party to ensure its electoral success long predate Trump. And the Party must be held responsible too for its

complicity in Trump's dismantling of democracy.

**Scheppele:** The Republican party has been a largely white, less educated political party. Their base is shrinking. Ever since Ronald Reagan, the Republican party has been trying to figure out how to win elections with fewer and fewer votes. It is important to recall that the way the Electoral College is set up is that the Democrats have to win somewhere between 3% and 7%, more of the popular vote to be guaranteed a victory in the Electoral College.

The Republicans decided very early on to dominate the state legislatures—who gets to vote, when they vote, how they vote, how the votes are counted. All of that system, the rules are set by each individual state. We have thus a partisan electoral machinery run in states that are overwhelmingly dominated by the Republican Party. Sever-



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al weeks ahead of this year's Presidential election, there were still more than 200 pending court cases that might change the voting rules. And then, as soon as the voting is over, there are going to be more legal challenges.

**Randeria:** So, a whole machinery has been put into place to sub-

stitute the popular vote by a legislative vote of the Electoral College, which will skew the popular vote. On top of that, or underneath that, is gerrymandering. Could you explain this strange American term?

**Scheppele:** Every member of the House of Representatives comes from a territorial district that is smaller than the state. Elbridge Gerry had presided over a system that created a district in Connecticut that looked like a salamander. So, it came to be known as a Gerrymander, as a salamander district designed by Gerry. Gerrymandering comes from this idea of drawing the districts to look completely ridiculous. And they are designed in such a way as to produce a certain electoral result. The goal is to capture the process of redrawing the district boundaries. We are in the middle of that process right now because that is done every 10 years and it is based on the national census. Trump has been presiding over the census during the pandemic this year, and here too the Republicans benefit from undercounts. If you can undercount all those Black and Brown people living in cities those states get fewer representatives in the Congress. Regardless of evidence that showed that gerrymanders were motivated by partisan advantage, the Supreme Court just gave a complete green light to gerrymandering with no limits, essentially.

**Randeria:** But in the Hungarian case, the opposite has been happen-

ing, isn't that right? Orbán has redesigned the electoral system to give votes to certain Hungarian communities living outside of Hungary's borders.

**Scheppele:** Orbán has done everything. He did change the borders in the electoral districts first. Then he swapped his electorate! His policies have pushed somewhere between 500,000 and a million Hungarians out of the country. What he has done is to drive out people and then make it very hard for them to cast their votes. In the meantime, however, he has also given citizenship to ethnic Hungarians in the neighboring states. Thus there is suddenly a million new Hungarians, who in the last two elections went almost 95% for Orbán.

**Randeria:** Let us look at a very different aspect of autocracy, the use of violence. Orbán has been strengthening his hands with the so-called Enabling Act, with the provision which would allow him to order the military to use weapons inside the country against citizens for, "Up to but not including death," as the Act says. And in the U.S., we now have a president, who has been actively encouraging armed militias to come out not only as vigilantes during the process of the casting of ballots, but also afterwards to ensure his victory regardless of the results of the election.

**Scheppele:** There are actually two kinds of violence that Trump and Orbán are both encouraging.

One is private militias. Orbán started this very early. This is one of the ways that Roma communities have been attacked in Hungary. We have seen this also in the U.S. This has been happening in Portland, for instance, where this kind of armed right-wing militias go in against left-wing protesters, and the police are nowhere to be seen. So, one form of violence is withdrawing the official state apparatus to control violence and letting private violence go into the space.

Then there is the trickier part about actually using the official military or the official police. In the U.S., the military is quite well trained to not do any law enforcement within the country. There is a law that prohibits them from doing this. Trump has been enlisting the state militaries that are not as well trained. When Trump went out to try to stop the Black Lives Matter protesters, he was using these state-level troops.

In Hungary, Orbán has used his extraordinary emergency powers to put military personnel at the head of every hospital. They have infiltrated military personnel into at least 150 strategic companies, allegedly because of the pandemic. But who knows what use Orbán will make of these people.

**Randeria:** Autocratic legalism sounds as if it's all about a set of technical legal tools, as if all of these autocrats, and their soft authoritarian rule, are bar any ideology.

**Scheppele:** Autocrats need to be elected on some platform. And so very often they have a kind of populist platform. There is a gap between the ideology that they profess to believe in, and what they are doing with all these laws once they come to power. But once you have actually killed off democratic checks and balances, those are very hard to get back in part because people do not vote for such abstract things as rule of law, separation of powers. In order to reclaim their democracies, people have to start thinking, "How do we undo these concentrations of power?"

**Randeria:** Can we undo them at all?

**Scheppele:** Well, everything in politics is reversible. The question is how you reverse it with the least terrible human toll. In some ways, we have rolled the return to the 18<sup>th</sup> and 19<sup>th</sup> centuries when there were lots of revolutions that tried to overcome autocratic, monarchical dictatorial power. And there was a formula developed in those revolutions. The first thing you do to have a peaceful transition is to set up a constitutional convention and write a new constitution. That has been the recipe for radical change, radical peaceful change for a long time.

I think we need to start thinking about new constitutional conventions, about renovating a constitutional democracy by starting with redesigning the institutions. We have done this

many times, right? So, we can do it again. And there are some new features in today's world. For instance, what is and should be the EU's role in preventing all of this backsliding of democracy in Europe. It could be that with all the transnational associations we have built, with all the NGOs, with civil society organizations, that we now have more people at the table and more referees in the process. But I think ultimately, we are going to go back to these old lessons from the 18<sup>th</sup> and 19<sup>th</sup> centuries about how to undo autocracy and how to undo it peacefully. And the answer is going back to basics and redoing constitutions.

**Randeria:** Thank you so much, Kim, for these remarkable insights into the toolbox of legal autocracy in our age. You have opened our eyes to a Pandora's box of soft authoritarianism. <

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## Can Liberal Democracies Right the Wrongs of Racial and Gender Injustices?

PODCAST WITH NANCY FRASER

**Shalini Randeria:** One of your most important interventions has been to reconnect questions of recognition to those of redistribution. You have argued forcefully that injustice being multi-dimensional a political agenda based exclusively on identity and a politics of recognition fails to achieve justice. Two of the dimensions I want to address today are race and gender. Let's start with the current Black Lives Matters movement (BLM). Does an understanding of social transformation based on both recognition and redistribution constitute an inseparable whole for BLM activists?

**Nancy Fraser:** In their practice, BLM has seen a lot of focus on the criminal justice system, police brutality being the most obvious face of this. But built into that is the relationship between this vulnerability to police, state, and prison violence, as well as poor housing, poor healthcare, poor employment. When activists refer to structural injustice, it's an indication of the depth at which a whole range of seemingly separate social problems are actually related and anchored in a social system. Distributive injustices and misrecognition or status injury are structural, and they're connected.

I think that BLM is one important indication, and force, within a broader situation of political contestation and turmoil, which reflects a widespread sense that there's a very

deep structural crisis in society that affects the whole social order. It's a general crisis. It's a crisis of public health, ecology, gender injustice, and indeed, of the organization of social reproductive work, care work as well as the familiar crises of the economy, finance, etc. There's such a sense of how big this crisis is that I think many social actors are inclined to want, once again after a hiatus, to try to think in a structural way about what connects all of this. And so it's a moment where we could see a more integrative vision developing.

**Randeria:** You also point to the fact that the assertion of cultural identity has become an important aspect of contemporary right-wing mobilization everywhere. We've seen, in many parts of the world, right-wing authoritarianism mobilized cultural identity politics quite effectively for itself. And for better or for worse, identity seems to remain a central puzzle for democratic politics. Do you think there's an identity politics possible that does not become identitarian?

**Fraser:** Identity politics carries with it a couple of temptations. One is the right-wing cultural identity politics, which is just simply exclusionary, chauvinistic, anti-democratic, and unjust. But even on the side of those, who are the opponents of right-wing authoritarian populism, an overly one-sided intense focus on identitarianism carries risks and

dangers. It carries the risk of reifying, constructing a stereotype. A Left that is self-reflective needs to understand that there are real temptations. In my analysis, they stem from the tendency to disconnect the identity political aspects of political struggle from other aspects. In the U.S. there is a built-in tendency to encourage that disconnection.

The United States' mainstream political culture always suppresses structural thinking. It's always focused on transforming the self as opposed to the social structure. Racism is seen as a matter of bad behavior by individuals or bad ideas in the heads of individuals, and then we try to correct it through what is famously criticized as political correctness. This is the problem with what we call identity politics; that it leads our attention away from the organizations of power, from institutions, from social structures.

**Randeria:** Let me turn to a second element of the social structure which has played such an important role in your own work, gender. What we are seeing at the moment is an enormous backlash against feminism and against women's empowerment as women's bodies have once again become a political battleground. A salient feature of so much of right-wing politics has been an assault on women's rights, especially reproductive rights. The fate of so many of women's rights and

freedoms hangs in the balance that we once thought we had won once and for all. So, I find myself asking, "Where did we go wrong?"

**Fraser:** In the U.S., over the decades since the outbreak of a radical second-wave feminism in the 1960s and '70s, we've had a kind of normalization of feminist politics. Mainstream feminism became a kind of interest group within the Democratic Party in the U.S., so a center-left interest group. It began more and more to look like a movement that was especially concerned more with meritocracy than with social equality; more and more with knocking down barriers that prevented talented, qualified individual women from rising in the corporate world, the military hierarchy and all the institutions. This was very problematic to the degree that it abandoned the overwhelming majority of women, who are not in the stratum that could benefit from that kind of politics. But it also left feminism undefended against the neo-traditionalizing resurgence of patriarchy, this intense, toxic masculinist authoritarian, strong man politics. That politics was able to make a semi-persuasive case for the view that feminism is an elite project and that the real interests of the masses of women are for social protection by strong men, family members, fathers etc.

Feminism became associated with individualism, with careerism, with

trying to slough off your child-rearing and other responsibilities onto low-wage people you could pay to do the work. This is, of course, not the whole story about feminism, but it had enough plausibility, and the media also increasingly portrayed feminism in this way. Meritocratic liberal business-friendly feminism became the dominant image of feminism. Feminism drifted into a kind of alliance with the globalizing forces of capital in the U.S., be it Hollywood, Silicon Valley, Wall Street even. This left open the field of working-class resentful left-behind, rural people, whose grievances were stoked by right-wing patriarchy. There was a very stark division created with feminism as if it had nothing to offer the working-class, including working-class women. Donald Trump in 2016 won 53% of white women's votes. This is just an example of how a social movement can change its focus over time in the context that pulls it in one direction as opposed to another. And how it can get caught up in, and tripped up by, a minefield of political antagonisms, which it cannot control. And how it can get used by stronger forces within that minefield.

**Randeria:** Is that what you try to address in your 'Feminism for the 99%' (F99) manifesto? Could you say something about the manifesto and your attempt to find a collective

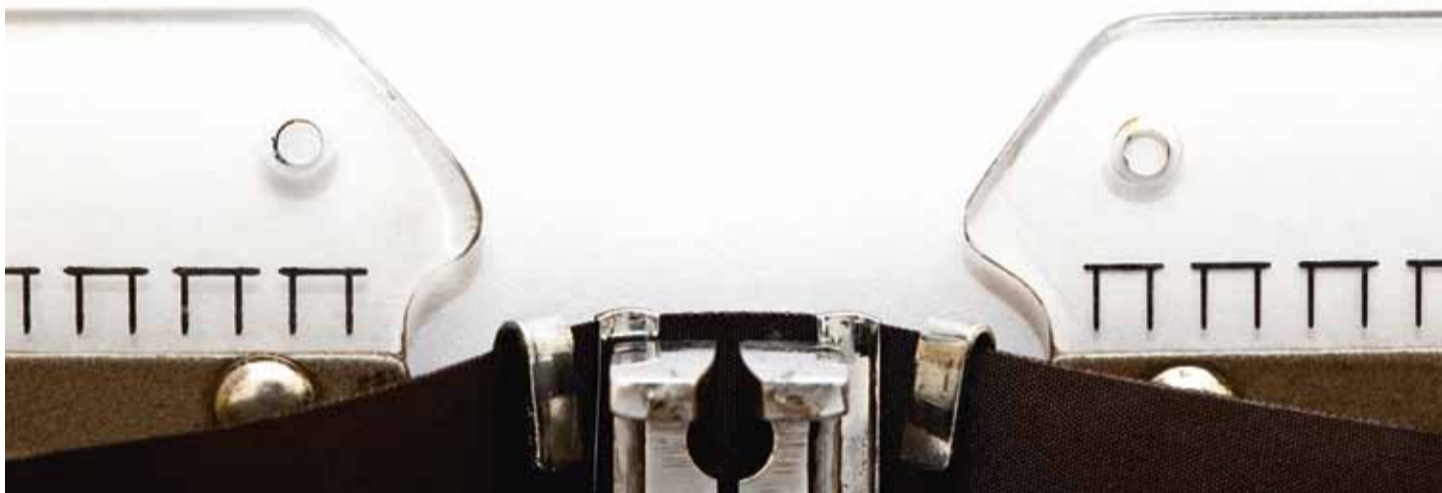
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# „Retro-normale Zukunft“? Die schrittweise Aushöhlung pluralistischer Demokratien

VON RUTH WODAK

In der neu überarbeiteten Ausgabe ihres Buchs *Politik mit der Angst* setzt sich die Sprachwissenschaftlerin Ruth Wodak mit den besorgniserregenden Verschiebungen im politischen Diskurs der vergangenen Jahre auseinander, die vieles salonfähig gemacht haben, was früher undenkbar war. Die Normalisierung autoritärer und rechtspopulistischer Politik droht demokratische Errungenschaften schleichend, aber nachhaltig zu demontieren.

Read between the Lines!



Vor allem seit der sogenannten „Flüchtlingskrise“ von 2015 sind wir mit großen gesellschaftspolitischen Veränderungen in der Europäischen Union und ihren Mitgliedsländern konfrontiert. Die beiden EU-Mitgliedstaaten, die meist als Beispiele herangezogen werden, sind Orbáns Ungarn und Kaczyńskis Polen. Viele PolitikerInnen sowohl auf EU- als auch auf nationaler Ebene sowie prominente Intellektuelle und Persönlichkeiten des öffentlichen Lebens warnen vor einem europäischen (und sogar globalen) Abdriften in verstärkten (Ethno-)Nationalismus, illiberale Demokratien und Autoritarismus. Damit einhergehen unter anderem systematische Verletzungen von Menschenrechten, internationalen Verträgen sowie Werten und Normen der Europäischen Union bzw. Vereinten Nationen.<sup>1</sup> Die offiziellen Reaktionen der EU sind jedoch zögerlich und folgen bürokratischen, institutionell festgelegten Verfahren.

Die langsame und ambivalente Vorgehensweise der Europäischen Kommission weist auf ein vorerst unlösbares Dilemma hin: Wenn die EU-Institutionen mehr Partizipation ermöglichen und das sogenannte „Demokratiedefizit“ verringern, könnten solche Reformen mehr Au-

tonomie für Entscheidungen auf nationaler Ebene bedeuten, selbst wenn solche Entscheidungen gegen konstitutive Prinzipien der EU verstoßen. Daher argumentiert Kelemen<sup>2</sup>, dass „die EU in ... einem ‚autoritären Gleichgewicht‘ gefangen ist, mit gerade genug gemeinsamer Politik auf EU-Ebene, um lokale Autokraten zu verwöhnen, aber nicht genug, um sie zu stürzen“. Kelemen – recht plausible – Erklärung dieses Paradoxons verweist auf die Bedeutung von „Realpolitik“: „Kurz gesagt, demokratische PolitikerInnen auf föderaler oder Unionsebene können über die Bedenken hinsichtlich des autoritären Charakters der Herrschaft in den Mitgliedstaaten hinwegsehen, solange der jeweilige Regierungschef ihrer Koalition in der föderalen Gesetzgebung die erforderlichen Stimmen liefert“. Die Regierung von Viktor Orbán bietet dafür ein typisches Beispiel.

#### Dialogverweigerung

Solche Veränderungen sind auch in anderen Ländern an deutlich wahrnehmbaren diskursiven Verschiebungen zu bemerken. Hält man sich beispielsweise nicht an die festgelegten Regeln und Konventionen eines Dialogs, ist es unmöglich, sich zu ver-

ständigen oder auseinanderzusetzen; oder gar sich bei wichtigen Entscheidungen darauf zu berufen. Die strategische Ablehnung demokratischer Routinen, garantierter verfassungsmäßiger Rechte (wie der Meinungs- und Pressefreiheit oder der Unabhängigkeit der Justiz) sowie vereinbarter Geschäftsordnungen (etwa im Parlament), von Gesprächsmaximen und Höflichkeitskonventionen erfüllt mehrere Funktionen: Sie soll...

1.) liberale demokratische Institutionen und garantierte Verfassungs- und Menschenrechte – Schritt für Schritt – untergraben;

2.) die Medien durch kontinuierliche Provokation und das Überschreiten von Tabus dominieren (zum Beispiel durch das sogenannte „rechtspopulistische Perpetuum mobile“ oder durch verschiedene Formen von *Message Control*);

3.) getrennte und parallele Diskurswelten durch Desinformation schaffen (Verbreitung von sogenannten „alternativen Fakten“ und Lügen);

4.) Menschen Identifikation und Anerkennung bieten, die sich von den Eliten ungerecht behandelt, nicht angehört und aufgrund gesellschaftlicher Konventionen der politischen Korrektheit diskriminiert fühlen.

Mit anderen Worten: Rechtspopulistische PolitikerInnen polarisie-

ren – gerade, weil sie „schamlos“ sind – die Gesellschaft. Eine solche Ablehnung jeglichen Dialogs leitet, wie ich anderswo ausführlich begründet habe, eine „Post-Scham-Ära“ ein. Diese umfasst populistische und ausgrenzende Rhetorik, Symbolpolitik, digitale Demagogie, „schlechte Manieren“ und eine Form von Anti-Politik<sup>3</sup>, welche systematisch demokratische Institutionen auszuhelven versucht. All diese Faktoren tragen dazu bei, unter einflussreichen PolitikerInnen ein „non-konformes“ Verhalten aufzubauen, das bei ihren jeweiligen KernanhängerInnen oder sogar bei der breiteren Wählerschaft als „authentisch“ ankommt. Der Staat selbst, ja das gesamte politische System wird häufig in einer Weise diskreditiert, die an *Reality-TV* erinnert. Übrigens lassen sich ähnliche Muster der Skandalisierung, des *Politcotainment* und des Verfalls demokratischer Prozesse auch schon in der italienischen Politik der 1990er-Jahre unter der Regierung Berlusconi identifizieren.

#### Schrittweise Normalisierung

Die meisten Verstöße gegen die verfassungsmäßige Ordnung, die sich gegen Meinungs-, Versammlungs- und Pressefreiheit sowie die Unab-

hängigkeit des Rechtssystems richten, werden in der Regel nicht explizit angekündigt. Somit fungiert eine Strategie der kontinuierlichen Provokation als Katalysator, als Instrument zur Mobilisierung des „wahren Volkes“. Beispiele in Ungarn, Polen und den USA gibt es im Überfluss: Die sogenannten Reformen werden in kleinen und angeblich unwichtigen Schritten abgesichert, wie bei der Intervention beim Obersten Gerichtshof in Polen, wo die Neubesetzung von RichterInnen auf Lebenszeit durch einen scheinbar banalen Absatz über das Pensionsalter umgesetzt wurde – obwohl die polnische Verfassung eine feste Amtszeit für RichterInnen des Obersten Gerichtshofs vorsieht. In diesem Fall leisteten einige RichterInnen des Obersten Gerichtshofs Widerstand, was für internationale Schlagzeilen sorgte. Nach einem Urteil des Europäischen Gerichtshofs, der Polen aufforderte, die Maßnahmen auszusetzen und die Richter, die ihren Arbeitsplatz verloren hatten, wieder einzustellen, schlug die regierende PiS-Partei am 21. November 2018 eine Gesetzesänderung vor, mit der sie ihre umstrittenen „Reformen“ zurücknahm. In diesem Fall gelang es also aufgrund der internationalen Kritik und des massiven Widerstands zivilgesellschaftlicher Organisationen, sich undemokratischen und illiberalen Maßnahmen erfolgreich entgegenzustellen.

In diesem Zusammenhang betont Drew<sup>4</sup> die zahlreichen Versuche von Donald Trump, die liberale Demokratie Amerikas zu unterwandern und umzugestalten. Abgesehen von Trumps rassistischen und sexistischen Äußerungen (in der Regel auf *Twitter*), seinen täglichen Lügen und seiner bösartigen Demagogie betont sie, wie das Weiße Haus den Bericht von Sonderberater Robert Mueller über die russische Einmischung in die Präsidentschaftswahlen 2016 systematisch verzerrt hat. Auf diese Weise werde die notwendige Trennung zwischen Justiz und Exekutive ernsthaft gefährdet. Sollte Trump abgewählt werden, werden seine Ernennungen äußerst konservativer Richter in den *Supreme Court* dennoch ein dauerhaftes Vermächtnis bleiben. Offensichtlich

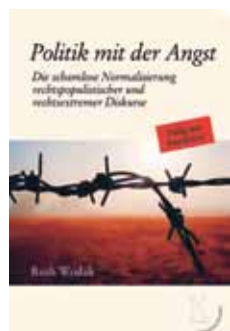
Photo: Ivelin Raabov / iStock.com

wollen die Republikaner um jeden Preis an der Macht bleiben.

Ein solches Machtdenken führt langfristig gesehen zur Preisgabe vieler vormals wichtiger Werte und Prinzipien; rote Linien werden ohne Vorbehalte überschritten. Man passt sich Schritt für Schritt – manchmal fast unbemerkt, häufig aber recht offen – an früher abgelehnte, ja sogar tabuisierte politische Forderungen und Maßnahmen an. Heitmeyer<sup>5</sup> bezeichnet dies als „rohe Bürgerlichkeit“, als ein „Polittheater der Grausamkeit“. Dies kann, so Heitmeyer, weit in konservative Kreise hineinwirken und einen „autoritären Nationalradikalismus“ zur Folge haben. Die dabei auftretenden Eskalationsprozesse durchlaufen vier Stufen: Provokationsgewinne in den Medien, Raumgewinne auf öffentlichen Plätzen, Räumungsgewinne (etwa Vorgehen gegen Unterkünfte von Flüchtlingen) und Normalisierungsgewinne, bei denen die demokratische Kultur auf der Kippe steht. Solche diskursiven Verschiebungen implizieren *mind-closing narratives*, die offensichtlich an „Bedeutung und Relevanz gewinnen, weil ehemals liberale Politiker hinter Populisten herlaufen.“<sup>6</sup> Die Ablehnung jeglichen Dialogs, kontinuierliche Provokation, Kontrolle der Medien und die anschließenden „blame-games“ oder das Schweigen beherrschen die offizielle Kommunikation. Ein immer stärkerer Nationalismus, ja sogar ethno-nationaler Nativismus ist die Folge. Eine solche Dynamik entspricht einer schrittweisen schamlosen Normalisierung. Der europäische Nachkriegs-Konsens wird zunehmend obsolet, die Grenzen des Sagbaren haben sich signifikant verschoben. Kurzum: *Anything goes!* <

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- 3) Diehl, Paula: „Antipolitik und post-moderne Ringkampf-Unterhaltung“, *ApuZ*, 67(44–45): 25–30, 2018.
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# Who Governs in Deep Crises?

BY WOLFGANG MERKEL



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In a democracy, it is not the government, that is sovereign, but the people. Through free general elections, the people as the first-order sovereign transfers its sovereignty to the parliament. This transfer is temporally limited, typically to one legislative term. In this manner, the parliament emerges as a temporary, second-order sovereign. In parliamentary democracies, unlike presidential systems, the parliament then elects the government. It is only here that the executive as the third-order sovereign comes into play. The parliament, however, is by no means only there to elect the executive; rather, it is the highest lawmaker. In addition, it is tasked with serving as a check on the executive, even when the government has a majority in parliament. Moreover, the parliament as the second-order sovereign is an arena for debate and deliberation. In the Covid-19 crisis, the parliament has neither been an arena of deliberation nor an effective control organ *vis-à-vis* the executive. Up to today, this has been largely supported by the majority of citizens. Here lies perhaps the biggest dilemma for democracy: the demos has been interested above all in the government's output, measured in terms of physical security. The problem here is that this output-centered constellation could easily serve as a blueprint for the next crises to come.

In the Covid-19 crisis, another actor took the center stage: science, especially virologists and epidemi-

ologists. Almost unabashedly, science assumed the role of a fourth-order semi-sovereign. Sovereign is the one who has the knowledge. Because parliament and government have little expertise on questions of health and medicine, they are highly dependent on the counsel of medical experts. It very much matters whom of the experts they follow.

## The compliance of the demos

The first-order sovereign, i.e. the citizens, have shown a great deal of willingness to comply *vis-à-vis* the

alternative solutions. The humanitarian goal to save lives became politically moralized and served implicitly and explicitly as a mode to silence opposition and voicing alternative positions.

In the Covid-19 crisis, however, we have experienced the rebirth of the decisive strongman leader. The democratic paradox of the crisis is the following: the deeper the encroachments on the basic rights of the citizens, the greater the consent of those whose basic rights are being taken away and whose contacts are being banned. The uncritical accep-

theless, we cannot rule out longer-term habituation effects of temporary neo-authoritarian rule among the citizens in the near future, given that we cannot rule out recurring pandemic infection waves or other deep crisis, such as climate change. Are we then going to see government by emergency measures yet again? Media and governments have already found a devastating term for this: "the new normality." This means that the safeguarding of public health from pandemics could lead the government time and again to suspend basic rights and govern in

## Why not to govern the climate crisis in an emergency mode as well?

government and the media stars of the virology scene. The oft-shown gruesome pictures from the clinics of Bergamo and the corpse refrigerator trucks at the back entrances of the hospitals of New York also did their part. Epidemiologists' model-based calculations suggested for worse-case or even normal-case scenarios a bleak picture. However correct or faulty the epidemiological projections might be or might have been, who among the responsible political decision-making elites or compliant citizens could take on the responsibility of consigning tens of thousands of people to their deaths? This posed a moral constraint that prevented political discussion on

tance of restrictions on basic rights and existential economic losses exhibits subtle features of the "authoritarian personality" as described by Erich Fromm and later Theodor W. Adorno. Supposed physical security has trumped individual rights and liberties. The decisionism of Carl Schmitt is, even today, more strongly rooted in our societies even in normal times than the liberalism of freedoms and life chances as advocated by Ralf Dahrendorf (1980).

## Is democracy at risk?

Germany's democracy is not the Hungary of Viktor Orbán, Italy's not the one of Kaczynski in Poland. None-

emergency mode. And: why not to govern the climate crisis in an emergency mode as well? Democracy is at risk if media and governments exclude alternative concepts to emergency policies as immoral. Debates and critique of governance by fear must be legitimate part of pluralist discourse. The critical democratic citizen is in high demand in post-corona democracies. <

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# Demokratie als Lebensform. Ein deutsches Missverständnis

VON TILL VAN RAHDEN

Wie Till van Rahden am Beispiel der deutschen Nachkriegsgeschichte zeigt, ist Demokratie auch eine Lebensform. Wenn wir sie bewahren wollen, müssen wir unsere Umgangsformen pflegen und die Lust am Streit kultivieren, so der Historiker.

Als Theodor Heuss 1946, am Jahrestag der Märzrevolution von 1848, über „Deutschlands Zukunft“ sprach, erinnerte der spätere erste Bundespräsident der BRD daran, wie sehr sich ein „Piefke“ bis vor kurzem noch „als Herrenmensch“ gefühlt hatte. Zwar mochten sich die Deutschen nun „Demokraten nennen“, in Wahrheit müssten sie „bei dem Wort Demokratie ganz vorn anfangen im Buchstabieren“. Die Demokratie sei nicht allein ein „Rechenverfahren“. Sie beruhe zunächst auf der „Anerkennung eines freien Menschentums, das auch im Gegner den Partner sieht“.

Dass die Nachkriegsdeutschen den Begriff der Demokratie fast beliebig füllten, fiel vor allem Remigranten wie dem Kunsthistoriker Julius Posener auf, der 1945 als britischer Offizier nach Deutschland zurückkehrte. Die Deutschen hätten, notierte Posener, „einen moralischen Stoß erhalten [...], der sie veranlaßt zu rufen: ‚Es war alles falsch, all-les falsch!!!!!!‘, und daß sie nach dem hingehaltenen neuen Wort greifen wie nach einer Planke im Schiffbruch [...]. Aber dies neue Wort ‚Demokratie‘ ist bis dato inhaltsleer, und wohin sie auch blicken, so werden die Deutschen nicht viel sehen, was man auf dieses Wort beziehen könnte. Sie haben einen Stoß bekommen, es war ihnen eine ganze Weile davon dumm im Kopf, und da sie sich umsehen, finden sie nichts als ein Wort und schreiben es als neuen Titel über die alten, noch halb geglaubten Inhalte.“

Posener nahm dabei auf ein grundsätzliches Problem Bezug: Seit 1918 galt die Demokratie als die einzig legitime Form der Herrschaft, was Folgen für die Trennschärfe des Begriffs hatte. Schon 1929 konstatierte Hans Kelsen Demokratie sei der „mißbrauchteste aller Begriffe“, der „die verschiedensten, einander ... widersprechenden Bedeutungen“ angenommen habe. Bezeichneten sich doch die grausamsten Schreckensherrschaften – von Mussolini, Hitler und Franco bis hin zu Stalin oder Saddam Hussein, selbst als Demokratien.

## Demokratie als Zusammenleben im Streit

Zwar rahmte das Grundgesetz die weitere Suche nach der Demokratie, doch die Bonner Republik (1949–1990) blieb ein Provisorium, das sich im Schatten des Nationalsozialismus und des Kalten Krieges einrichten



musste. Anschaulich zeigt das der Streit über die „freiheitlich-demokratischen Grundordnung“. Heuss' Frage, was die Demokratie als Lebensform sei, trieb die Öffentlichkeit im „motorisierten Biedermeier“ um. Tastend, ernsthaft und vielstimmig war die Debatte über die schwer fassbare Grundlage der Demokratie.

Die Vorstellung der Demokratie als Lebensform war dabei ein Kind des Streits. Das zeigt etwa die Auseinandersetzung darüber, ob eine umfassende Gleichberechtigung von Männern und Frauen die Voraussetzung der Demokratie sei. Doch selbst der schärfste Disput war von der Überzeugung getragen, dass das Streiten und Debattieren an sich die Grundlage der Demokratie seien.

## Das Wahlrecht allein reicht nicht

In der Gründerzeit der Republik war die Vorstellung gängig, dass die Demokratie „nichts anderes als die Frage nach dem Lebensstil eines Volkes“ sei, wie der CDU-Politiker Robert Tillmanns schrieb. Der „Wert“ stecke „nicht darin, dass wir ein Parlament und allgemeines Wahlrecht“ hätten, sondern dass „wir als Menschen, als Bürger eines Staates lernen, so miteinander umzugehen, dass wir uns gegenseitig ernst nehmen“.

Offen blieb, wie der Begriff des demokratischen Lebensstils konkret zu definieren sei. Der Staatsrechtler Adolf Schüle betonte 1952, eine Demokratie „auf dem politischen Feld“ sei „nur möglich, wenn sich die Menschen, die in ihr leben, auch in ihren privaten Beziehungen demokratisch verhalten“. Andernfalls sei die Demokratie „zum Sterben verurteilt“. Gemäß der englischen Redewendung „democracy begins at home“ sei sie auch eine Sache „der persönlichen Lebensführung“. Wer einmal „die Luft einer wirklichen bis in die letzten Verästelungen des privaten Lebens herabreichenden Demokratie geatmet hat, der wird verstehen können, was gemeint ist“, so Schüle. Das beginne mit dem „Gebot der Gleichbehandlung des Mitmenschen“ sowie den „einfachen Formen des täglichen Umgangs“. Die Unterlassung eines Grußes sei beispielsweise nicht nur Ausdruck „schlechter Erziehung“, sondern auch einer „undemokratischen Einstellung“. In der Demokratie sei „jedermann ein ‚Herr‘ und nicht mehr“: „Wenn in den Vereinigten Staaten hochgestellte Persönlichkeiten [...] mit dem einfachen ‚Mr.‘ angesprochen werden, ja wenn nicht selten sogar nur der Vorname gebraucht wird, so ist das nicht bloß ein Zeichen jener Formlosigkeit, die den amerika-

nischen Volk nun einmal eigen ist, sondern auch der Ausdruck demokratischer Gesinnung“.

Carlo Schmid, Vizepräsident des Bundestages, meinte 1970, ein demokratischer Staat setze „eine Gesellschaft voraus, die ihm angemessen ist“. Demokratie sei vereinfacht ausgedrückt „in erster Linie ein Ja zur Mitmenschlichkeit“. Vor allem in den Kommunen sei das greifbar, so Schmid. Bund und Länder seien in dem, was sie täten, „abstrakter“. Dagegen umfasse die Stadt „den Menschen als das auf den ‚anderen‘ bezogene Wesen“. Sie sei „etwas Mütterliches, im Gegensatz zum Vater Staat [...]“. Sie ist der Ort des Miteinander-Gehens und nicht des In-Reih- und Glied-Stehens.“

Willy Brandts Forderung „Mehr Demokratie wagen“ aus der Regierungserklärung 1969 markierte nicht so sehr einen Neuanfang, sondern knüpfte an ein Verständnis der Demokratie an, das sich bis in die allerersten Nachkriegsjahre zurückverfolgen lässt. Zwar verbanden sich widersprüchliche Vorstellungen mit der Idee der Demokratie als Lebensform, doch schon lange vor 1968 warnten viele davor, die Demokratie allein als Staatsform zu begreifen. Das Wagnis der Demokratie könne nur gelingen, wenn es von einer demokratischen Stimmung getragen

sei, die sich nicht im Parlamentarismus erschöpfe, sondern im Alltag gepflegt werde.

## Heilsversprechen statt Diskussionskultur

Erst vor diesem Hintergrund wird deutlich, worin die Zäsur von 1968 bestand. Die Rede von der Demokratie als Lebensform beruht auf der Prämisse, dass repräsentative Demokratie und demokratische Lebensformen sich wechselseitig bedingen.

Im Gegensatz dazu forderte die *Neue Linke*, dass Formen der radikalen Demokratie die parlamentarische Demokratie ersetzen müssten. Das Schlagwort der Demokratisierung zielte nicht mehr darauf, den demokratischen Geist zu pflegen, sondern darauf, die Familie, die Universität oder den Betrieb nach der Logik der demokratischen Herrschaftsform mittels Wahlen und Abstimmungen gemäß dem Prinzip der Mehrheitsentscheidung neu zu organisieren.

Die Heilsversprechen der „Demokratisierung der Demokratie“ und der „Transformation der Demokratie“ überlagerten die Rede von der Demokratie als Lebensform. An die Stelle des Streits über die kulturellen Voraussetzungen der Demokratie traten nun die Grabenkämpfe zwischen der *Neuen Linken* und

den Verteidigern der repräsentativen Demokratie. Die Demokratie sei nicht länger ein „Mittel zur Lösung von Konflikten“, stellte der Pädagoge Hartmut von Hentig 1972 fest. Stattdessen sei sie „zu einem Anlass des schwersten Konfliktes“ geworden, „den unsere Gesellschaft seit 1945 durchgemacht hat“. Je schärfer der Streit wurde, desto häufiger sahen liberale und konservative Denker in der Demokratisierung einen Irrweg.

Das galt auch für jene, die zuvor für ein Verständnis der Demokratie als Lebensform geworben hatten. Der sozialdemokratische Staatsrechtler Ernst-Wolfgang Böckenförde warnte 1972 vor der Idee der Demokratisierung: „Bedeutet sie, dass alle Bereiche gesellschaftlicher Freiheit einer ‚demokratischen‘ Bestimmung partieller Kollektive unterstellt werden müssen, um so die Gesellschaft einerseits vom Staat ‚frei‘ zu machen und andererseits in sich zu demokratisieren, so ist sie eine Wegmarke zum Totalitarismus.“

Aus dem Blick geriet dabei, dass die Rede von der Demokratie als Lebensform die klare Unterscheidung zwischen dem demokratischen Staat als einer Herrschaftsform und der demokratischen Gesellschaft als einer Form des bürgerlichen Zusammenlebens voraussetzt. Vor allem ging in den ideologischen Kämpfen – als Antwort auf die Auflösung der Weimarer Republik und den Nationalsozialismus – die Einsicht verloren, dass ein Staat seine kulturellen und sozialen Voraussetzungen nicht garantieren, aber schützen kann.

### Der Gedächtnisverlust rächte sich

1989 konnte so auf den Zusammenbruch der sozialistischen Volkdemokratien die siegestrunkenen Selbstgewissheit eines marktliberalen Effizienzdenkens folgen, dem die parlamentarische Demokratie als die natürliche Herrschaftsform der westlichen Moderne galt. Das hat sich inzwischen als Irrglaube erwiesen.

Die Erfahrung der ersten zwei Jahrzehnte des neuen Jahrtausends zeigt, dass eine liberale Demokratie sich selbst aufgibt, wenn sie es versäumt, jene öffentlichen Räume zu pflegen, die es uns ermöglichen, Freiheit und Gleichheit schon vor dem Eintritt in den politischen Kampf zu erfahren, anders gesagt: jene Umgangsformen einzuüben, welche die Chance eröffnen, dass der leidenschaftliche Streit zur Grundlage des demokratischen Miteinanders wird. ◀

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# Anker in unruhigen Zeiten: 100 Jahre österreichische Verfassung

VON MILOŠ VEC

2020 wurde das österreichische Bundes-Verfassungsgesetz (B-VG) 100 Jahre alt. Das B-VG, das nach dem Zusammenbruch der Habsburger-Monarchie am 1. Oktober 1920 von der Konstituierenden Nationalversammlung beschlossen wurde, ist eine der ältesten, schriftlichen, noch in Verwendung befindlichen Verfassungen Europas. Vielfach diskutiert, reformiert und zwischenzeitlich sogar demontiert, hat die Verfassung während der Regierungskrise 2019 und jüngst im Zuge der Covid-19-Pandemie ihre demokratiepolitische Bedeutung einmal mehr unter Beweis gestellt. Kurze Zeit vor dem ersten Lockdown fand am 4. März 2020 am Institut für die Wissenschaften vom Menschen (IWM) eine prominent besetzte Podiumsdiskussion zum Thema 100 Jahre B-VG statt. Neben dem früheren Bundespräsidenten **Heinz Fischer** und dem frisch angelobten Präsidenten des Verfassungsgerichtshofs **Christoph Grabenwarter** diskutierten der ehemalige Vizekanzler **Clemens Jabloner** sowie die Rechtsphilosophin **Elisabeth Holzleithner** verfassungsrechtliche Herausforderungen in Vergangenheit, Gegenwart und Zukunft.

Wie IWM Rektorin Shalini Randeria bei der Begrüßung erinnerte, sind Verfassungen enorme politische Errungenschaften, die es zu schützen gilt. Sie stellen zugleich Werkzeuge und Symbole der Demokratie dar. Dementsprechend wagt auch unter den gegenwärtigen Vorzeichen autoritärer und populistischer Politik niemand, sie explizit anzugreifen – auch wenn sie vielen ein Dorn im Auge sind. Stattdessen werden sie systematisch ausgehöhlt (mehr dazu in der Podcast-Reihe *Democracy in Question*, Details siehe S. 5).

Auf die Frage, wie es um den österreichischen Verfassungspatriotismus bestellt sei, antwortete Heinz Fischer, ehrenamtlicher Präsident des IWM, dass die Wertschätzung der Verfassungsstaatlichkeit in der Zweiten Republik wesentlich ausgeprägter sei als in der Ersten. Er sprach von einer „inneren Logik der historischen Entwicklung“ und davon, dass das Prestige, das von ihrer langen Tradition ausgehe, Innovationen von europäischer wie internationaler Strahlkraft hervorgebracht habe wie beispielsweise die Verfassungsgerichtsbarkeit. Christoph Grabenwarter betonte, dass in Österreich das Bewusstsein für Grundrechte und die Bedeutung der Verfassung im Vergleich zu Deutschland erst zeitverzögert entstanden ist. Das Verfassungsbewusstsein war zwar da, aber verschüttet und konnte manchmal erst durch Krisen „freigelegt werden“, wie er am Ortstafelstreit vor 20 Jahren erläuterte. Dabei wurde der Verfassungsgerichtshof zu einem wichtigen Akteur in der politischen Auseinandersetzung und erwies sich als wirksame Institution bei der Durchsetzung von Minderheitenrechten. Einen weiteren Schub erhielt die Verfassung bei der letzten Bundespräsidentenwahl, weil hier sichtbar wurde, dass ein „Schlüsselvorgang der Demokra-



v.l.n.r.: Clemens Jabloner, Heinz Fischer, Miloš Vec, Christoph Grabenwarter und Elisabeth Holzleithner.

tie von einer unabhängigen Instanz kontrolliert wird“.

Elisabeth Holzleithner lobte die Schlichtheit der österreichischen Verfassung und akzentuierte, dass trotz der Absenz einer Präambel und des Fehlens eines „Weihrauchgeruchs“ grundlegende und erhabene Prinzipien enthalten sind: das republikanische, das demokratische und das liberale Prinzip seien wesentliche Elemente der österreichischen Verfassung.

Struktur und Anlage des B-VG brachten schon seit jeher prägnante, aber auch ambivalente Würdigungen hervor, wie Clemens Jabloner fortführte: Die österreichischen Verfassungen seien seit dem 19. Jahrhun-

dert „Ruinenbaumeisterei“ gewesen, als „Bricolage“ buchstäblich auf den Trümmern von früheren Verfassungen geschaffen und dabei „äußerst innovativ“. In ihnen spiegele sich „sehr viel Pragmatik und sehr viel juristisches Handwerk“ wider. Jabloner würdigte den nüchternen Stil als etwas Positives, da er den „Verfassungskitsch“ mancher anderer Staaten vermeide. Dabei setzte er das B-VG in Zeitgenossenschaft zur Wiener Moderne und zog Parallelen: Auch dort waren Schnörkellosigkeit und das Funktionalistische ein eminent ästhetisches Programm. Insofern sei das B-VG als juristisches Bauwerk analog zum Loos-Haus am Michaelerplatz zu würdigen.

Elisabeth Holzleithner interpretierte die Berufung Van der Bellens auf die „Eleganz der Verfassung“ während der Regierungskrise von 2019 als „klugen Schachzug des Bundespräsidenten“, der wie ein „Sedativum“ auf die Bevölkerung gewirkt habe. Tatsächlich hatte Van der Bellen in dieser heiklen politischen Situation juristisches Neuland betreten und dabei großes politisches Geschick bewiesen. Hintergrund ist die Verfassungsnovelle von 1929, die lange Zeit hindurch als eine bloß theoretische Option betrachtet wurde, obwohl sie dem Staatsoberhaupt weitreichende Befugnisse einräumte. Heinz Fischer verwies relativierend darauf, dass gerade die späte-

ren Novellierungen der Verfassung „nicht immer mit größter Eleganz und Kunst der Gesetzestechne“ erfolgt seien.

Dem ästhetischen Aspekt setzte Christoph Grabenwarter die Rechtstechnik praktischer Juristenarbeit kontextualisierend gegenüber. Denn interessanterweise handelt es sich beim B-VG um eine – auch im weltweiten Vergleich – außerordentlich oft abgeänderte Verfassung, wie beispielsweise die österreichischen VerfassungsrechtlerInnen Ewald Wiederin oder Anna Gamper herausgearbeitet haben: Allein die Stammurkunde ist nahezu einhundert Mal novelliert worden. Hinzu kommen an die 100 Bundesverfassungsgesetze zuzüglich weiterer Verfassungsbestimmungen in Bundesgesetzen, ferner Staatsverträge im Verfassungsrang usw. Die Verfassung ist demnach ausgesprochen fragmentiert und unübersichtlich – und zwar selbst dann, wenn man das Europarecht mit seiner stetig steigenden Relevanz außer Acht lässt. Grabenwarter relativierte das in Hinblick auf vergleichbar komplizierte Passagen des deutschen Grundgesetzes und behauptete, Juristen hätten „kein Problem mit der Verstreutheit der Vorschriften“ (das Lachen im Saal-Publikum indizierte möglicherweise freundlichen Widerspruch). Erst recht verteidigte Grabenwarter die Brauchbarkeit der in die Jahre gekommenen Grundrechte von 1867 in Hinblick auf den raschen technischen und gesellschaftlichen Wandel: So wurde die Einführung der Überwachungssoftware „Bundestrojaner“ als Teil des türkis-blauen Sicherheitspakets vom Verfassungsgerichtshof 2019 gekippt, nachdem bei der Prüfung das Hausrecht aus den 1860er Jahren sehr erfolgreich herangezogen wurde. Da klang eine juristische Zuversicht durch, den multiplen Herausforderungen der Gegenwart, die von Datenschutz und Digitalisierung bis hin zu Klimawandel und Terrorismusbekämpfung reichen, mit den bestehenden Rechtstexten gut und angemessen begegnen zu können.

Erfrischend uneinig war sich das Podium bei der Abwägung von Chancen und Risiken einer möglichen Novellierung des B-VG und der Verabschiedung eines neuen Grundrechtskatalogs: Clemens Jabloner betonte, dass die jahrzehntelange Rechtsprechung einen hervorragenden Grundrechtsschutz entwickelt habe und die Gefahr bestehe, einen wohl erworbenen Fundus an juristischer Sicherheit durch die Zugabe eines „Weichmittels“ zu verlieren. Die Einbeziehung der Menschenwürde beispielsweise sei ein Risiko, da sich Rechte und Linke „völlig Unterschiedliches“ darunter vorstellten. Auch Holzleithner pflichtete dem bei: Eine Neu-Kodifikation könnte Standards erhöhen, aber in der derzeitigen politischen Situation – etwa bei Grundrechten auf Asyl und persönliche Freiheit (Stichwort: Sicherungshaft) – auch absenken.

Klar positionierte sich Jabloner auch, was das Spannungsverhältnis zwischen Recht und Politik angeht und die Frage, inwieweit strittige gesellschaftspolitische Themen verfassungsrechtlich geregelt werden sol-

len. Er sei grundsätzlich gegen eine weitere Konstitutionalisierung der österreichischen Rechtsordnung, da der Spielraum des Gesetzgebers gewahrt bleiben müsse. Obwohl es immer um politische Themen gehe, sei die Verfassungsgerichtsbarkeit kein politisches, sondern ein justizielles Organ, so Jabloner. Demgegenüber reklamierte Elisabeth Holzleithner für die österreichische Verfassungskultur eine „echte Pflege“ des Prinzips der Gewaltenteilung. Ferner wünschte sie sich einen Gesetzgeber, der mit großer Aufmerksamkeit und getragen von einem Rechtsethos vorgeht, das nicht zynisch Spielräume auslotet, dabei bewusst „massiv in verfassungsrechtliche Problematiken hineinschrammt“ und bloß warte, dass Menschen klagend dagegen vorgehen. Zu diesem Zeitpunkt konnte Holzleithner noch nicht wissen, dass viele der im Frühjahr 2020 verhängten Corona-Maßnahmen nicht verfassungskonform waren und vom VfGH in weiterer Folge gekippt wurden.

Österreich könne aus seiner eigenen Geschichte und den bedenklichen (verfassungs)politischen Entwicklungen in Polen und Ungarn gut lernen, meinte Christoph Grabenwarter. Gleichwohl stelle sich die Frage, wie man eine Verfassung im Sinne des Modewortes „Resilienz“ kräftigen könne. Die Organe, die sie anwenden, seien sich jedenfalls der Fragilität bewusst und könnten Angriffe im Keim ersticken. Eine „Impfung gegen Neu-Viren“ sei hilfreich, so Grabenwarter, um das Verfassungsrecht vor möglichen autoritären Manövern zu schützen. Nach den darauffolgenden Monaten der Corona-Pandemie und den damit einhergehenden verfassungsrechtlichen Herausforderungen sollte dieser Satz seherische Qualitäten jenseits des Juristischen bekommen. <

## In guter Verfassung? 100 Jahre Bundes- Verfassungsgesetz

Podiumsdiskussion am  
4. März 2020 mit:

**Heinz Fischer**  
österreichischer Bundespräsident  
a.D. (2004–2016); ehem. Wissen-  
schaftsminister und Nationalrats-  
abgeordneter sowie Präsident des  
österreichischen Nationalrates; seit  
2017 Präsident des IWM

**Christoph Grabenwarter**  
Präsident des Verfassungsgerichts-  
hofes; Professor für Öffentliches  
Recht, Wirtschaftsrecht und Völker-  
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**Elisabeth Holzleithner**  
Professorin für Rechtsphilosophie  
und Legal Gender Studies, Rechts-  
wissenschaftliche Fakultät der Uni-  
versität Wien. Sprecherin der For-  
schungsplattform Gender: Ambi-  
valent In\_Visibilities (GAIN)

**Clemens Jabloner**  
ehem. Vizekanzler und Präsident  
des österreichischen Verwaltungs-  
gerichtshofs; Professor für Rechts-  
theorie, Rechtswissenschaftliche  
Fakultät der Universität Wien

**Miloš Vec** (Moderation)  
Professor für Europäische Rechts-  
und Verfassungsgeschichte, Rechts-  
wissenschaftliche Fakultät der  
Universität Wien; IWM Permanent  
Fellow

Ein Video der Veranstaltung ist  
verfügbar auf: [www.youtube.com/  
IWMVienna](https://www.youtube.com/IWMVienna)

# Vor 30 Jahren erschien die erste Ausgabe der Zeitschrift Transit – Europäische Revue

VON KLAUS NELLEN

Berlin, November 1989.  
Aus Chris Niedenthals Photoessay  
in *Transit* 38 zum 20. Jahrestag  
des Falls der Berliner Mauer.



Nicht lange nach der Gründung des Instituts für die Wissenschaften vom Menschen (IWM) im Jahr 1982 begannen wir von einer eigenen Zeitschrift zu träumen, die ihre Leserinnen und Leser daran erinnern würde, dass die in Jalta beschlossene Teilung des Kontinents künstlich war und der „Osten“ nie aufgehört hatte, ein Teil Europas zu sein. Der Gründungsidee des Instituts folgend wollten wir dazu beitragen, Stimmen von jenseits des Eisernen Vorhangs vernehmbar zu machen, vor langer Zeit unterbrochene intellektuelle Verbindungen wiederzubeleben und neue Diskussionen zu initiieren, für die es noch kein Forum gab. Nach zahlreichen Gesprächen mit Freunden aus Ost und West konkretisierte sich das Projekt im September 1987 unter dem Arbeitstitel *Polis*. Es sollte dann noch eine Weile dauern, bis sich ein Förderer und ein Verlag gefunden hatten. 1988 gab das *Central and East European Publishing Project* grünes Licht für die Anschubfinanzierung der Zeitschrift, und im November 1989 erklärte sich Dorothea Rein von der *Neuen Kritik* bereit, sie zu verlegen. Und nicht zuletzt erhielt die Zeitschrift nun ihren programmatischen Namen: *Transit – Europäische Revue*. Die Vorbereitungen für die erste Ausgabe hatten schon Anfang 1989 begonnen, doch sie wurden vom unverhofften Ende des Eisernen Vorhangs überholt. Gleichzeitig eröffnete sich damit die Chance, unmittelbar auf den Zusammenbruch der alten Weltordnung und das Ende der Teilung Europas zu reagieren. Im Sommer 1990 organisierte das IWM unter dem Titel „Central Europe on Its Way to Democracy“ eine große Konferenz, auf

der die neue politische Elite der ehemaligen Satellitenstaaten mit Gelehrten und Intellektuellen aus West und Ost über die Strategien des Übergang zu Demokratie und Marktwirtschaft diskutierte. Das erste Heft von *Transit* präsentierte dann im November 1990 – vor 30 Jahren – Ausschnitte aus dieser Konferenz und einschlägige Essays von u.a. Timothy Garton Ash, Ralf Dahrendorf, François Furet, Andrew Arato, Jacques Rupnik, Zoran Djindjic, Adam Michnik und György Dalos.

Fortan setzte sich *Transit* mit den neuen Herausforderungen für den alten Kontinent auseinander: Das Ende des Kalten Krieges und der bipolaren Weltordnung, die Wege und Umwege der neuen Demokratien, die beschleunigte Globalisierung und die Erweiterung der Europäischen Union sollten Europa tiefgreifend verändern. Zugleich hatte die lange Teilung Europas Unterschiede in den Erfahrungen, Sehweisen und Werten hervorgebracht, die mit der Wiedervereinigung nicht verschwanden. Diesen Differenzen Rechnung tragend hat sich die *Europäische Revue* als Medium für die Selbstverständigung der Europäerinnen und Europäer über ihre gemeinsame Geschichte und Zukunft verstanden.

Die Zeitschrift war untrennbar mit der Arbeit des Instituts verbunden, an dem sie herausgegeben wurde. Nicht wenige der dort im Laufe der Jahre von den Fellows verfolgten Forschungsprojekte sollten einen Paradigmenwechsel in ihrem Feld einleiten. All dies lässt sich in *Transit* (und seiner digitalen Schwester *Tr@nsit\_online*) nachverfolgen. Neben den Transformationsprozessen Europas gehörten zu den Themen,

die von den Autorinnen und Autoren verschiedenster Herkunft und Überzeugung (und oft der Zeit voraus) erörtert wurden: Ungleichheit und Solidarität, der Ort der Religion in der säkularisierten Gesellschaft, die Neuschreibung der Geschichte des Zweiten Weltkriegs und Nachkriegseuropas, Kunst und Politik, die Zukunft der Demokratie in Zeiten des zunehmenden Illiberalismus.

2017 verabschiedete sich *Transit* mit dem 50. Heft von seinen Leserinnen und Lesern. Unter dem Titel „Ein Zeitalter wird besichtigt“ lud die *Europäische Revue* ihre langjährigen Beitragenden zu einem Rückblick auf eine Epoche ein, in der die Welt ihr Gesicht verändert hat. Inzwischen schien sich ein neuerlicher Wandel abzuzeichnen. Wohin er steuert, ist bis heute offen. Was aber bleibt, sind die Neugier und Denkanstrengung, mit denen am IWM die politischen und gesellschaftlichen Entwicklungen unserer Zeit verfolgt werden. <

Klaus Nellen ist emeritiertes Mitglied des IWM und Mitbegründer der Zeitschrift *Transit – Europäische Revue*, deren verantwortlicher Redakteur er war.

## Transit Europäische Revue



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# Understanding Illiberal Democracy in Eastern Europe

BY VENELIN I. GANEV

*In the last decade various East European democracies were afflicted by symptoms of democratic deterioration. In this article, Venelin I. Ganey provides an analytical interpretation of this backsliding and makes a plea for intellectual alertness.*

The emergence of illiberal democracies in various parts of the world is not a new political phenomenon. The fact that in some countries elections are relatively free and fair while liberal principles and practices are disregarded has attracted attention since at least the 1990s. The publication of Fareed Zakaria's article on "The Rise of Illiberal Democracy" in *Foreign Affairs* in 1997 arguably marked the moment when the conversation about this regime type became part of mainstream debates about the multiple and unpredictable metamorphoses of modern democratic governance.

Does that mean that those who want to understand what has been happening in Eastern Europe over the last decade have recourse to a ready-made interpretative framework? Are the political realities that began to materialize after the eastward expansion of the European Union easily subsumable under it? Can a conversation that initially revolved around the likes of Alberto Fujimori's Peru and Boris Yeltsin's Russia be brought to bear on discussions of Viktor Orbán's Hungary and Jarosław Kaczyński's Poland?

My answer to these questions is a resounding no. The arguments crafted to explain the rise of illiberal democracies in the 1990s are largely irrelevant in the context of the expanded European Union. It is therefore imperative that explorations of liberal democracy's regress in the region display intellectual alertness. This means willingness to resist the temptation to deploy available narratives and ground conclusions in direct comparisons with historically well-known cases. It also means readiness to recognize the novelty of current developments in some of the European Union's newer members and to face head-on the fresh analytical challenges to which they give rise.

## Democratic backsliding

The most important thing intellectually alert observers are bound to notice is that the political dynamics that produced illiberal democracy in the 1990s and in the 2010s are markedly different. What transpired in the former case might be described as incomplete democratization. Democratization was real: multiple parties were allowed to compete and votes were more or less accurately counted. However, liberalization was halting, restricted, and reversible: liberal practices were nev-

er really integrated into the modus operandi of freshly democratized polities. What has happened in the latter case is different: democratic backsliding, or the aggressive undermining of already consolidated liberal-democratic regimes.

By the late 2000s, after the former Soviet satellites in Eastern Europe had joined the European Union, the majority of knowledgeable scholars and political commentators (including Zakaria, who in his 1997 article described Poland and Hungary as successful democratizers) embraced the idea that they had become consolidated democracies. To be sure, their democracies were far from perfect: they fell short of what a flawless liberal democracy should look like, but the same applies to any "Western" political regime as well.

This contention has always elicited skepticism in some circles, particularly among cultural determinists who dogmatically believe that efforts to establish liberal-democratic regimes stand no chance of succeeding outside of "the West." The prominent Polish legal scholar Wojciech Sadurski proffers the most persuasive rebuttal to those who insist that recent developments in Eastern Europe simply demonstrate that its peoples are civilizationally incapable of sustaining liberal-democratic governance. Democracy's troubles in his native land, he asserts, should be assessed not against the background of abstract normative ideals but "against the baseline of high democratic standards achieved in the recent past."<sup>1</sup> And these standards were high, indeed: robust judicial review, more or less reliable protection of individual and minority rights, and thoroughgoing pluralization of the public sphere and the national media.

What this vantage point allows us to grasp is that today certain East European democracies are illiberal not because their liberal components never materialized, but because these

components were forcefully amputated from their body politic.

This fact has important ramifications.

## Proximal causes and societal changes

To begin with, it brings into a sharp relief the fallacy of explanations that link East European democracies' present-day travails to various kinds of *longues durées*, e.g. the persistent illiberalism of local po-

Second, analyses of democracy's transmogrifications in Eastern Europe should feature a more pronounced sociological dimension. The rise of illiberal democracies in the 1990s could be construed as the outcome of societal changes that were limited in scope: in countries like Russia and Zambia there was no major realignment of reigning factions and major social constituencies because in the aftermath of political upheavals dominant coalitions were able to reassert themselves at the elite and mass levels. These coalitions were able to stem the momentum of democratic change, to reject demands for a more radical departure from the status quo, and to restrict political reforms to the opening up of a space for electoral competition. In contrast, what we are confronted with in Eastern Europe is a significant realignment of elite cliques and societal forces—a process that made possible a radical revamping of the status quo.

That is why we need to explore the social basis of the revamping: why is it that coalitions of various constituencies backed illiberal projects, and why do pluralities of voters cast ballots for illiberal elites? In the 1990s such questions were not deemed to be relevant; today their importance cannot be overestimated. The process of backsliding in Eastern Europe is marked by dynamism, vigor, and a release of psychic and cultural energies. We need to understand the multidimensional environment that facilitated this process: which groups support it, why they support it, and the matrix of social meanings and imaginaries that shape their choices.

Finally, today some East European leaders proudly announce that what they are working towards is, indeed, the establishment of regimes that are democratic and illiberal. While the existence of illiberal democracy is not unprecedented, this is. The "strongmen" of the 1990s claimed that their ultimate objective was to establish an authenti-

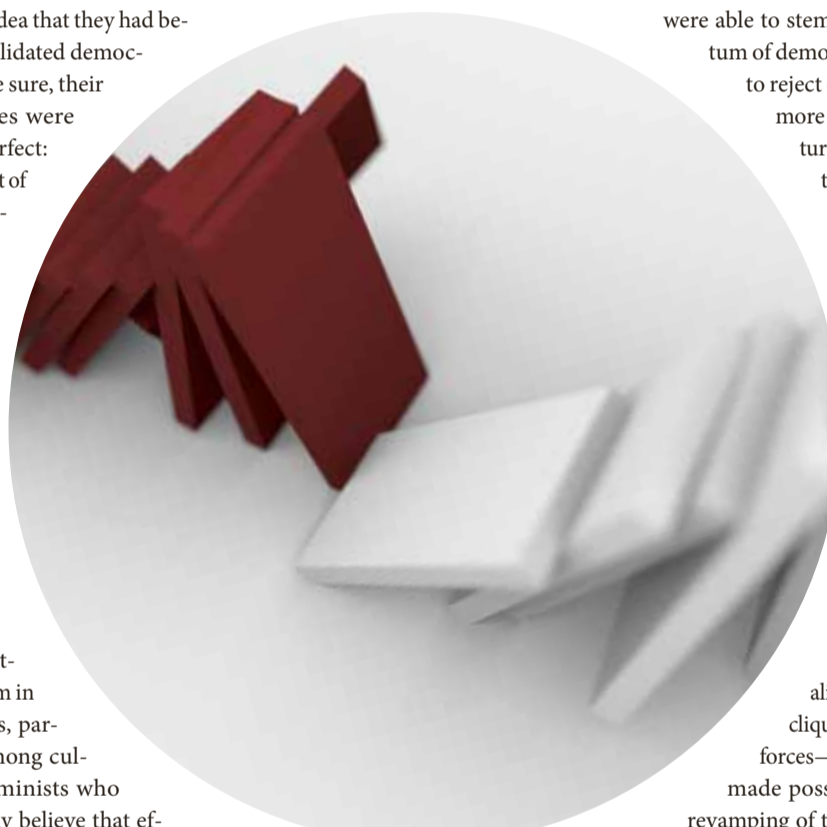
cally Western-type system. To the charge that what was emerging under their rule was illiberal democracy they responded that any differences between the original Western model and their own political regimes were due to the inescapable fact that the model had to be adjusted to local circumstances. Put differently, in the 1990s local opposition activists and foreign observers maintained that illiberal democracy did exist but ruling cliques insisted that it did not: everyone, including authoritarian rulers, aspired to be a liberal democrat.

In contemporary Eastern Europe the ideological climate is very different for what it was two decades ago. While experts such as Jan-Werner Müller and Janos Kornai might insist that the term "illiberal democracy" is an oxymoron (or, as Kornai put it, that the term "illiberal democracy" makes as much sense as the notion of "an atheistic Pope"), electorally successful leaders such as Orbán defiantly retort: "illiberal democracy does exist—and I created it!" Arguably, the future of illiberal democracy as a political project depends on its champions' rhetorical ability to draw the opposition between democracy and liberalism as sharply as possible, and then to convince domestic and international audiences that what they are doing is not only illiberal but also reflective of the will of the people and therefore democratic. The notion of a democracy stripped of its liberal ornaments has been used to boost the electoral appeal of powerful political players, to legitimate a particular style of governing, and to justify various institutional and policy experiments.

To describe recent developments in Eastern Europe as unique would be an exaggeration, but they follow unfamiliar scripts and do not fit neatly into an existing interpretative framework. We should therefore expect that persuasive analyses of democratic backsliding would eventually be produced only by scholars willing to stay intellectually alert when confronted with the troubling but also novel patterns of change that have been sweeping across the region. <

<sup>1</sup> Wojciech Sadurski: *Poland's Constitutional Breakdown*, Oxford University Press, 2019.

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# Is There an End in Sight in Bulgaria?

BY DIMITAR BECHEV

*Bulgarians have been protesting now for over 100 days. Daily rallies in Sofia and other cities are calling for the resignation of Prime Minister Boyko Borissov and Prosecutor General Ivan Geshev. Issues, such as the reform of the country's judiciary, once the preserve of a handful of experts and NGOs, are now center-stage.*



People gather to protest against the only nominee for Bulgaria's chief prosecutor Ivan Geshev on October 23, 2019.

Photo: NIKOLAY DOYCHINOV / AFP / picturedesk.com

International media that paid little heed to Bulgaria before the outbreak of protests is now taking note—so much so, in fact, that an MP from the governing Citizens for European Development of Bulgaria (GERB, meaning “coat of arms”) accused Western outlets of being on the payroll of unnamed Bulgarian backroom operators determined to topple Borisov.

Will the protests make a difference this time? Sceptics have their doubts. After all, Bulgaria saw more than a year of demonstrations between June 2013 and July 2014 to demand clean government. But the then cabinet, led by financier Plamen Oresharski, stepped down not because of street pressure but as a result of a rift between the Bulgarian Socialist Party (BSP) and its coalition partner Movement of Rights and Freedoms (MRF). In effect, MRF and oligarch Delyan Peevski, the party's figure head whose appointment as head of the national security agency had spurred the protests in the first instance, abandoned his post and handed power to Borisov. Change at the top cemented the status quo, to the frustration of all

those who marched—day in, day out—on downtown Sofia's famed yellow cobblestones. The lesson of the 2013–14 protests is that Bulgaria's clientelist political system, oiled with EU money and propped up by supine media and compromised magistrates, is resilient.

Borisov's survival in the forthcoming regular elections, to take place in March, is ultimately of secondary importance. What truly matters is whether the protests provide the impetus for root-and-branch reforms that would overhaul the Prosecutor General's office. The sweeping powers invested in the institution, a relic from Bulgaria's Stalinist-era constitution, undermine democracy and the rule of law. Each serving a seven-year term, successive Prosecutors General have shown a penchant for meddling in day-to-day politics, providing protection to friends, and unleashing punishment on rivals and critics. He (there's never been a female incumbent) is essential to the functioning of the rent-seeking networks running Bulgaria over the past three decades. Yet, accountability is lacking. As pointed out by the European Commission, there is no legal

mechanism to investigate and hold accountable the Prosecutor General. If three-fourths of the MPs in the next parliament are prepared to vote for changes to the Constitution that would remedy the situation, that will be a critical litmus test of where Bulgaria is headed.

Of course, the best-case scenario may not necessarily materialize. There is a good chance that the elections will return to power an enfeebled GERB, with a slight edge over the Socialists. Ever the shrewd political operator, Borisov could patch together a new coalition. Polls suggest that the new parliament will be fragmented with 6–7 parties making it past the 4% threshold. A populist force set up by TV host and musician Slavi Trifonov is likely to do very well and expected to come in third. Though Trifonov has thrown his weight behind the protests, many fear that he could cut a deal with Borisov and replace the far-right Untied Patriots in the cabinet. In this scenario, GERB, which enjoys support from MRF (formally in opposition), would receive a new lease on life and kick the proverbial can of institutional reform down the road. Prosecutor General

Ivan Geshev would survive, as well, and the protests would likely fizzle out—for a time, at least.

The silver lining is that Democratic Bulgaria (DA), a coalition pushing for the rule of law, is certain to make a strong showing in the elections. DA's leader Hristo Ivanov triggered the protests and will likely be a beneficiary of the popular discontent he helped unleash. Given that, in 2017, the coalition's constituent parties failed to enter parliament after running on separate tickets, they could garner up to a 10% share of the vote this time around, which would be an unqualified success. But much depends on whether DA succeeds in using its newly acquired strength to set a new agenda and promote reforms in the next legislature. That will not be an easy feat to accomplish, especially from the opposition benches.

The protests have provided an opportunity for some soul searching on the part of the left. Traditionally, BSP has subscribed to a socially conservative and nationalist agenda, catering to their elderly base that venerates the good old days before 1989 and holds Vladimir Putin in

cult status. In many ways, the party has given Borisov the best opponent he could hope for. President Rumen Radev, originally nominated by the Socialists, has shifted the focus to corruption and state capture and backed the protest. BSP, with as many skeletons in its closet as GERB, should pay close attention.

For better or worse, civic protest has become a standard feature of Bulgarian political life. The reasons are easy to grasp. Street action is the only option left when regular mechanisms of accountability, including parliament, the courts and the media, prove dysfunctional. Hopefully, Bulgaria will go—if belatedly—through a reform wave. If not, frustration will start building anew and, sooner or later, protests will be back with vengeance. <

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# Putin's Aging Regime Gets Heavy-Handed

BY MARIA LIPMAN

*In early July, Russia's government hailed the popular vote approving the "zeroing" of Vladimir Putin's presidential terms as a triumphant demonstration of trust. But a major reshuffling of the national charter that at the time looked like an effective reconsolidation of legitimacy has been since overshadowed by multiple dramatic events. The Kremlin's grip on power still looks firm but—as grave problems pile up—the government's decision-making gets ill-considered, hasty, and heavy-handed.*

The day after the vote approving the constitutional reform including, above all, the zeroing amendment that enables Vladimir Putin to run for two more six-year terms—in 2024 and 2030—his press secretary Dmitry Peskov called it “a triumphant referendum of trust” in the Russian president. With almost 78% voting in favor of the amendments and a turnout of 65%, the results were indeed impressive. Whether they can be trusted is another matter. Kremlin critics claimed that the unorthodox, weeklong voting process facilitated fraud on a grand scale. They widely saw the vote as a major step in the country's authoritarian transformation.

Soon after the vote, mass public protests broke out in Khabarovsk, in the Far East, against the arrest of the local governor, Sergey Furgal, on charges of murders that had taken place some fifteen years earlier. Furgal, who had defeated a pro-Kremlin candidate in 2018, gained genuine popularity in Khabarovsk and local people obviously saw his arrest as politically motivated.

In early August, a popular uprising against President Alexander Lukashenko erupted in neighboring Belarus. As of this writing in late September, mass demonstrations and marches have lasted for seven weeks, despite brutal suppression by the police. In late August, Alexey Navalny, Russia's most prominent opposition figure, was poisoned while organizing municipal campaigns in Siberia.

Meanwhile the Russian economy has been badly affected by the Covid-19 pandemic and further aggravated by the decline of the price of oil. People's incomes have dropped and unemployment has grown.

Yet, none of those developments seems to have affected Putin's popular support. In September, 40% said they would vote for him if elections were held the following Sunday. All other political figures mentioned in the survey as potential presidential candidates gained 4% or less. “The level of citizens' loyalty to the president has barely changed in the past years,” said Levada Center Director Lev Gudkov.

Putin's current term—his “second in a row” (and his fourth altogether)—expires in 2024. The “old” constitutional norm required that he should then step down. The “specter of 2024” was thus threatening to



A woman holds a placard reading “Boycott to Putin's amendments” at a protest in Saint Petersburg on July 1, 2020.

turn Putin into a lame duck and to introduce uncertainty into the system of his personalized power that has ensured stability in Russia for two decades. The zeroing amendment enabled him to “start from scratch” and run again for two more six-year terms.

Putin's approval and support ratings assure him of the unconditional loyalty of the Russian elites, and they serve as a major pillar of the Kremlin's political regime. For that reason, the Kremlin administration, state-controlled national television, and, of course, Putin himself constantly work on maintaining his image as a source of all good things for citizens.

Since the coronavirus lockdown, concerns about incomes and jobs had pushed the issue of the amendments to the background, and motivating people to turn out to vote for the constitutional reform was a tall order. The government launched an intense campaign for the constitutional amendments; members of the opposition who called for people to vote against them or to boycott the vote were harassed.

The vote itself was a staggering accumulation of lawless tricks. Despite there being 206 individual changes, the ballot included just one question: “Do you approve of the changes to the constitution?” In an unprecedented arrangement, the casting of votes lasted for a whole week. Improvised polling sites were established in the most improbable places, such as car boots or tree stumps. Independent observers were denied access to the polling stations, which opened the way for large-scale vote rigging.

In a television interview Putin said that he would not rule out running for president in 2024, pointing out that the zeroing amendment was needed to prevent “eyes from drifting around hunting for successors.” Putin's “new legitimacy” may therefore be described as a codification of his informal status as Russia's lifelong leader with no alternative.

Putin's electoral base is still broad, but for a few months in spring and summer pollsters have registered growing public discontent. On top of economic grievances, arguably mostly related to the pandemic, Putin's policies deepen the alienation of those beyond his base—especially the younger, more entrepreneurial and energetic urban constituencies that draw on the Internet and social networks rather than state television as their source of information.

The opponents of Putin's regime are not a marginal group. According to Denis Volkov of the Levada Center, they are only slightly less numerous than his supporters, with a sizable share of the population not leaning one way or another. For the time being, however, the Kremlin may benefit from opponents being “fragmented and disoriented.” There is no anti-Putin bloc and no alternative to Putin in sight.

The vote on the constitutional amendments came as a demonstration that Putin's administration was still capable of mobilizing substantial support and can get away with egregious manipulations. The Kremlin demonstrated this again on September 13 when regional and municipal elections were held in many different regions. Thanks to a variety

of tricks and rigging, all Kremlin-supported gubernatorial candidates (most of them incumbents) won their regional races; local legislatures remained securely dominated by pro-Kremlin forces. Opposition candidates (some of them members of Navalny's team) managed to win a few municipal races. The Kremlin put up with it. The municipal level is likely deemed by the Kremlin handlers as not very important and not worth the trouble of rough interference at the risk of causing public discontent.

Many in Russia are undoubtedly aware that elections are manipulative and often fraudulent, but they apparently accept this as a fact of life. According to public opinion polls, major concerns include rising prices, growing unemployment, and impoverishment. Difficult economic situations habitually push people toward focusing on their families' livelihood. Politics is of little interest, if any, to the people, and it is not seen as a means they can use to make their lives better. The country is vast and social solidarity is generally limited to local causes: where street protests are staged, they are almost always confined to a single locality.

Sympathy for the nationwide popular uprising in Belarus has been low. In a recent poll, Russians sympathizing with the protesters were outnumbered by those who supported President Lukashenko; only one in four took a negative view of the brutal treatment of the protesters by the police. (However, support for the Belarus protests and condemnation of police brutality is much more common among younger Russians and those who prefer the Internet and social networks to television news. But, at least for now, these critically minded constituencies do not show interest in political organization or engagement.)

One can see sympathy for Alexey Navalny and outrage over his poisoning on social networks, but there are no public demonstrations of this sentiment. One reason for people's inaction is the government's increasingly repressive policy toward unwell-

come political activism, but public perception in general is characterized by political apathy and distrust of troublemakers. Clinging to even a declining status quo appears to be more attractive than the prospect of political uncertainty or turmoil. This attitude seems to be shared by the public and the elites.

The Kremlin, however, looks anything but relaxed. The government's response to Navalny's poisoning demonstrates an abrupt change of policy. For many years Navalny—the Kremlin's most vocal and fearless critic—was harassed, physically attacked, and repeatedly put under administrative arrests, but the Kremlin apparently preferred to leave him at large rather than locked up and potentially turned into a martyr. Whoever was behind the attempt on Navalny's life, the establishment's response deepens the suspicion that it was masterminded in the Kremlin. The government flatly refused to open an investigation of his poisoning. Various officials have come up with absurd and contradictory versions, including a theory that Navalny poisoned himself. Members of the establishment showed no sympathy for him; instead political loyalists and state television hosts have sought to humiliate and discredit him.

Mark Galeotti, an insightful observer of Russian politics, points to a “change of the Putin paradigm,” a shift toward more heavy-handed, hasty, and rough decision-making. The government's response to Navalny's poisoning is one example. Others include brazen violations of the electoral procedure, as well as Putin's unambiguous political and financial support of President Lukashenko, whose situation appears precarious and whose legitimacy has not been recognized by many world leaders.

Putin's regime increasingly looks like an aging autocracy: intolerant of critics and increasingly relying on the use of force, and making rushed and ill-conceived decisions. It may hold sway over the apathetic public and the fawning elites, but it is inevitably becoming a danger to itself. <

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# The Festival Age: Origins of a Phenomenon

BY YURI ANDRUKHOVYCH

*It's not long now until August 2021, when independent Ukraine will turn 30. This anniversary is an ideal moment to draw some preliminary conclusions. Yuri Andrukhovych provides an overview of the key shapes that alternative culture (or informality) has taken over the past three decades, to assess whether the Ukraine's cultural space is moving away from a post-Soviet towards a European one.*



Ukrainian Band  
"Braty Gadiukiny"  
at the Chervona Ruta  
Festival in 1991.

Photo: UKinform

This anniversary is an opportunity to try to arrive at a comprehensive picture of recent Ukrainian cultural processes, above all the unofficial, non-traditional, unconventional ones. Starting by dividing this time up into different periods will help us make sense of distinctive tendencies: what can change in contemporary culture and what is indeed changing—as well as what cannot and is not.

At first glance, Ukraine's thirty years of independence can be easily split into three periods:

- 1) 1991–2004: slow and “concealed” maturation;
- 2) 2004–2014: intensified cultural conflict;
- 3) 2014–present, and still ongoing: filling in the institutional gaps that opened up during the previous periods, “working on our mistakes.”

The first period could also be divided in two, with the caesura in 2000–2001 with the mass political movement “Ukraine without Kuchma,” a sort of prequel to the Orange Revolution. Overall, there's an obvious link to revolution in my periods: the first and second periods end in revolution (2004 and 2014). We still don't know how the third period will end, but we would be entirely justified in surmising that to some extent, cultural processes and phenomena paved the way for

both revolutions (the Orange Revolution and EuroMaidan).

But this model, I want to reiterate, is simply my jumping-off point, which is crying out to be given more nuance. And that's what I will now try to do.

## A beginning—but not in 1991.

What the accepted model says began in 1991, the year Ukraine left the Soviet Union, should really be traced back to 1989. It was in that year that several key cultural events took place, each of which can be considered a manifestation of a new alternative culture. I'll only mention two of these events: one superficially, and one—given my own personal participation in it—in greater detail.

Characteristically, neither of these events took place in Kyiv, even although the capital did have something to offer by that time—for example, the now-legendary Kyiv Rock Club with its mainly post-punk non-conformist groups (a phenomenon that I will explore further in my future research).

Music and poetry were at the forefront; their audiences largely coincided, forming a symbiotic whole. This gave rise to the “first festival of Ukrainian youth music” with its telling name, Chervona Ruta (September 17–24, 1989, in Chernivtsi).<sup>1</sup> The festival was an unexpectedly success-

ful break with the stagnant mental atmosphere of late Soviet Ukraine. Overcoming systematic sabotage by the local authorities and fierce resistance by the KGB and police, sanctioned by Kyiv, the organizers, participants and audience achieved the impossible. Not only did the festival take place—which itself was a certain success, given the prevailing political conditions—but it radically transformed many contemporaries' conceptions of what Ukrainian music and poetry could be. It also brought “cassette culture”<sup>2</sup> and dozens of new names, previously totally unknown, into Ukrainians' daily lives.

Young people, students above all, offered the rest of society a different way of life, of listening, of making music, of dressing, of political engagement. It was a little bit like Paris in 1968, a little bit like Woodstock: a postmodern replica from Ukraine.

## “Impreza.” Magic.

In October and November of the same year, in a different west Ukrainian city, Ivano-Frankivsk (which I'll refer to as Fra), an event took place that coincided with several truly historic developments in Eastern Europe, the collapse of the Berlin Wall in particular.

In Fra we tore the wall down in our own way: the “Impreza First

International Biennial of Contemporary Art.” It was the crazy invention of four people, including myself, none of whom had the kind of official status to bring this sort of biennial to life. We were outsiders and dreamers, or as the curators working within the party system dismissively referred to us, “coffeehouse bohemians.” We dreamed up Impreza in the early spring, while we were indeed sitting in various coffeehouses, and sometimes in basements or attics, where artists usually have their studios. We imagined the most cutting-edge examples of contemporary art (painting, graphic arts, sculpture, mixed media) suddenly descending on our chronically musty city—and we would organize a huge exhibition, inviting the whole world to be our guests.

I should explain something. During Soviet times, Fra was closed to all foreigners because of several secret factories that produced things for the military and the space industry. It was like a zone within the Zone. Even given how closed the Soviet Union was in general, we were further consigned to living within one of its most closed-off corners.

Throughout the spring we gathered in cafés and fantasized about how we could change that. In other words, how to open up the city. The fact that we had even begun to fantasize about something that until recently had been a not totally safe subject was clearly a consequence of a radical change in society's mood. The name of that change was perestroika, and to this day I don't know who we most have to thank for it: Gorbachev? No, anyone but him. The dissidents? Rock and roll?

Let's go with that: I'll give half the credit to the dissidents, who by that time had all returned from the camps and from internal exile (all those who survived, I should say). The other half I'll give to rock and roll, which started to wake Ukraine up from its slumber.

1989 was a magical year. The impossible took form. Let's put it like this: in the spring, several idealistic “representatives of the underground” dream up an unrealizable international art event. And within just a few months, in November, it becomes reality! Several hundred artists from 43 countries (I still remember that astonishing number) take part. Our whole city, closed and gray, starts to live off of contemporary art. Throngs of visitors, the first television cameras, a carnival

atmosphere and the sense that victory was close at hand—that's what those days were like.

One of those carnivalesque nights, after a performance a huge group of us gathered in the Ukraina hotel. Today it's called Nadiia, “hope,” and that's exactly what it should have been called from that night on. It was practically bursting with hope, at least in our overflowing room. We drank, smoked, shouted, and laughed loudly. And at that moment someone heard, and someone repeated, and someone overheard—a classic chain reaction: in East Berlin they've started opening the checkpoints. The wall was shaking and tumbling down.

We greeted this news with an utterly unrestrained and joyful roar. It was as if we had been released from prison into the world.

## To be continued

In both cases, Chervona Ruta and Impreza, one of the key notions was that of the carnival. Mikhail Bakhtin's theory encountered the practice of postmodern velvet revolution. I had read up on the theory in Moscow, when I was studying Bakhtin's work on François Rabelais and the culture of laughter in late medieval Europe. The practice called out from every rally and procession in late Soviet Ukraine. Politics became a part of culture (especially the counterculture), and culture (especially the counterculture) became a part of politics.

The following year in Lviv was the first Vyyvkh (“dislocation”), a festival of alternative culture, which was the apogee and, as Bakhtin would put it, the quintessence of the carnival and the so-called festival age. The second and, unfortunately, final Vyyvkh in 1992 marked its end. But that's a subject for another day. <

Translation by Katherine Younger.

- 1) Referring to a flowering plant from the Carpathians, Chervona Ruta was the title of a wildly popular song (that remains so to this day) from 1970 with music and lyrics by Volodymyr Ivasiuk (1949–1979), the first example of the “Carpathian folk-beat” genre. The song is essentially the beginning of Ukrainian pop music.
- 2) The diverse alternative cultural scene was spread using cassette tapes usually with unpublished music.

Yuri Andrukhovych, co-founder of the Bu-Ba-Bu literary performance group, is one of Ukraine's most prominent and influential poets, novelists, and essayists, whose works have been translated in many languages. In 2021 he will be a Visiting Fellow of IWM's *Ukraine in European Dialogue* program.

# Chronicle from Belarus

BY MARCI SHORE

On August 4, I got a text message from my friend, and former IWM Visiting Fellow, Sławomir Sierakowski. He was on his way from Warsaw to Belarus, where a presidential election was scheduled for Sunday August 9. By email I introduced Sławomir to Olga Shparaga, a philosopher in Minsk who had several times been a guest of IWM's Jan Patočka program. It was summer; I imagined socially distanced conversations about phenomenology, Hannah Arendt, and feminism in outdoor cafes.

Elections had long been merely pro forma in post-Soviet Belarus, where Alexander Lukashenko has ruled for more than a quarter-century. In May Sergei Tikhanovskii, an oppositionist YouTube blogger, announced that he intended to compete for the presidency. Lukashenko soon after had him imprisoned.

In July Svetlana Tikhanovskaia, Tikhanovskii's wife and the mother of their two young children, announced that she would run in Sergei's place—as a gesture of love for her husband.

Conditions were not auspicious. "Our society is not ready to vote for a woman," Lukashenko maintained. Female opposition activists had been threatened with rape—and with having their children taken away. Tikhanovskaia sent her son and daughter abroad in the care of their grandmother. Two other women joined her campaign: Veronika Tsepikalo, the wife of would-be presidential candidate Valery Tsepikalo, who had fled the country with their children, and Maria Kolesnikova, a flautist and the campaign manager of another imprisoned, would-be candidate, Viktor Barbariko. The trio of women adopted the hand gestures of a victory sign, a fist, a heart. No one plays the role of savior. There is no Yulia Timoshenko figure, no Evita Peron. Tikhanovskaia has behaved more in the spirit of Angela Merkel: unpretentious, grounded, responsible.

On the evening of August 9, Election Commission chairwoman Lidiya Yermoshina announced the results: Lukashenko had won some 80% of the vote. A joke began circulating:

*Donald Trump, nervous about his own upcoming elections, telephones Lukashenko and asks to borrow Lidiya Yermoshina. Lukashenko consents, the American elections take place. Trump, horrified, calls Lukashenko again: "Take back Yermoshina—in the US it's now 80% for Lukashenko!"*

Hundreds of thousands of Belarusians took to the streets to protest the falsified results. Tikhanovskaia was forced to leave the country, giving a statement under duress: "I suppose I've remained the same weak woman I was when I began." Veronika Tsepikalo, too, was forced to leave. Kolesnikova avoided expulsion only by tearing up her passport at the border. Since then she has been in prison.

Lukashenko has little popular support. When on August 17 he made an appearance at a state-run tractor plant in Minsk, the workers shouted at him, "Yxodu!" *Go away!* What Lukashenko does command is a large security apparatus, *silovniki* in balaclavas carrying out

est protest movement the country has ever seen—a mass mobilization in what was seemingly the most unlikely site, the most Soviet of post-Soviet places.

Why now? Olga is among those who point to Lukashenko's failure to respond to the coronavirus. Under his paternalistic dictatorship Belarus had been a repressive welfare state: individual freedoms were limited, but basic needs were met. Now the state had failed to take care of the people. The government had done nothing for them when the virus arrived, a grandmother in Minsk shouted. *We sewed our own masks!* And so not only had a social contract been broken, but civil society had also been empowered: seamstresses, grandmothers, healthcare workers had risen to the occasion.

Soon after the protests began, former *Ukraine in European Dialogue* Visiting Fellow Mykola Balaban wrote to me, introducing his friend Aliaksandr Bystryk, who was among the first to be detained and beaten. I did an interview with Aliaksander. Ludger Hagedorn and Klaus Nellen, IWM Permanent Fellows, did an interview with Olga, who had joined Tikhanovskaia's Coordination Council. Sławomir sent reports. Another friend, the Ukrainian journalist Nataliya Gumenyuk, arrived in Minsk. Sławomir and Nataliya were among the only foreign journalists present.

It was in this context that at IWM we decided to create the "Chronicle from Belarus," curating material from varied sources. Colleagues, friends and students have collected testimonies and done translations into German and English. It seemed obvious that this was something the Institute should do: IWM has a long tradition of providing a space for encounters between East and West.

Before the elections no one had anticipated that this would become a revolution penetrating all layers of society, Olga told *Die Zeit*. Shortly afterwards she was imprisoned for two weeks, where she told her interrogator about phenomenology and gender equality, and taught a philosophy course to her cellmates. In the meantime, the revolution continues. An oil painting depicting a female nude bruised from beatings has become the iconic image of an aging dictator's cruelty (see interview on this page). ◀

Marci Shore is Associate Professor of History at Yale University and a regular Visiting Fellow at the IWM.

## "We Want to

INTERVIEW WITH YANA CHERNOVA

*A nude woman in a pose reminiscent of Rembrandt's Venus lies on a red cloth. Her body is covered with abrasions, her back reveals traces of beatings. The painting Belarusian Venus, by Belarusian artist Yana Chernova, reflects on the systematic violence to which the anti-governmental protesters have been exposed since August 2020. In this interview with Lidiya Akryshora, she speaks about the need to address this violence and what motivates Belarusians to go out and protest every day in the face of it.*

**Lidiya Akryshora:** Yana, what motivated you to support the protests?

**Yana Chernova:** I often visit Minsk. Minsk is a place of strength. It is my home. That's why I could not stand idly by. Despite the fact that I live in Moscow, despite the fact that I would like to travel and live in different places, home is home, home is family. And family must be upheld and defended. After August 9<sup>th</sup>, I began to understand that I have such a huge family there—everyone finally started smiling at each other. I think there was never before such a feeling of unity and perception of people who are truly together!

**Akryshora:** Could you talk about what happened after the elections?

**Chernova:** I vaguely remember it, but a week after the election I couldn't do anything at all. But when I saw the first videos of the people from Okrestina [the street, on which the Center for Isolation of Offenders (TsIP) and Temporary Confinement Ward (IVS) are located], I poured it all out, I couldn't control it. For the first time, I cried. And that's not easy, because it's almost as if you feel everything and nothing at the same time!

**Akryshora:** Were you politically active prior to the protests?

**Chernova:** I wasn't politically active before that, but, until this summer, there wasn't a political movement like the one we have now. Everyone opposed the authorities, but it wasn't clear what we could do about it. Looking at the people I know, I feel that Belarusian society is very conscious. Today, more than ever before, they understand that the future of their country is in their hands.

**Akryshora:** Why is it, do you think, that in previous years people tolerated these circumstances rather than protest?

**Chernova:** First of all, because this year there were several decent candidates. A lot of people came out to protest, because they want to do everything they can to live in a normal country that supports them. It's one thing when you want to leave the country of your own volition, and it's something entirely different when you are forced to leave because your country is ruled by usurpers.

You know, we can no longer listen to the stories of our older, retired citizens about how, of all the fruit at the store, apples are the only thing they can afford on their pensions. This is terrible! I want my grandparents and family to live and feel happiness. I don't want this atmosphere, dominated by the fear of arrest. Today it doesn't matter whether you do something good or something bad—they can take you away in either case. That's not normal. People are simply afraid to talk, to express their opinion, to live. We want to live without fear.

**Akryshora:** And what helps you live in this kind of situation?

**Chernova:** Every single new day helps me live. It was Victor Hugo, perhaps, who cultivated this feeling in me. He is my favorite writer. *Les Misérables*, in particular, contains profound sentiments about freedom, about truth.

**Akryshora:** Why do you think older people, even those who grew up in the Soviet Union, support the protests?

**Chernova:** Among my friends and acquaintances there is not a single person who supports Lukashenko. I think even the erstwhile adherents of Lukashenko support the protests now, because they were promised—and only promised—that a better life was coming, that they would be happy. Yet, their children flee the country in search of a better life elsewhere—away from this failing economy. This kind of authoritarian regime makes a lot of promises it cannot keep.

**Akryshora:** How do you imagine the Soviet Union? What is it, in your opinion? After all, you were raised under Lukashenko's power.

**Chernova:** My attitude towards the current authorities has always been the same. I have never supported them. Now, that I am old enough, I have the right to declare my position. I was raised to cherish the idea that every person is entitled to their opinion and has a right to live freely, as long as their choices do not interfere with the lives of others. You cannot be imprisoned for that.

I imagine the Soviet Union as people living in fear. I have never felt nostalgia for that time—living



mass detentions, beatings and torture. The thirty-one-year-old poet Hanna Komar was among a group of young women taken prisoner. They stood with their faces to the wall as the *silovniki* cackled about choosing one for themselves.

On August 13, following three days of terror, tens of thousands of women, dressed in white and carrying flowers, came out into the streets. They have come out every Saturday since then. They unmask the *silovniki*, whose fear of having their faces exposed made Olga Shparaga wonder: *who was really afraid of whom here?* "Cyber-partisans" have set about virtual unmasking, using facial recognition programs to reveal identities. The seventy-three-year-old Nina Baginskaya, less than five feet tall and fearless, has become the image of a feminist revolution of a new kind. Murals around the capital depict the white-haired heroine, Belarus's "Joan of Arc," Sławomir writes.

Olga has described the revolution as more republican than national: the focus is neither on geopolitical realignment nor on national-ethnic identity. Instead the opposition calls for human rights, the rule of law, free elections. It has been the larg-



# Live and Not Be Afraid to Speak”

BY LIDIJA AKRYSHORA



The painting *Belarusian Venus*, by Belarusian artist Yana Chernova.

on food stamps, informing on one another. [...] This reminds me a lot of something else. For instance, today, you can get a text message from the ministry of internal affairs, saying: “If your neighbor participates in the protests—file a report.” This is appalling! How can you live like this in the 21<sup>st</sup> century? People are being pitted against each other. Still, the real essence of the problem lies in the fact that the authorities who lost the election refuse to leave the seat of power.

**Akryshora:** What do you think explains the phenomenon of a women’s protest in Belarus? Female strength and the role of women do draw considerable attention.

**Chernova:** At the beginning of protests, it was mostly men who were being taken away. So, what

about women? Were they just to stay home? No, they came out to protest, but their protest was strictly peaceful. No one wanted violence. We Belarusians are peaceful people, this is a fact. Everyone wants to resolve these conflicts by peaceful means. What year are we living in? Why violence if we can talk? This is nonsense. What can be more peaceful than a mom, a wife, a young woman with flowers in hand taking a stance. Her voice was “against,” but it was taken away from her. That is unjust.

**Akryshora:** How do you understand OMON [a special military unit that has been treating the protesters with particular cruelty]? How do you feel about it?

**Chernova:** There are plenty of videos and texts out there justifying the actions of OMON, explain-

ing that these are people with a militaristic mentality, who must obey orders. But in this case, I refuse to understand and accept that. It is one thing when orders are given to a soldier on a battlefield during war and an entirely different matter when you act against your own people. And why? Because someone told you that a neighbor of yours, with whom you exchange greetings every day, is a bad person? How can this be possible? It’s very difficult to understand those who exert force against their own people.

**Akryshora:** Your work *Belarusian Venus* is very moving. You also created two more paintings that take up the issue of protest—*August* and *Haematoma*. Could you share some thoughts on your creative process and the background of these art works?

**Chernova:** When I saw all those videos and everything that was happening, I was absolutely unable to cry, and I felt powerless. At that moment, I was at my friends’ place. Then I went home, took out a blank piece of paper and began working. Of course, I crumpled up my work multiple times, at first. Then, I hung it up and didn’t stop until I finished the work [the painting *August*]. This painting took me five days. I was grinding the pencils down into the paper until they turned into dust. *August* is dedicated to the people who disappeared, to the people who were killed, and to the people who are being suddenly found.

**Akryshora:** How did you come up with the idea for *Haematoma* and *Belarusian Venus*?

**Chernova:** New videos and news reports were appearing every day, so I created the painting *Haematoma*. At some point, everything came together in my head—these bodies, the assaults, the powerlessness. [...] Then a picture of an assaulted young woman—and not only that, but of violence in general—began to circulate. That’s how *Venus* was born. I prepared the canvas for about a week and worked on it for about another week. You wake up, have breakfast, and work until the sun goes down.

**Akryshora:** Did your feelings change after you finished the painting? Did the sense of powerlessness subside?

**Chernova:** I wish I had felt relieved, but it didn’t get any easier. I’ll be relieved when the violence stops. But, even then, there’s memory. Memory of the bestiality of the acts committed. Real relief would be if [a certain] someone decided to step down, for example. Other than that? ... It’s complex.

I want to use my art as a way to encourage people to look at what’s going on. It’s very painful to look at the photos and videos. People don’t want to see all of this. I wanted to depict the pain and violence through art, so we can look our fear in the eye. It is my contribution to the struggle. I am an artist. This is how I help. After all, each of us lends our support through hard work. I want to keep shedding light on the situation on the ground—and I want people to see it. <

The long version of this interview (translated from Russian by *Kamila Orlova* and edited by *Stephan Sveshnikov*) as well as Chernova’s paintings can be found at IWM’s blog *Chronicle from Belarus*.

**Yana Chernova** is a Belarusian artist from Minsk. Currently, she is finishing her senior year at the Moscow art college.

**Lidiia Akryshora** is a freelance journalist and assistant of the *Ukraine in European Dialogue* program at the Institute for Human Sciences (IWM), Vienna.

## Chronicle from Belarus

Blog including reports, witness testimonies, interviews, art works, videos on: [www.iwm.at/chronicle-from-belarus](http://www.iwm.at/chronicle-from-belarus)

# Salty: Traces of Migration, Death, and the Art of Paying Attention

BY AMADE M'CHAREK

Following the traces of bodies that in recent years went missing in the Mediterranean, forensic anthropologist and winner of the Emma Goldman Award Amade M'charek tells a story about her beach encounters along the Tunisian coast and forensics as an art of paying attention.

Standing on an unassuming hilltop outside the Tunisian coastal town of Zarzis provides one with a good view. On one side, a glistening plain, with salt mounts far away on the horizon. On the other, a landscape with a patchwork of plots where some olive trees grow. My gaze is then drawn downwards. Closer by, at the foot of the hill, are a number of strange, elongated heaps, each marked with a stone at one end. It is a burial ground for unknown drowned migrants, the final resting place of some 400 people washed ashore by the sea onto the beaches of Zarzis.

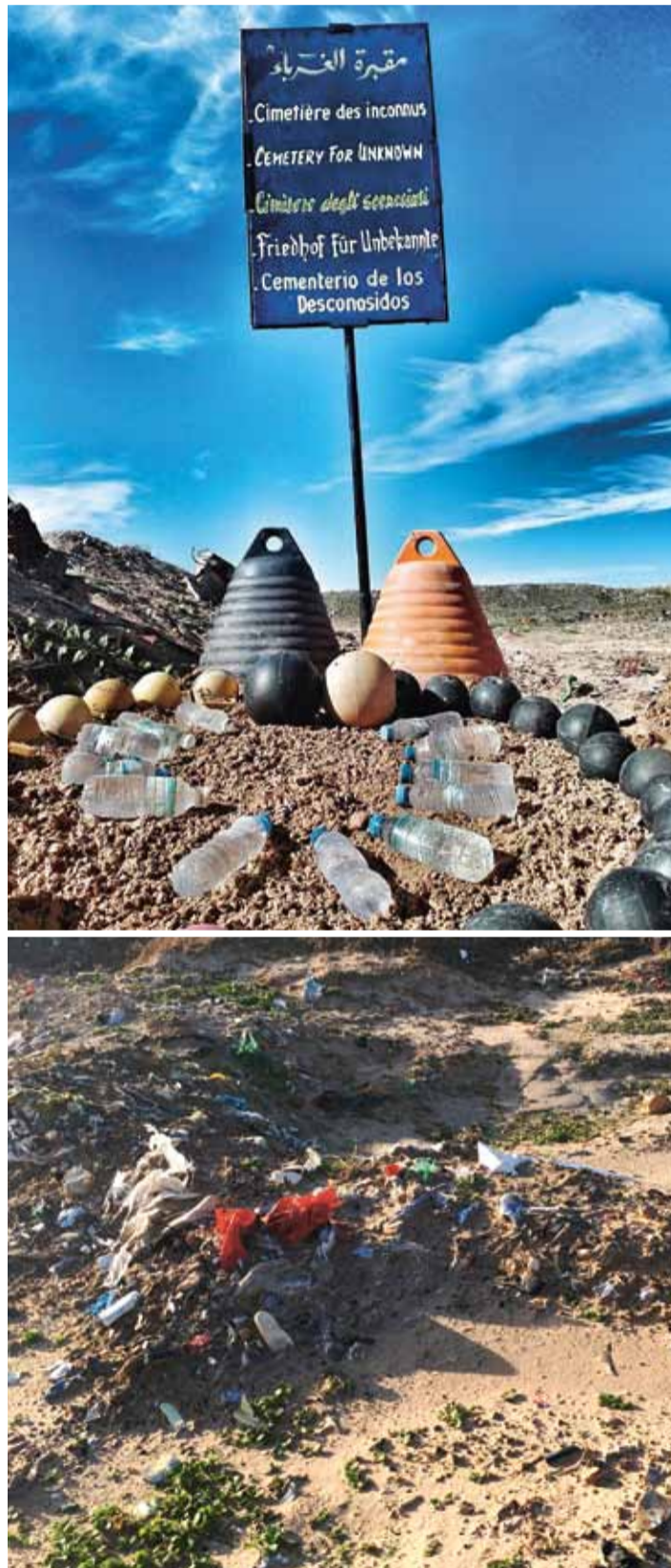
After periods of high winds or heavy rainfall, the mound's true origins—as a rubbish dump—show through.

It is located on the edge of an extraordinary geological landscape, the *sabkha*, where tonnes of salt are extracted by a French company and transported to Europe every day—causing huge ecological damage and creating poor soil conditions for local agriculture. The *sabkha* is where land and sea meet, where salt, waste and human remains co-mingle.

The fisherman, Slahedine M'charek, tells me that the situation has improved somewhat of late, due to increased coast guard activity. Before, however, 'one could smell the corpses from an 800 metre distance'. Each time he went out to sea, he was afraid of being confronted with the human drama that played out there. This had been an everyday concern since 2015, the year in which the ranks of refugees swelled to huge numbers. By now, in 2020, more than 17,300 men, women and children lost their lives while attempting to cross the Mediterranean.

Meanwhile, on the other side of the Med. For years, vulnerability has figured high on the European Union policy agenda. Not the vulnerability of human beings, but that of Europe's external borders. Despite the many bloody conflicts around the world, it was not the people looking for a safe haven that were deemed worthy of additional care and attention, but our borders. Thus, more border guards, more patrol boats, more helicopters and more drones entered the scene.

Since the Turkey deal of March 2016, the only option that remained for people seeking refuge in Europe was the most dangerous one: crossing the Mediterranean by boat. This resulted in thousands of victims washing up on beaches, going to the bottom of the sea in unseawor-



thy crafts, or becoming dehydrated and starved while left to drift about in the open sea.

Who were these people who did not make it to Europe alive? What were their names? Where do they belong?

To my surprise, these have mostly been neglected questions—even though, as early as 1996, Europe had stipulated that human beings have the right not to lose their identities after death. When the Dutch victims of the tsunami in Thailand or flight MH17 had to be identified, the government left no stone unturned.

And rightly so. By contrast, a blind eye has been turned to those dying at Europe's borders.

The lack of a European response to the deaths might be convenient. To look, to take account, is to do something. To treat the dead as equal human beings means assuming responsibility and the obligation to act.

## The fisherman

My research into forensic genetics and the few efforts that were taking place to identify these victims led me, unexpectedly, from Amster-

dam to my hometown: Zarzis. The fishermen showed me the way. They have saved hundreds of lives and assisted the coast guard in recovering the bodies. In cases where they were unable to take the bodies on board, they have helped out with information, by passing the geographical location of the body in the water to the coast guard. In a way, the fishermen had become part of the forensic process.

Throughout the years, I had come to know forensic practice as involving a highly orderly chain of actors, with clearly defined roles and clearly defined techniques. In the care for dead migrants, however, entirely new forensic structures are emerging due to both the variety of sites where the bodies (or what is left of them) are found, and the lack of means.

Forensic science has been described as *the art of evidence*. In the context of migrant death, where identification is often not possible, forensics are better understood as *the art of paying attention*. Paying attention is precisely an art, because it does not happen automatically. One has to learn to be attentive and take notice of the little material traces that invite us to engage, to think, to do something.

The photo of the lifeless body of a little boy on a Turkish beach named Aylan Kurdi, who did not survive the flee from Syria for Europe, brought home the suffering of innocent people and children trying to escape a war. Anybody who had an attentive look at the clothes the little boy was wearing saw the care of parents for their child. A child not dissimilar to any other child in our own neighbourhoods.

Imagining and following traces starts with taking notice; it starts with paying attention.

## Waste

A large number of migrants end up at the bottom of the sea. They leave nothing but traces, which wash up and which we then throw away without thinking. As if they were waste.

But a body is not waste. This is why the bodies that wash ashore on the beaches near Zarzis receive makeshift burials at the bottom of the hill. In June 2017, I attended the burial of a small boy of around six or seven years old. Upon returning to Zarzis four months later, I decided to visit his grave. I was baffled by how the site looked. Heavy rainfall had washed away the sand and brought the waste to the surface. A number

of bones poked up out of the ground. I soon came to learn that we were looking at the boy's ribcage.

But what if we were to take these human-remains-as-waste seriously? What if we approached them forensically, and treat them as traces? Approach them forensically in the sense of 'the art of paying attention'?

## Message in a bottle

Mohsen Lihidheb is an artist and beachcomber in Zarzis. Confronted with dead bodies on the shores in the early 1990s, he started collecting traces of drowned migrants on the beach or along the edges of the *sabkha*. Over the years, he has gathered an extraordinary collection of shoes, flip-flops, clothes and accessories. These he turns into works of art for display in his yard and in a small museum that he set up. For him all these objects of which he keeps a record are like messages in bottles: 'They have a message, a story to tell. I have to take them all very seriously.'

Obviously, traces such as the victims' personal items of clothing and other belongings can help identify them, provided they can be linked to a place, date and circumstance of death. Also, traces in the form of waste can help illustrate the scale of the incident and provide insight into something that would otherwise be hidden from our view. Lihidheb's work is a moving testimony of the migration crisis that turns waste itself into a comment on the reduction of human beings to waste.

From that hilltop in Zarzis, you can look in various directions. But wherever you look, there is salt—as a natural resource, an environmental problem and a commercial product, but also as a colonial legacy and a symbol of deadly European border politics. Salt is also present in the care of the volunteers for the 'salt of the earth': the dead. Those who pay attention can no longer look away. <

**Amade M'charek** is Professor of Anthropology of Science at the University of Amsterdam. Her research focuses on the relation between science and society, particularly in the fields of forensics, genetics and race. After receiving an Emma Goldman Award funded by the FLAX Foundation in February 2020, she spent a month as Visiting Fellow at the IWM in October. A longer version of this article was published in the Dutch newspaper NRC on February 15, 2019.

# Refugees, Migrants, and Rethinking Power amid Covid-19 Pandemic

BY AYŞE ÇAĞLAR

On June 24 a roundtable titled “Covid-19 Pandemic and the Spectral Presence of Migrant Workers and Refugees” took place at the Institute for Human Sciences (IWM) in Vienna that addressed the political, social, and intellectual challenges posed by the pandemic. Based on the book *Borders of an Epidemic: Covid-19 and Migrant Workers*, edited by Ranabir Samaddar, the roundtable scrutinized the dynamics, dilemmas, and contradictions the pandemic unleashed and/or revealed about our societies, and it reflected on their ethical and political implications. The event, moderated and organized by Ayşe Çağlar, was part of the inaugural workshop of the newly established Europe-Asia Research Platform at the IWM (in collaboration with Mahanirban Calcutta Research Group) on June 25–26.

Epidemics do not only unfold in interface with the structural peculiarities and fissures of the societies they affect, they also expose existing fault lines. It is exactly these fault lines that Covid-19 has made visible about our current societies that were at the core of our discussions. Here the participants of the roundtable—**Alex Aleinikoff**, **Ranabir Samaddar** and **Roger Zetter**—continue to scrutinize understandings of the functioning of the state, bordering practices, and the meanings and emergence of solidarities and movements that potentiate a new framing of the international order. They contemplate the consequences of the pandemic on race and racial-justice movements such as Black Lives Matter in the United States and the notions and bases of solidarity, as well as on the emergence of new forms of state regulations that reproduce surveillance mechanisms justifying new forms of control and inclusion and exclusion of various populations.

As the Covid-19 pandemic continues to unfold, these reflections on the roundtable remind us to examine the fault lines, fissures, and emerging notions of solidarity and forms of power in our societies. Are we con-



fronted with renewed notions of biopolitics, new principles of solidarity, and politics of care with a transformative potential, or rather a deepening mechanism for state entrenchment? Do the dynamics set free in the wake of Covid-19 urge us to envision an alternative politics of care with an emergent new type of public power, or rather are we confronted with a form of neoliberal governance anchored at an ethical space of community from which the state is freed from its responsibilities? What would a community-based governance of health and care imply in terms of statehood, responsibility, and protection? Is there a dark side of biopolitics below, of care of the common? The reflections on the dynamics Covid-19 set free or revealed to us remind that the questions centered on migrants and refugees are, in fact, broader questions about envisioning a new politics of society and power. <

Further details on the research platform: [www.iwm.at/research/europe-asia-research-platform-on-forced-migration](http://www.iwm.at/research/europe-asia-research-platform-on-forced-migration) or [www.mcrg.ac.in](http://www.mcrg.ac.in)

Ayşe Çağlar is IWM Permanent Fellow and Professor of Social Anthropology at the University of Vienna.

## Comment by T. Alexander Aleinikoff

Focusing on the United States, it is not coincidental that the movement for racial justice has emerged in the middle of the pandemic. People who had been largely confined to their homes and separated from family, friends, and colleagues were eager to be in public and join with others. One might say that there was pent-up demand for public protest. More importantly, the virus disproportionately affects people of color—because of generally worse health prospects, preexisting conditions, congested housing situations, and work that they often do is less able to be done at home. There is a real question as to whether the extent to

which the failure of the Trump administration to adequately respond to the pandemic has been due to black and brown people being disproportionately among those who are harmed by the disease.

Irrespective of the pandemic, the rise of artificial intelligence has contributed to the devaluing of what has heretofore been classified as skilled work. This has produced a situation in which many middle-class workers find themselves in a class of precarious workers—a term that has generally been reserved for people in informal markets without legal protections.

At the same time, the pandemic

has produced a valorization of some forms of unskilled (and immigrant) work. Some of the lowest-paid jobs—food delivery, supermarket clerks, custodial work—are now recognized as vital parts of the supply chain and necessary to the overall economy. For example, half of the crop pickers in California are undocumented yet their jobs have been classified by government authorities as “essential.” This valorization could produce proposals to provide legal status to “essential” undocumented workers. And the increased precarity of skilled and professional workers might support the establishment of a universal basic income.

The pandemic has also shown the fragility of the global system of mobility. The idea that we are living in “the age of migration” has been severely challenged. The extent to which the hardening of borders is a temporary phenomenon remains to be seen. One likely outcome is the enhancement of general strategies of surveillance, justified in terms of preserving public health. Surveillance for health purposes is not new; Ranabir Samaddar mentions Foucault’s discussion of actions that were taken in plague-affected cities at the end of the 17<sup>th</sup> century. What is new are the technologies and scope of surveillance.

Earlier times saw physical surveillance, quarantines, and bounded physical spaces. Today we witness forms of information gathering that go deep—accessing social media and using location trackers, instant temperature checks, and quick tests for the presence of infection. Soon will come “immunity passports” and perhaps ways to regularly monitor the health of immigrants.

What I am suggesting here is an understanding of the border that is no longer a physical place at the edge of a bounded territory, but rather a system of surveillance personalized to individuals that accompanies them

*continued on page 24*

# “Chronicle of a Death Foretold”: The Moria Fire

BY MÜGE DALKIRAN-ALEXANDRIDIS

*In April 2020, Jean Ziegler, former vice-president of the Advisory Committee to the United Nations Human Rights Council, called for the immediate evacuation of the Moira camp and the “Olive Grove.” He classified the inhuman conditions of the camps as “the Shame of Europe” and asked for their immediate closure before the Corona-plague takes it all, before more children attempt suicide and before it would be too late for the fully abandoned people of the camp who were left with nothing but with an endless waiting, hardship, and despair. The fires on September 8–10 destroyed all accommodations in Moria’s Reception and Identification Centre and the adjacent “Olive Grove,” as Müge Dalkiran-Alexandridis reports.*

On the morning of September 9, the first news I read was about the fire at the Moria refugee camp on the Greek island of Lesbos, where thousands of people had lived in tents under inhuman conditions for years. Not long before, on July 21, someone I interviewed there had told me: “We all fell in hell and we all try to get out from it.”

Throughout 2015, over 1 million people crossed from Turkey to Greece,<sup>1</sup> pushing to breaking point the Greek reception services, whose inability to provide necessary protection had already been recognized by the European Court of Human Rights in its 2011 decision in the case of *MSS v. Belgium and Greece*. The majority of the boats arrived at Skala Sikaminias, on the north coast of Lesbos, where volunteers, activists, and NGO workers from all over the world welcomed refugees. They were trying to fill the gaps in reception services by providing humanitarian assistance and information on asylum. Not only these “outsiders” but also locals showed great solidarity with refugees: Fishermen conducted search-and-rescue operations at the sea; grandmothers helped refugee mothers to take care of their children; people opened their door for the people in need.

While the EU had been concerned about the situation, it was the public reaction to the photo of Alan Kurdi, the young boy who died on Turkey’s Aegean shore, that galvanized it into action. The European Commission announced its approach in the European Agenda on Migration in May 2015. Within this framework, registration and identification centers, or “hotspots,” were established on Lesbos, Kos, Chios, Samos, and Leros to register, fingerprint, and identify the people who arrived in these Greek islands. The hotspots became the EU’s focal points for surveillance and discipline practices in its border zones.

In the summer of 2015 and the first months of 2016 the vast majority of refugees did not stay on these islands but travelled to Athens or the port of Kavala. After travelling by ferry from Lesbos to the Athens port of Piraeus, they were taken by bus to the center of the city, either to Omonia Square or to Viktoria Square



On a wall outside the Moria refugee camp in Greece.

Photo: Müge Dalkiran-Alexandridis, August 4, 2020

where activists assisted them by, for example, distributing hygiene products for women and babies, clothes, and food. The EU, which could afford to use high-tech equipment at the border to screen refugees, was not able to provide for the very basic needs of these people.

While some refugees applied for asylum in Greece, many continued their journey to other countries that represented hope for a better life. They would leave Athens for Thessaloniki based on whether there was news that North Macedonia had opened its border. With the document allowing them a 72-hour passage that they received in North Macedonia, refugees had enough time to cross the country, effectively activating the Balkan route.

In November 2015, Serbia decided to limit the crossings of its territory in order to close the Balkan route, allowing entry to only Syrians,

Iraqis, and Afghans. North Macedonia immediately followed its example. As a result, the semi-informal transit camp near the Greek village of Idomeni became a disaster area, officially hosting up to 11,000 people or four times its capacity. (Médecins Sans Frontières estimated the real number was between 15,000 and 17,000.)<sup>2</sup> Therefore, even before the catastrophe in Moria, how a camp with no sufficient infrastructure and services—including water, sanitary, and health facilities—could cause human suffering was witnessed on EU soil. Yet no lesson from Idomeni was learned.

## The EU-Turkey statement: a political tool for containment

Following the closure of the Balkan route, more people became stuck in the border zones. In March 2016, the EU and Turkey announced their

agreement on migration, which includes the one-to-one scheme in which the EU would take one Syrian refugee from Turkey for every return to Turkey of an irregular migrant to Greece. The Greek authorities also forbade asylum seekers, vulnerable groups excepted, from going from the islands of the Eastern Aegean to the mainland. To ease the returns from Greece to Turkey, they decided to keep asylum seekers in the hotspots until their application was processed. Despite the objections and criticism by the United Nations High Commissioner for Refugees and prominent NGOs, this policy was implemented, resulting in overcrowded refugee camps where people were left in limbo for months or years.

By January 2020, the official camp was overpopulated in Moria. Therefore, the “Olive Grove” (also known as the “Jungle”) outside it became an extended, even more crowded informal settlement. There were over 20,000 residents both in and outside the official camp while the capacity of the hotspot was for 3,000 residents.<sup>3</sup> When I walked in the rain between the jerry-built containers in the Olive Grove, muddy water flowed carrying plastic bottles and other waste in the narrow paths. Young volunteers collected rubbish in big black plastic bags that were then piled on the main road. Due to the cold weather, the camp residents sometimes had to make bonfires in order to get warm. They did not simply accept these dire conditions and regularly protested. One day, I found myself in a large protest in Sappho Square, organized by the women of Moria, who carried banners stating that “Moria is women’s hell!”

The life of Moria’s residents was not only affected by the conjunctural changes or poor living conditions but also deliberately challenged by Greece’s legislation on international protection, which entered into force on January 1, 2020. This changed the criteria for “vulnerability” and eliminated the prioritized examination of vulnerable cases. This meant vulnerable asylum seekers, including unaccompanied minors, were no longer able to go to the mainland and had to wait for their application to be processed in these poor living conditions. I was informed

that the hotspot’s sections intended for vulnerable groups were full so I asked one of the carers where children were sleeping. The answer was simple and painful: “Wherever they find a place.”

At the beginning of March, when Turkey allowed people to cross the border, the tension on the island peaked. Fascist groups attacked boats at sea, closed the main road to Moria, and attacked humanitarian workers. In the same period, the lockdown implemented in the camp due to the Covid-19 pandemic and the absence of the NGO activities led to further deterioration in living conditions, including lack of clean water and basic hygiene facilities and items. The hardship escalated the tension between the communities that were competing to meet their basic needs, including for potable water.

In August, during another visit to the “Jungle,” I met an Afghan Hazara family with three children. The oldest boy (aged 13) told me that he could not sleep every night because he was scared his family would be burned alive. On September 9, when I woke up to the news about the fire in Moria, that little boy was the first person I thought about. How scared would he have been? Was he able to wake his family up? Happily no one died. However, we all know that the Moria fire did not start suddenly one day. The path to it was paved day by day for all the world to see. As Gabriel García Márquez wrote, “There had never been a death so foretold.”<sup>4</sup> ◀

1) UNHCR (2015). Greece: Lesbos island snapshot.

2) MSF EU Migration Crisis Update-May 2016.

3) UNHCR, Aegean Islands Weekly Snapshot January 13–19, 2020.

4) Gabriel García Márquez, *Chronicle of a Death Foretold*, Penguin UK.

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# Afghans, Asylum and the 2015 Legacy

BY LUCY ASHTON

*Austria has become a top European destination for unaccompanied Afghan children seeking asylum since 2015, only Greece received a larger share of such asylum applications last year. Lucy Ashton relates some tales of former unaccompanied Afghan minors in Austria and the asylum system they face.*

More than 5,500 unaccompanied Afghan children claimed asylum in Austria in 2015, 68% of all unaccompanied arrivals there. Afghans continue to be the most common nationality amongst unaccompanied minors, though the number of arrivals has dropped substantially since 2015 to around 600 a year.

Why do Afghan teenagers go to Austria? Many already have a family connection there, some of the 2015/16 arrivals could not stop in Eastern Europe because the police pushed them on, others were aiming generally for Europe, and Austria was the first country they came to that Google told them was ok.

Of the 2015/16 Afghan arrivals, many—the numbers are not released—are still waiting for a decision on their asylum applications. They are now in their early 20s and have spent nearly quarter of their lives in Europe. They still do not know if they will be allowed to stay, but the statistics show that time is against them; rejection rates are climbing so the longer their claim takes, the less chance they have of being accepted.

## The time it takes

What has gone on in that time? Take Qais<sup>1</sup> for example, he claimed asylum as an unaccompanied minor in November 2015. The Austrian state disputed his age—a common occurrence—so he underwent a series of medical tests, delaying the start of his claim by four months. His first hearing was fixed for November 2017, but a few days before, he was told the slot was doubled booked and he had to wait until March 2018. In March, his claim was rejected, as about two-thirds of initial claims by Afghans are in Austria, and so he appealed. That appeal hearing was scheduled for July 2020.

Since his arrival, Qais learnt German to university level—that took him about 18 months. And then there was nothing for him to do. While in theory it is possible for asylum seekers to do a limited amount of work in Austria, the impact it has on their ability to receive social support and the regulations governing the circumstances in which they can be employed are so prohibitive, it rarely happens.<sup>2</sup>

So he loafed around, read a bit, hung out with his friends and got bored. The cost to the state for his food and accommodation was 365



Photo: Brigitte Gignier / Agence Vu / picturedesk.com

Euros a month. In January 2019, while waiting for his appeal hearing, he emailed an NGO providing legal support to refugees. Could he volunteer as a translator? He has been helping other refugees there for 18 months now. Many, many Afghans he has met have lost their appeal, “sometimes I get very emotional and I cry with these people.” His boss said he should not get so personally involved, but he knew he was also crying about his own situation.

Fifty-five months after he arrived in Austria, a judge upheld Qais’ appeal; he was granted asylum. He is of course hugely relieved and he is applying for trainee jobs.

## Subjectivity in court

But he is also angry. Angry that it took nearly five years for his claim to be recognized and angry that the asylum system is such a lottery. A lottery in his view because his successful claim was almost identical to that of his friends, Abdul and Mohammed, also former unaccompanied minors. The claims of the three young men were made about the same time, and their lives and their level of integration in Austria are also very similar. Abdul and his younger brother Mohammed appeals were rejected in early May, just about the time the Corona lockdown lifted.

Qais’ only explanation for the different decisions is that “the attitudes of the judges were, just, dif-

ferent.” His was sympathetic, Abdul and Mohammed was not. He could be right. Asylum cases are unusual legal cases in that the majority or all of the evidence comes from the asylum seeker themselves. The outcome of the case rests on whether the judge thinks the asylum seeker’s story is credible. Numerous studies have found that such judgements on credibility are highly subjective and that inconsistencies in a story—something common in asylum claims and often cited as evidence of low credibility—are poor indicators of fabrication.<sup>3</sup>

Whether a judge’s subjectivity played a role in deciding the young men’s claims, we cannot know. If it did, it would of course not be unique to Austria. We do know though that across Europe, asylum recognition rates for different nationalities are oddly uneven. In 2018, the EU’s own agency found substantial variation in the recognition rates across the EU. The greatest disparity was faced by Afghans, where only 6% of such applicants were granted asylum in Bulgaria, while 98% were given asylum in Switzerland. The researchers found no apparent reason for that divergence between nations.<sup>4</sup>

Abdul and Mohammed are still legally in Austria. Just. In May, when their rejection letters came Austria’s borders were still shut against Corona, so too were the courts. They were in a legal grey zone, which lawyers say, the government has still not clarified. Fearing pre-deportation arrest;

the brothers went into hiding until a lawyer could lodge a further appeal for them. That appeal was declined, but further grounds for a final appeal were found. They are awaiting a response.

## States skirting the law

As an Afghan, if you are not granted protection, you face deportation. Many EU nations—including Austria—return refugees there based on the concept of “Internal Flight Alternative” or IFA. This means the authorities recognise Afghanistan is dangerous but argue there are still safe parts to live in. The concept

is a way around the ‘*non-refoulement*’ principle in international and EU law which prevents governments sending people back to countries where they are likely to face the ‘*risk of irreparable harm*’.

It is a controversial position with no basis in the Geneva Convention and the UN has reservations about it. The UN underlines that for IFA to be acceptable it must be ‘reasonable’ to expect an individual to live there, and the safety and stability of the region must be ‘durable’. There are wide discrepancies between European states in their interpretation of ‘reasonable’, ‘durable’ and their assessment of the security in Afghanistan.<sup>5</sup>

Putting aside the dubious legality of returning refugees to a country at war, there is the questionable ethics and wisdom of demanding integration and loyalty, particularly from young people, only to sever that connection from one day to the next.

## Unbearability of return

After so much time in Austria, learning the language, getting an education, Abdul and Mohammed cannot imagine returning to Afghanistan. From their first day, the Austrian authorities have pushed them to become Europeans. They have very different views and beliefs about the world, religion, women (and fashion) from those they left Afghanistan with. For them, reverting to being

‘typical’ Afghans would not only be unbearable, it would be impossible.

If the brothers are rejected again, they would rather go underground than be sent back. They would join the fifty-six thousand or so rejected Afghans, EU research shows, are eking out a clandestine existence somewhere in Europe, hoping at some point in the future to regularise their situation. According to the EU Commission, only one third of asylum seekers rejected by the EU actually return home—either voluntarily or through deportation.

One of the difficulties of deportation is that the deportees’ home country often refuses to take them back. The new migration pact proposed by the EU Commission in September 2020 envisages holding ‘return’ talks with the top twenty countries where most asylum seekers come from. The EU’s hope is that deportations can be sped up.

Meanwhile also this September, subsidiary protection (a lesser form of protection reviewed every year or two) was granted—for the first time in Austria—to an Afghan based not on the violence in Afghanistan, but on the current levels of Corona Virus there. This seminal case potentially sets a precedent that other Afghan asylum seekers could be granted protection on similar grounds. Abdul and Mohammed and many other Afghan arrivals still in the asylum system may, yet, squeeze under the fence. <

- 1) Names for this article have been changed.
- 2) See ‘Asylum Information Database. Country Report: Austria 2019 Update’ ECRE (2020) 123–124.
- 3) See A. Macklin: ‘Truth and Consequences: Credibility Determination in the Refugee Context’, International Association of Refugee Law Judges (1998); and, ‘The Truth about Credibility’, International Association for Study of Forced Migration (Canada: Toronto, 2006). G. Coffey: ‘The Credibility of Credibility Evidence at the Refugee Review Tribunal’ (2003) 15 IRL 377–417; and J. Herlihy, P. Scragg and S. Turner: ‘Discrepancies in Autobiographical Memories—Implications for the Assessment of Asylum Seekers: repeated interviews study’ (2002) 324 British Medical Journal 324–27.
- 4) See [www.easo.europa.eu/sites/default/files/easo-annual-report-2018-web.pdf](http://www.easo.europa.eu/sites/default/files/easo-annual-report-2018-web.pdf) Information on individual nation states provided by email from EASO office.
- 5) See ‘Forced Back to Danger: Asylum Seekers Returned from Europe to Afghanistan’ Amnesty International (2017) 38.

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# Solidarity in Academia

BY ALICJA RYBKOWSKA

*Contemporary universities are multinational enterprises employing thousands of people who have an important societal role to play. As such, they need to be carefully managed. But the focus on effective management overlooks the ethical dimension of academic work.*



The subject of solidarity in contemporary academia is rarely touched upon; the very collocation “academic solidarity” is virtually absent from the dominant discourse on universities, which presents them primarily as engines of economic growth. From this perspective, knowledge is no longer pursued but produced; commodity replaces community. Ronald Barnett points out the poverty of the language used in public debate about the role and future of universities: they need to be “entrepreneurial” institutions functioning in the “globalized world,” ensuring “knowledge transfer” and “innovation” to a global its benefit.

This perspective is also inscribed in the set of terms typically used when discussing universities: especially today, scholars are expected to face “grand,” pressing challenges, experience “major breakthroughs,” and make “ground-breaking” discoveries. However, if they are to pursue “frontier” research, they need to be backed by the whole community. It is impossible to be drivers of social change when there is no manifest solidarity in academia. Purely structural or financial support does not suffice when the stakes are as high as in the case of climate change, global inequality, or pandemics.

## Challenges of collaboration

Study and research are collective efforts as much as they are an individual commitment so, unsurprisingly, apart from hard knowledge they require the ability to establish lasting interpersonal relations and mutually communicate visions, plans,

and needs. They also require some sense of solidarity among prospective collaborators. Such solidarity should be based on genuine interest in the work of others and the acknowledgement that it has much in common with our own activities. But, in practice, scarce time and resources tend to result in a very pragmatic perspective: can it be useful to my current projects?

Researching outside of one’s field out of pure interest is often seen negatively because it reduces chances for receiving funding and hinders professional development. At the same time, collaborations, international partnerships, and transdisciplinary research are strongly encouraged. Hence, I would like to speak for another perspective: what can I bring into the work of others? Such a perspective could not only inform further critical studies on higher-education systems but also guide various forms of engagement and activism within academia.

Not all ideals of academic work are commonly shared, but that of mutual learning could be. Universities are institutionalized spaces of learning, which sets them apart from other, informal contexts of study. They have been created for the very purpose of knowledge acquisition—be it by the way of study, research, discussion, or experiment—and they have retained this purpose up to this day. The understanding of this purpose, however, is evolving and sensitive to the personal values of the individuals constituting academia. Hence, the lofty language of “deepening knowledge,” “intellectual exploration,” and “personal development” as we know it from universities’ self-presenta-

tions is often not relatable enough to develop a sense of belonging to a community and readiness to contribute to the welfare of its members.

The ideal of academic solidarity should not be too specific so that it remains relatable and appealing for differing individuals. At the same time it cannot be too vague if it still is to be generally desirable. Mutual learning for the well-being of oneself and of the others covers nearly all possible personal objectives and at the same time remains faithful to the ideal of higher education. By the capacity to include various goals of various people, it has the potential to become the source of meaningful joint efforts to advance the good of the community. When I expect the university to be a place where I can flourish, then I must strive to make it such a place for others as well. A good starting point is an examination of own expectations: What kind of support do I hope for? What kind of actions do I find necessary? Which are institutionally embedded and which are more personal? Which are accessible to me as an engaged agent?

## Potential of cross-disciplinary dialogue

Critical reflection is an essential part of scholarly work; academics are well suited to carry it out and delve into their own motivations and beliefs. They possess the ability to look at a given matter from different angles and adopt cognitive perspectives that are unfamiliar. By means of curiosity and engagement, a community of respectful and competent people engaged in a cross-disciplinary dia-

logue may emerge, replacing competition with meaningful cooperation. Shifting the focus to learning enables giving priority to knowledge and life-experience rather than to the work experience and the occupied position. Thanks to that, more solidarity can be achieved among people at different levels of their career.

In practice, that could mean initiating weekly or monthly meetings at the departmental level where scholars can share the results of their work with their colleagues before they submit them to publication or apply for funding. Creating a safe environment where they can test their ideas could have a positive effect not only on the quality of research but also on the quality of interpersonal relations within a department. The presenter would benefit from the feedback of her colleagues, while her coworkers would benefit from the exposure to new and unknown concepts. It is striking that it is often the most renowned and influential scholars who possess the faculty to integrate whatever they learn with what they already know, who use brilliant, unobvious, surprising examples to explain their work, and who skillfully bring together diverse perspectives. To my understanding, this is precisely the perspective of enrichment that I advocate: openness to the work of others and readiness to share the effects of own work with them.

It is clear that academic solidarity so understood is something we choose, not something that is imposed upon us. It is only meaningful when our contributions to the work of others are voluntary and deliberate. However, with the typ-

ical academic workload and number of responsibilities, it may seem to be one more task to tackle. Even if we arrive at certain solutions upon the examination of our own expectations of academia, the questions remain: Could I offer similar support to my colleagues? Do I have the time and the capacities to do it? Am I fine with the aspect of activism and resistance it may entail? Can I hope for reciprocity?

As an answer, I would like to quote the words an academic heard when she failed again to receive external funding for a research project and employ them in an empowering gesture of reversal: “We don’t expect you to succeed, but we do expect you to keep trying.” What was an absurd utterance resulting in frustration and doubt on the part of the person accounting for her experiences can be turned around to become an expression of hope for change and the determination to bring it about. The perspective of enrichment is not aiming at success because its effects are immeasurable. It is nevertheless worth giving it a try by endeavoring to make others’ work richer, more rewarding, and more compelling. In the end, it is an ideal of any work, not only academic, and it offers an answer to the dangers typical for the academic field. Even if the ideal is unattainable for the university as an institution, it lies within the reach of individuals building the institution. ◀

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# Scholarship and Freedom

BY GEOFFREY HARPHAM

*In his latest book *Scholarship and Freedom*, Geoffrey Harpham undertakes an inquiry into the connection between the concepts of freedom and the practice of scholarship. Based on Hannah Arendt's concept of natality he provides a powerful argument in this short excerpt that the practice of scholarship is grounded in the concept of radical freedom, beginning with the freedoms of inquiry, thought, and expression.*

The world as comprehended by scholarship is always in process, always provisional, always unfinished, always awaiting the next revolution. Like modernity itself, scholarship implies infinity, an endlessly transformative process in which current understandings are rejected, improved, modified, supplemented, exchanged. The endless quest, the incomplete project, the ongoing conversation, the open society—these are the tropes of modernity, which are routinely contrasted to pre-modern stasis, repetition, and certitude.

The modernity of scholarship is marked most decisively by its reciprocal relation to the concept of human freedom, whose signature, according to Hannah Arendt, is the capacity to create, to begin, to bring something new into the world. Arendt had introduced this thought in a passage at the very end of *The Origins of Totalitarianism* (1948) where, after a sobering and often horrifying historical exploration of antisemitism, racism, imperialism, communism, fascism, and authoritarianism in many forms, she abruptly, and surprisingly to many, alludes to the possibility of a “new beginning” arising from “the supreme capacity of man” to create. Even more surprisingly, she gives the concept a religious as well as a political warrant. “Politically,” she says, beginning “is identical with man’s freedom. *Initium ut esset homo creatus est*—‘that a beginning be made man was created’ said Augustine. This beginning is guaranteed by each new birth; it is indeed every man.” What in the world was she thinking?

The concept awaited a fuller elaboration, and a name, for a decade, until Arendt gave a lecture called “What is Freedom?” and published *The Human Condition*, in which the capacity for beginning was baptized as natality. The emphasis on birth as the grounding of human freedom and creation might be seen as an attempt to de-politicize and naturalize the human condition, but Arendt’s natality is a biological concept with non-biological entailments. Like others at this time, Arendt was looking for a way to place the moral and political concept of freedom on a firmer foundation than could be provided by historical traditions or political institutions, which had proven themselves unable to prevent the rise of totalitarianisms. Her effort might be compared with that of the linguist Noam Chomsky, who was at about the same time training his attentions on the human capacity to generate an infinite number of new well-formed sentences—evidence, he



Photo: fcscaffaine / iStock.com

argued, that human beings were innately “creative,” and therefore that any political order that constrained that creativity was violating not just some notion of justice or fairness but human nature itself. Both projects represent attempts to build an anti-totalitarian politics of freedom on a species characteristic, with Arendt arguing that the phenomenon of birth preceded, modeled, and in a sense authorized subsequent creative acts, which could be understood not as risky deviations from routine but as willed reaffirmations of a natural condition to which every human life bore witness.

The deepest potentialities of natality are realized in what Arendt calls action, one of the three “fundamental activities” that define the human condition, the other two being work and labor. As she says repeatedly, action has a “miraculous” character; and yet true action has nothing to do with religion or faith or the inner life. The abstract terms of *The Human Condition* may seem so capacious that anything at all might qualify as action, but Arendt always insists that freedom is political freedom and action political action: “The *raison d’être* of politics is freedom,” she says, “and its field of experience is action.” In a final section on “The *Vita Activa* and the Modern Age,” Arendt wholeheartedly endorses the

modern reversal of the ancient priority of contemplation over action. She dismisses the piffling and evanescent liberties associated with re-

plemented by speech, action becomes a testimonial to a unique human individual declaring itself to a community. But speech has deep roots

## *Scholarship rejects old understandings and creates new ones.*

lection and meditation as shadows of real freedom, as thought is a shadow of action, and she is deeply skeptical, even disapproving, of attempts to locate a ghostly “inner” freedom.

Clarity is an excellent thing, but Arendt’s prejudice in favor of the political, while understandable considering the post-war context, limits rather than concentrates the power of her thinking. It is hard to see a bright line between inner and outer freedom, especially since Arendt herself insistently links action with the language that communicates the action to the world. Action and speech, she says, “are so closely related because the primordial and specifically human act must at the same time contain the answer to the question asked of every newcomer: ‘Who are you?’” Without the accompaniment of speech, action might as well be undertaken by robots; com-

in the inner world of reflection and self-understanding; and stories, to which she devotes an entire section, are implicated in fiction, myth, and unreality in general.

And so we must pose a different question: is there anything worthy of the name of action that deploys language, that creates something new, that registers human uniqueness, addresses a community, is accountable to reality, and serves the cause of freedom?

The answer, I believe, was right under Arendt’s nose; indeed, in many of her other works, it was flowing from her pen. Scholarship is produced by situated individuals exercising personal judgment, it is addressed to an unrestricted public, it follows argumentative procedures that are transparent and transpersonal, and it respects evidence. Scholarship is expressive and communi-

cative, but it is accountable to the world in a way that speech and stories as such are not. Most important, in Arendt’s terms, scholarship rejects old understandings and creates new ones. Scholarship is not only the most refined and disciplined form of the freedoms of inquiry and expression; it stands at the margin of responsible contemplation and informed action. Its mission is not to create a just society or usher in the reign of reason, but to transform the world of death that is the past into something open, something real, something new. Politics can take it from there. ◀

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*Refugees, Migrants, and Rethinking Power amid Covid-19 Pandemic continued from page 19*

no matter where they are located. In this dystopia, border guards carrying guns are replaced by technocrats watching screens.

Ranabir Samaddar asks us to imagine a biopolitics from below based on a principle of solidarity—

that is, to envision “a society based on collective practices to help the health of populations including large scale behavior modifications without a large-scale expansion of forms of coercion and surveillance?” We can imagine it but I am not certain we

can achieve it. My fear is that the response to the pandemic has shown that we have already lost that battle. <

**T. Alexander Aleinikoff** is Director of the Zolberg Institute on Migration and Mobility at the New School for Social Research, New York.

## Comment by Roger Zetter

The impact of the Covid-19 pandemic on migrant workers find many parallels in the world of refugees—the loss of rights and security, the destruction of livelihoods—and it also has more specific refugee-related impacts, including the diminution of international standards of protection, shrinking opportunities for return or third country resettlement, and the landmark Global Compacts on Refugees and Safe and Orderly Migration now effectively put on hold. In line with Ranabir Samaddar’s analysis framed around the concept of biopolitics from below, I offer three reflections.

First, Covid-19 lockdowns have stimulated new dynamics in refugee communities—a local biopolitics of social capital and resilience among refugee and migrant groups that is translating into agency and new coping capacities, at the same time offering modalities from which other now socially distanced and isolated groups can learn. But this is still the agency of the excluded and the marginalized, of survival and subordination. It should not be reified. As Bourdieu notes, different forms of social capital produce or reproduce inequality. And Didier Fassin’s work shows how governments and humanitarian actors still regulate precarious and fragile lives, using different ruling strategies over their subjects. Thus, concepts of bio-power that promote “self-government” and agency deny the ever-present mechanisms of top-down, coercive con-

trol, which are actually reinforced in the context of Covid-19.

Second, refugee camps are extraordinarily unhealthy places at the best of times—they display rudimentary medical care and public-health provision, acute malnutrition, and mental-health syndromes. Not surprisingly, refugees are highly susceptible to Covid-19 infection in camps, given the impossibility of social distancing and shielding in high-density settings. Equally, social isolation increases and accentuates preexisting symptoms of poor mental health.

Refugees outside camps are unlikely to present themselves to health authorities for treatment, fearing the ever-present threat of detention or deportation. In Greece and Malaysia, for example, refugees have been rounded up in immigration sweeps and detained as irregular migrants in overcrowded quarantine centers, further exacerbating the risks of contracting Covid-19. These responses further marginalize and stigmatize refugees, lending weight to Michel Agier’s conception of the humanitarian system as an “apparatus of power (2010), profiling, recording, control and enclosure.”

On the other hand, many countries have excluded refugees from their Covid-19 response plans. To this extent the latter are excluded from the new mantra of track-and-trace and the Foucauldian expansion of diffuse and “productive” forms of coercion and technologies of surveillance and discipline for citizens.

Third, whereas Covid-19 does not respect frontiers and social boundaries, paradoxically it has been instrumental in the stringent tightening of border and immigration controls across the world, severely impacting refugees and migrants who are often stigmatized as vectors of the virus. Search-and-rescue operations in the Mediterranean were halted because European countries were not allowing migrants to disembark under the pretext of limiting the spread of the virus. Push-back is increasing worldwide and hundreds of lives have been lost. Xenophobia and discrimination seem likely to escalate.

It takes little imagination to anticipate intensified “bordering” and “securitization,” not just to control migration as a vector of the virus but also to further justify control of refugee and migrant mobility. Not only will the most obvious spatial-material representation of practices to control mobility increase, less visible barriers of surveillance and virtual bordering will be fashioned by a political discourse of virus control as the pretext for securitization and the apparatus of migration management, as well as possibly new spaces of confinement. These processes will inevitably diminish human rights and the protection of refugees and migrants, and undermine the Global Compacts. <

**Roger Zetter** is Emeritus Professor of Refugee Studies, Oxford University.

## Comment by Ranabir Samaddar

War revises international order. Colonial wars changed political orders in many parts of the world, set up new borders and boundaries, and created divisions of the world. But we rarely notice how much pestilence and massive outbreak of a disease changes the global order. In the context of the Covid-19 pandemic the world witnesses a neo-Malthusian scenario in many countries. What will be the response to this in global politics? I present here a rough vision of a new politics of life and of the importance of care in a transformed politics. I also suggest that this calls for a new type of public power that values care as the guiding principle of organizing society, which will be treated as a commons. We have to consider the following questions: What kind of power will guard the society that emerges as the common? What kind of power will nourish the world of care, which would mean protection

and a consequent norm of responsibility—precisely the principles that have been central to care of the self and manipulated by modern bourgeois democracies? What will be the new policies and modes to reinforce and widen the social bases of care and protection?

These are issues of how to imagine self-rule in a different way, which will learn from the histories of fighting diseases and wars and also infused with a imaginary of a state that runs things differently, assures protection to its people, and discharges responsibility for the safety, security, and well-being of its people—in short a new combination of autonomy, history, and politics. The response to the pandemic is not even. The poor and migrant laborers, the aged and the vulnerable, the assembly-chain workers producing ventilators and the mechanics in a small shop producing test kits, or the vigilant guards of a village or an ur-

ban slum—all are playing roles in this war. The closer a government will pay attention to how people respond to this danger and mobilize its resources—the people, the country, the nation—the less costly will this war be. Trust will be an important element in protecting society as a common resource.

Although this is a crude sketch of the new type of general power that the post-pandemic scenario will call for, reminding us of a post-world war scenario, it provides a starting point to reconstruct and characterize what is specific about this “war,” the other conflicts it will unleash, and other confrontations it will provoke. In some sense it is a counter-history based on elements that the given history of crises and statehoods provides. <

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*Democracy in Question Podcast Series Nancy Fraser continued from page 6*

voice, which brings class, race, gender together?

**Fraser:** The manifesto grew out of a call that Angela Davis and I among others signed. But the manifesto itself was written by Cinzia Arruzza, Tithi Bhattacharya, and me. It is an attempt to try to give a name and visibility to an alternative femi-

nism to this liberal meritocratic feminism. We asked ourselves, “What would a feminism look like that was for the 99%, and not for the 1% or even the 10%?”

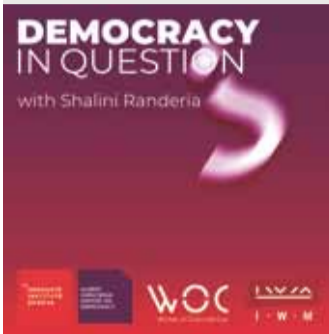
A lot of it is about what you could call an intersectionalist vision, a vision that says you can’t actually improve the lives of women if you aren’t also dealing with issues of race, ethnicity, class, sexuality because women’s lives are marked by all of these things. The whole idea that you could just isolate gender and say, “Our politics is concerned only with gender,” that’s a huge misunderstanding. We can’t even say what a gender issue is unless we look at the lives of women cross-cut by these other axes of injustice and inequality to understand their situations and their needs and their hopes.

Another aspect was to make the argument that a F99 has to be anti-capitalist. In the final analysis, the real anchor of sexism, of gender injustice is the peculiarly capitalist separation of economic production from social reproduction. In almost all previous societies, these things have been intertwined. Men and women always did different kinds of work in most societies, but their work was all part of the same social universe. Capitalism introduces a very brutal split between two worlds of production and reproduction. Our claim is that that structure is one of the defining structures of a capitalist society and it’s one of the principal anchors of gender inequality in its capitalist form. Other societies have had gender inequality, but they look different, they work differently.

There are a lot of struggles—whether we’re talking about struggles for clean water, for sanitation, for housing, for child-care, for labor rights—demanding a complete reorganization of social reproduction and its relation to production. I think that if taken to the limit these would really challenge that fundamental structure of division in capitalism. What we tried to do in the manifesto is give it a name, try to say, “These things are all connected. Let’s try to forward this idea as an alternative feminism.” <

**Nancy Fraser** is Henry A. and Louise Loeb Professor of Political and Social Science and Professor of Philosophy at the New School in New York. She works on social and political theory, feminist theory, and contemporary French and German thought. In 2013 she delivered the Jan Patočka Memorial Lecture.

### Podcast Series



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Episode 3: November 5, 2020

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Episode 4: November 19, 2020

**Nancy Fraser** (see p. 6)  
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