INTERNATIONAL REPORTS

Nationalism Between Identity Formation, Marginalisation, and Isolation

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Editorial

Dear Readers,

"It is very important to us that together we find a strong response to the coronavirus. It knows no borders, it knows no nationalities." These are the words of Ursula von der Leyen, President of the European Commission, with regard to the coronavirus crisis. The outbreak of COVID-19 and the subsequent sustained pandemic have created a new level of global emergency in early 2020. This includes the closure of borders and introduction of border controls within the European Union.

Narratives of threat and crisis can play into the hands of populists, as has been the case during the coronavirus pandemic. Political actors, who assert that belonging to a nation or state is based on descent, seek to exploit such situations to rationalise their policies of exclusion and isolationism. Of course, nationalism can also come in other guises. The idea of national unity within a society can, in principle, serve as a cohesive element that creates identity in a positive sense.

However, particularly for democracies, nationalists and populists who exaggerate the idea of national unity pose a real challenge. They follow a familiar pattern by looking for scapegoats and spouting supposedly simple solutions. Over recent years, many parts of Europe have also seen the rise of right-wing, populist, and Eurosceptic parties. These parties have their differences, particularly as regards their stance towards the EU, but they have been gradually gaining seats in national parliaments and the European Parliament. The reasons for this are complex and cannot be solely attributed to the wave of migration to Europe in 2015. It is important to look at the specific situation in each country. The popularity of these parties in Europe threatens the democratic progress of many EU countries, writes Wilhelm Hofmeister.

Policies of exclusion and isolationism are expressed in different ways around the world, but they often involve neglecting the rights of minorities. In democratic and undemocratic countries alike, indigenous peoples tend to have inadequate political representation and lack protection from the state. This is particularly true in Latin America, where indigenous peoples often suffer from a weak rule of law and inadequate infrastructure. In this issue, Georg Dufner examines the obstacles to rectifying the problems of representation and autonomy that beset the indigenous populations of this region.

Different national narratives can also play a role within a country. As a result of its geographical position and history, Belarus is home to both pro-Russian and pro-European sentiments. Jakob Wöllenstein highlights how uniting these currents will be a challenge for a country divided along identity lines. Ethnic and religious affiliations can create a sense of community within societies, but they also harbour the potential to create tensions – particularly in countries with heterogeneous populations. La Toya Waha describes this phenomenon using the example of South Asia.

A shift towards nationalistic concepts is also becoming increasingly evident in places where they have previously only played a subordinate role in identity formation. This can be observed in the Arab Gulf states. As Fabian Blumberg writes, religion and tribal affiliation are no longer the only factors that create meaning and community in the region.

Nationalism is and remains a global phenomenon – in democratic and non-democratic countries alike. When faced with challenges that transcend borders, such as the coronavirus pandemic, some countries seem to believe going it alone is an option. Multilateral institutions such as the WHO are under fire and perceived as too inflexible to deal with the problems successfully. The European Union has also taken its time to come up with a joint response to the crisis, but now it is making greater efforts to demonstrate "European solidarity in action". Ultimately, the current crisis highlights the fact that success depends on a joint international approach. Actions based on solidarity, such as the provision of medical supplies, the treatment of COVID-19 patients from neighbouring countries, and collaborating on research into potential treatments, all highlight the power of joint action at this time. In future, we can only hope that the lessons learnt from the current crisis will result in even closer multilateral coordination and global exchange.

I wish you a stimulating read.

Yours. Jehd Wahler,

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Content

Nationalism Between Identity Formation, Marginalisation, and Isolation

6

Simple Explanations Why Nationalists in Europe Grow Stronger Wilhelm Hofmeister

17 🔴

Indigenous Identity in Latin America Cultural Riches and Social Dynamite Georg Dufner

26 🔴

National Identity Against External Pressure Will Belarus Reconcile Its Contradicting Narratives? Jakob Wöllenstein

37 🧧

Religious Nationalism in South Asia Building Nations, Breaking Communities? La Toya Waha

48 🔵

"Hypernationalism"? The Debate on Identity and Nationalism in the Gulf Fabian Blumberg



OTHER TOPICS

59 ● The Situation in the Sahel Consequences for International Engagement in the Region Thomas Schiller

68 ● Coronavirus in Latin America Opportunity or Threat for the Rule of Law? Marie-Christine Fuchs



Nationalism

Simple Explanations

Why Nationalists in Europe Grow Stronger

Wilhelm Hofmeister

Yielding resentments against the European Union as well as alleged threats: Nationalist parties gained increased electoral success throughout the last years in many member states of the European Union, while challenging their democratic underpinnings and developments. The underlying causes are manifold and vary regionally. How could a promising political response be shaped?

Overview

Nationalism was the great evil of the 20th century in Europe. It arose as an emancipatory movement in the 19th century and inspired the first democratic processes in Europe, but quickly mutated into an ideology that justified competition among states in the age of imperialism and described the differences between nations in chauvinistic and racist terms. We all know how that ended. "Nationalism is the cause of most political conflicts since the 19th century and a necessary condition for the success of National Socialism since 1930,"1 writes Rolf Ulrich Kunze, who emphasises that nationalism "tends to radicalism and escalation, and especially to combination with universal racism and anti-Semitism," while it "legitimises deep interference with human and civil rights, especially the rights of minorities and, under the name of a fictional autarchy within the free global economic system [...] Nationalism favours populistic deinstitutionalisation of political culture, and is a danger to the stability of constitutional organs, legitimised by representative democracy in the constitutional state and at the inter-governmental, supranational level." In reaction to the devastating consequences of the Second World War, the major post-war European political leaders, among them Konrad Adenauer, consciously pursued European integration as an instrument by which to overcome nationalism. In a 1946 speech, Adenauer characterised the romanticisation of the nation as a cause of the catastrophe,² and in 1953 he said, "If we were to insist in today's world that the traditional terms of nationalism should be maintained, it would mean abandoning Europe."3

Despite these warnings by the generation who had experienced the war, by the beginning of the new century nationalism had infiltrated Europe's party systems once again. In Austria, the nationalist Freedom Party (FPÖ) became a member of the governing coalition in 2000. Two years later, the chairman of France's Front National, Jean-Marie Le Pen, advanced to a runoff election for the presidency, and in 2004 he mobilised a majority to reject the EU's constitutional treaty. This made nationalism's anti-Europe position obvious. The stigmatisation and partial isolation of Austria by the other EU members after the centre-right People's Party (ÖVP) formed a coalition with the Freedom Party did not stop nationalism. Austria, France, and, gradually, other countries in Europe saw nationalist parties achieve increasingly sizeable electoral successes. But it was not until rightist, populistic, Eurosceptic parties won about one fifth of the seats in the European Parliament in 2014 that the broader European public became aware that nationalism had gained new adherents in almost all parts of the continent.

Besides the Front National, renamed as Rassemblement National in 2018, and the Freedom Party, this group includes the Sweden Democrats, the Finns Party, the Danish People's Party, the United Kingdom's UKIP, the Party for Freedom in the Netherlands, Italy's Lega (formerly known as Lega Nord), Hungary's Jobbik, and Greece's Golden Dawn. Similarly, Poland's Law and Justice, and Hungary's Fidesz parties, one originally conservative and the other originally liberal, have integrated nationalism as a very successful mobilisation factor. The Alternative

Fig. 1: Results for Nationalist Parties in Recent European Elections (in Per Cent)



Source: Own illustration based on figures of national electoral authorities, map: Natural Earth .

for Germany (AfD) party was initially shaped by several eurosceptic economics professors, but has since come under the sway of right-wing populists. But even at the beginning, the AfD was, at its core, a party that used nationalist sentiment to generate opposition to European unity.

At the very latest since the election of May 2014, if not before, the "monster" of nationalism was clearly perceived everywhere in Europe. That year deserves emphasis because the so-called migration crisis, which is frequently cited as a trigger for the rise of nationalist parties, did not develop until a year later. The crisis alone therefore does not explain rise of nationalist parties – which, of course, also means that restricting migration will by itself not effectively combat nationalism. A second assumption must also be relativised: that nationalist parties grew stronger because of socioeconomic factors and social inequality. This is also a limited explanation because nationalist parties have gathered strength even in economically prosperous European countries with relatively good distribution indexes: the Nordic countries, the Netherlands, Austria, and Germany. So, these parties cannot be combatted with new distribution mechanisms alone, either.

In the European Parliament elections of May 2019, the nationalists did not do as well as they had hoped. One reason was because more people went to the polls to reduce their influence. Even so, nationalists received about one quarter of parliamentary seats. This confirms that nationalist parties now mobilise a substantial proportion

of European voters. Even countries such as Germany and Spain, that had long felt immune to nationalism, saw the rise of new nationalist parties. Also in Portugal, a party using nationalist rhetoric, Chega! (Enough!), received a seat in the October 2019 parliamentary elections.

In view of these developments, questions arise in many parts of Europe: Why is nationalism mobilising such great numbers in Europe? And how can people be warned of, and protected against, the unavoidable, disastrous consequences of nationalism? The search for answers must begin with an examination of nationalism's seductive message.

Nationalism and Nation

All nationalism is based on a fiction, and that fiction is the nation. The nation does not exist as a social entity, but only as a concept. Nations are imagined associations created by nationalists, as Benedict Anderson established in his wellknown 1983 book on the origins of nationalism.⁴ And a few years later, the British historian Eric J. Hobsbawm added: "Nations do not make states and nationalisms but the other way round."⁵

Nationalism is a concept of differentiation, creating false identities and true bogeymen, since enemies are needed to highlight the in-group's idea of itself and to distinguish it from others. Back in 1882, when nationalism was enjoying its first peak, French author and philosopher Ernest Renan identified nationalism's reductionist worldview when he wrote, "There is no nation without falsifying one's own history."⁶ This means that nationalist movements everywhere have written the history of their "nation" so as to construct some sort of commonality, a joint destiny, or a common purpose. In the nationalist movements of Catalonia and other regions today, this is still clearly evident.⁷

Of course it must be admitted that, despite their imaginary character as social units, nations do in fact exist – but only if the term is used to refer to a certain form of modern territorial state: the "nation state". Without including this territorial element, there is no sense in referring to a "nation" – or doing so is dangerous because it evokes a kind of community that does not represent social reality.

In the era of globalisation, the "nation" is gaining new importance, since the international order is based on the cooperation of nation states.

The nation consists of all citizens of the state. But at the moment, nationalists in Germany and elsewhere are attempting to define the "nation" as those adhering to a particular identity. It is noticeably difficult for them to cite supposed elements that those in their "nation" share and that distinguish them from other nations. To simplify things, they fall back on old patterns, by trying to weed out those whose origin, language, skin colour, religion, etc. supposedly preclude them from belonging to the identity-based community. For example, the former co-chairman of Germany's AfD, Alexander Gauland, said in 2016 that the German national football team's Jérôme Boateng, whose father is from Ghana, is perceived as "foreign"; a year later he threatened to "get rid of" Aydan Özoğuz, a German politician of Turkish origin who serves as deputy chairwoman of Germany's Social Democratic Party, by sending her back to Anatolia. In the face of such attempts to exclude individuals, it is important to emphasise that a nation of course includes immigrants and descendants of immigrants. The German "nation" therefore encompasses all members of Germany's World-Cup-winning 2014 national football team, including Lukas Podolski and Miroslav Klose, who were both born in Poland; Jérôme Boateng from Berlin; and Mesut Özil, who was born in Gelsenkirchen to Turkish immigrants.

Nation and nationalism are indispensable elements of modern statehood, and particularly in the era of globalisation, the "nation", i.e., the

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nation state, gains new importance, since the international order is based on the cooperation of nation states.⁸ In this respect, we are not experiencing a "return" to nationalism, as is some-times asserted. However, we are increasingly experiencing a return of those forms of nationalism that have led to the catastrophes of the past. This is especially true of identity-based nationalism, which is spreading across Europe in various forms and is particularly evident in the debate on migration. There is, moreover, another element that contributes greatly to the electoral successes of nationalist parties: their populism.

In searching for causes for the new nationalism, we must look more closely because the migration crisis does not by itself explain the phenomenon.

What nationalism and populism have in common is that they reduce complex social and political issues to a simple core: the creation, salvation, or promotion of the nation. In many European countries, they form an unholy alliance. "Populist nationalism" or "nationalist populism" constructs a distinction between "true" members of a national identity that it purports to defend against the establishment of the "corrupt elite" and "fake news" organisations.9 Populists deny the heterogeneity and pluralism of society and claim a fictitious homogeneity and will of the people. The affinity of this method to the ideology of nationalism is obvious. While this method is also used by left-wing populist movements (such as Spain's Podemos and Greece's Syriza), the solution they offer is not the nation, but anti-capitalism. In essence, however, right-wing and left-wing populists use the same methods: they attempt to instrumentalise all grievances, enhance feelings of insecurity, identify scapegoats, propagate the idea of bogeymen, stir up resentment and hatred, and lower the inhibition threshold.

Nationalism and the Longing for Recognition

There is no clear answer to the question of why many people in Europe are turning to nationalist ideas and electing nationalist, anti-liberal, eurosceptic parties. A single valid explanation is therefore difficult, since nationalism has a variety of motives and forms of expression. In Spain, for instance, the nationalism of the new right-wing populist party "Vox" is primarily a reaction to regional nationalism and separatism in Catalonia and the Basque Country, and the inability of previously dominant parties, the Spanish Socialist Workers' Party (PSOE) and the People's Party (PP) to solve the political crisis separatism has caused. In Germany, the new nationalist movement began in 2010 with scepticism towards the joint European currency and fear of the costs of bailing out heavily indebted countries during the Eurozone crisis. But the so-called migration crisis of 2015 is what really got nationalist rightwing populism going. In France, high unemployment resulting from deindustrialisation in several regions, especially the north and east, caused previously left-leaning workers to feel that they were the losers of globalisation. The Front National, respectively Rassemblement National, had originally tended to represent the traditional right and supported a liberal economic programme; it began to present itself as a "workers' party" under Marine Le Pen. Growing social tensions that are noticeable from a certain geographical segregation, and a rural and suburban feeling of being left behind, gave the National Rally new voter groups. This is compounded by a feeling of insecurity following a number of terror attacks in France, which brought questions of immigration, integration, insecurity and Islam to the fore.¹⁰ In the United Kingdom, on the other hand, high-profile politicians have for years stoked resentment towards the EU with the fiction of loss of control, culminating in the Brexiteers' victory in the June 2016 referendum. Since the 1990s, the Nordic countries have experienced limitations on the performance of their social welfare states as a result of the increased competitive pressure brought about by globalisation, so that increasing migration has become



An anti-European alliance: Nationalist parties are not only mobilising more and more citizens in Europe. They are also reaching out to each other. Source: © Francois Lenoir, Reuters.

the primary source of fodder for nationalist movements focused on fear of competition and loss. Similar reactions can be observed in Central European countries (Poland, the Czech Republic, Slovakia, Hungary) which, albeit profiting greatly from integration into the European Union and the opening of borders and markets, have elected parties that promote national identity out of fear of excessive wealth redistribution in favour of immigrants - some parties gaining favour with a significant portion of the population. In many cases, the migration crisis has without a doubt played into the nationalists' hands because it gave them the basis of a new form of identity-based nationalism: us against the threatening newcomers. However, in searching for causes for the new nationalism, we will likely need to look more closely, because the migration crisis does not by itself explain the phenomenon.

Francis Fukuyama cites the desire for recognition as an important motive governing the attitudes and voting behaviour of many. He describes resentment as the consequence of the feeling of neglect that some groups feel.¹¹ "In a wide variety of cases, a political leader has mobilised followers around the perception that the group's dignity had been affronted, disparaged, or otherwise disregarded [...] A humiliated group seeking restitution of its dignity carries far more emotional weight than people simply pursuing their economic advantage."¹² This is likely a very accurate description and explanation of the mood of many people in several European countries, such

as France's "lost" regions, or the parts of England that do not benefit from the City of London's boom, and parts of Germany's eastern federal states where the AfD enjoys great support. Fukuyama believes that current identity politics is driven by the desire for equal recognition on the part of social groups that feel marginalised, and such a feeling can quickly change to a demand for the recognition of the group's superiority. "This is a large part of the story of nationalism and national identity, as well as certain forms of extremist religious politics today."13 That is why Fukuyama believes the issue of identity/recognition to be important to the understanding not only of modern nationalism, but also of extreme forms of modern Islamism. He believes that their roots lie in modernisation, which entails upheavals for traditional communities.

Economic disadvantages and increasing inequality have doubtlessly assisted the rise of nationalist movements in Europe.

As important as the feeling of neglect he points out is, Fukuyama has no answers to the question of how to defend and preserve liberal democracy. Because he views the search or passion for recognition more as a sociopsychological phenomenon as a result of the individual's self-image that has developed over centuries, he does not consider economic and social factors to be decisive in pushing people towards nationalist parties.14 But there are economic disadvantages and increasing inequality, and there is little doubt that they have contributed to such developments as the rise of the Front National, respectively Rassemblement National, in France. On the other hand, as could recently be observed in Spain, members of the financially well-off middle and upper classes who cannot complain of insufficient recognition nevertheless vote for nationalist parties, so there must be other reasons for the rise of those parties.

It should be noted that the adherents of "national populists" are more heterogeneous than the stereotypical "angry white man" and that many nationalist voters are not anti-democratic, but merely reject certain developments of liberal democracy.15 However, this reveals the longobserved problem of representation of democratic institutions, which has shown them to have "moved further and further away from the average citizen", as two British academics put it.16 They maintain that the political elites either react inadequately to this problem, or not at all. While the nationalists want to discuss a number of legitimate democratic questions, the elites refuse such discussion because the questions are of no practical concern to them. An example of this is the erosion of the nation state in the age of globalisation, the capacity to absorb immigrants and the fast "ethnic shift" of several societies, inequality within Western countries, the social marginalisation of certain segments of the population, and the question of whether it would not be better for the nation to prioritise care for people who have paid into the tax and social systems for years. Some politicians find these questions unpleasant, but they are nevertheless of concern to many and are exacerbated by nationalists, while the "system parties" in many places fail to provide satisfactory answers. Wolfgang Merkel makes a similar argument when he says that right-wing parties are a direct consequence of the polarisation in many societies into so-called "cosmopolitans" and "communitarians" - that is, the winners and losers of globalisation. 17

Altogether, there are roughly four social transformation processes that have caused concern to a growing number of people, and which, to a large extent, explain the rise of nationalist populism:

- increasing distrust of politicians and institutions;
- destruction of the historical identity and established way of life of a national group;
- a feeling of loss resulting from increasing income and wealth inequality and loss of faith in a better future;

• a decoupling or weakening of ties between the traditional mainstream parties and the people.

Wolfgang Schäuble, President of the German Bundestag, believes that the solution to the problem of representation, which is addressed by the last point, is a precondition to tackling democracies' current difficulties, and in particular the challenge posed by nationalist populism.¹⁸ It is therefore necessary for parliaments and the political groups within them to better fulfil their functions.

There are other developments that help account for the rise of nationalist and populist ideas and parties in many European countries, which could have a significant impact on the continued existence of liberal democracies and on the flight of many people to the nationalists.

One is the weakening of the nation state in the context of globalisation. It is above all the critics of neoliberalism which use this argument when trying to explain the rise of populist nationalism.19 While neoliberalism has long been criticised in Latin America because of a supposed limitation of national self-determination, this position has become more prominent in Europe as well. Curiously, this development is quite pronounced in the country in which neoliberalism has strong advocates, and which initially seemed to most clearly benefit from it: the United Kingdom. There, the European Union is the primary target of the feeling of loss of self-determination that mobilised nationalist eurosceptics and led to the Brexit vote. The protests against the freetrade negotiations between the EU on the one hand, and the US and Canada on the other, were also driven by fear of loss of control. This criticism came more from left-leaning groups and journalists, but was also grist for the nationalist parties' mill. And when the minister-president of a German federal state criticised the "loss of control of the state" during the so-called 2015 migration crisis, he fuelled fears that the nation state and its protective function was weakening. It is undisputed that the nation state's role has been reduced in the age of globalisation, at

least insofar as it can no longer unilaterally control many processes or solve many problems. But for many, the nation state remains the central national reference. The nationalist promise that strengthening the nation state in itself will somehow relieve worries and solve problems is untrue, but that does not make it any less attractive.

The second point has to do with modern forms of communication, and not least the role of social media with their filter bubbles that destroy democratic dialogue and wither the ability to deal with criticism and other opinions.²⁰ One effect of this is that people in many European countries feel themselves constrained by "political correctness" and turn to right-wing populism because it seems to better articulate their concerns.²¹ This was evidenced recently during the climate change debate. The problem here is not right-wing or nationalist stances. But people who believe the climate protection debate to be hysterical and worry about additional costs turn to right-wing parties, which attempt to attract supporters with their scepticism about climate change, as the AfD has recently done in Germany.

A further issue will gain importance in the future: the consequences of the digital revolution, artificial intelligence, the increasing number of previously human functions that will be taken over by robots, and the changes to the labour market this will cause, which may ultimately result in restrictions to our individual and political freedoms.²² Speculation and debate about the effects of digitalisation has only just begun in most European countries. However, when the alienations resulting from the digital revolution become more pronounced, additional flight is to be expected, and national populist parties will be one of the primary beneficiaries.

Finally, the fragmentation of the party systems in many countries in Europe and the difficulty of building a consensus and forming a government is taking its toll. Spain, Belgium, and the Nordic countries provide examples of this. This poses a great challenge to democracies. It is grist in the nationalist mill.



Political Approaches to Overcoming Nationalism

What can be done to stop the rise of nationalism? Even though the social sciences tend to deliver more problem analysis than recommendations for action, the analysis leads to an important conclusion: the centre parties must react even more clearly to the demands for recognition on the part of individuals, groups, and regions that feel neglected. Policies must be explained and communicated even more intensively, not only via the new electronic media, but by conventional means involving direct contact with the people. That is a challenge for all politicians. A major factor in the Christian Democratic Union's electoral successes in Germany's provincial parliamentary elections in Saxony in October 2019 was apparently Minister-President Michael Kretschmer's willingness to spend practically an entire year attending daily town halls and meetings with concerned citizens to show that he was taking their concerns seriously. Political decisions were also made to demonstrate to the supposedly



left-behind regions that they were not forgotten after all. This leads to the conclusion that politicians, from the local to the federal level, must spend more time establishing and cultivating contact with the people, both in person and using new technologies.

To combat mistrust of politicians and institutions, it is important to ensure that those who feel shut out of the political process have more opportunities to participate. But this must not mean "daring more democracy" in the sense

On the way to Europe: The so-called migration crisis, which is frequently cited as a trigger for the rise of nationalist parties, does not explain the rise of nationalist parties alone. Source: © Alessandro Bianchi, Reuters.

of using referenda to make policy decisions. Doing so causes many problems, as has been demonstrated in many such attempts, not least the Brexit referendum. More direct democracy involves that risk of damaging political institutions, especially parties, even more. Instead, forms of participation must be found for party members and sympathisers and for citizens in general that can arouse interest in political involvement and activity.

A readjustment of migration policy in Europe is also important, even though it is extremely difficult to reach a consensus within the EU on this sensitive issue. Although the migration crisis is not the primary cause of the rise of nationalism in Europe, there is no question that it contributed. This issue therefore requires new policy approaches that demonstrate that Europe is regaining control of migration without ruthlessly rejecting migrants. This is the only way to undercut xenophobic national populist agitation.

Digitalisation is a priority for the new EU Commission. The concern here must not merely be technical expansion and control of providers, but precautionary measures including training, education, and workplace changes that will counteract new fragmentation of European societies. Automation and artificial intelligence will change labour markets and cause uncertainty that could rock political systems for a long time to come. Nationalists welcome the losers of these developments with open arms.

The "moderate" nationalism or populism that some authors recommend should be avoided.²³ It is misleading. There is so far no empirical evidence that the approach promises success. In Germany and other European countries, there is no majority for such a movement, as the European Parliament and national election results show. The Christian Social Union in Bavaria tried this strategy in 2018, suffered badly, and has since reconsidered. In Spain and France, the Partido Popular and Les Républicains, respectively, failed in their attempts to engage in a "right-leaning" discourse to prevent voters from deserting to nationalist parties. The European Parliament election in 2019 had a high voter turnout because a certain segment of the population was intent on thwarting the rise of nationalist parties. Populism and nationalism cannot be combatted with populism and nationalism. The coronavirus crisis shows that wherever states lived up to their obligations to protect their citizens, nationalists were weakened. But the reverse is also true.

There is no conclusive answer to the question of the right means for combatting nationalism. Each country must develop its own instruments. It remains important to describe the phenomenon and to constantly remember its sinister consequences. Only when our liberal democracies are conscious of these consequences will Europe's societies be strong enough to resist nationalism and its hostility.

-translated from German-

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Nationalism

Indigenous Identity in Latin America

Cultural Riches and Social Dynamite

Georg Dufner

Indigenous identity in Latin America is fundamentally different from post-materialist identity politics in the West, but could benefit from the latter's rise. Deep-seated deficits in representation make the issue of indigenous policy-relevant in almost all countries in the region, however, to greatly varying degrees. Indigenous identity is a further manifestation of social inequality in the region's societies and a challenge to politics.

Preliminary Note

Latin America is a region with one of the highest proportions of indigenous population in the world - some 45 million people, or approx. 8.3 per cent of the population.¹ On the subcontinent, the question of how indigenous peoples are treated has long been politically toxic. It is no less significant in the 21st century, and remains an important factor in Latin American politics. The issue should not be obscured by the fact that, to date, there are only a few examples of indigenous politicians having assumed power. The combination of social demands and ethnic attributions (including self-attributions) has often ensured that left-wing movements and politicians have paid more attention to indigenous issues than the centre or right have.

Since its independence, Latin America's political systems have suffered from a tremendous representation deficit for the subcontinent's indigenous peoples. The promise of a liberal constitutional state - the guarantee of equal rights and obligations - has been only partially fulfilled to this day. The state - especially the constitutional state - has little or no presence in rural regions, where indigenous peoples benefit much less from health, education, and transportation infrastructure than residents of urban centres. The social indicators are worse in virtually every way compared to those of non-indigenous areas. Indigenous groups suffer more from the Latin American phenomenon of deep social inequality. Conflicts regarding land rights, some of them dating from the pre-colonial period, and rights to political and cultural autonomy are the order of the day.

As culturally diverse and organisationally heterogeneous as Latin America's indigenous peoples may be, they are united in central issues owing to their varying degrees of political, cultural, and social marginalisation. For these groups, who largely belong to the rural population, the intercultural view of education, health, internal mechanisms for jurisprudence and decision-making, as well as legal security for land titles are key demands. For the increasing number of indigenous people who live in cities, an additional guarantee of cultural rights is also of utmost importance. These issues are reflected in the classical definition of indigenous peoples propounded by José Martínez Cobo, Special Rapporteur for the UN Sub-Commission on Preventing Discrimination Against Indigenous Populations and Protecting Minorities.²

It should be added that the rural areas inhabited by indigenous peoples often serve to store raw materials such as natural gas, crude oil or minerals, or play an important role in generating energy from water power.3 This circumstance multiplies the conflict potential surrounding land rights among indigenous peoples, the state, and the private sector, especially as part of infrastructure and extraction projects. Ubiquitous phenomena in such conflicts are frustration at a lack of governmental attention, violent protests against the absent state or the unregulated private sector, criminalisation of these protests by the state, and rural exodus, which often goes hand in hand with identity conflicts and the risk of poverty. Efforts at integrating the interests of indigenous peoples and their traditional decision-making processes into nation states, have so far not proceeded past the initial stages.

Latin American legalism, too, which in many countries has led to progressive legislation, fundamentally fails with respect to the rights of indigenous peoples and individuals because of insufficient presence and independence of state institutions. There is often a lack of political will, understanding of indigenous peoples as citizens with equal rights, and competence in intercultural communication. The consequence is that individual legal instruments, such as the International Labour Organization's Indigenous and Tribal Peoples Convention of 1989, and the UN Declaration on the Rights of Indigenous Peoples (2007), are overwhelmed with unrealistic expectations or those that can scarcely be implemented in practice.⁴ Some progressive autonomy rights are in constant tension with the prerogatives of Latin American presidentialism, especially when the latter is coupled with a centralised state architecture that impedes effective implementation.

Indigenous politics in Latin America is at an entirely different stage of development than the post-materialist identity politics in Western societies.

This is fertile ground for identity politics, one would think. Yet, the starting point, the reaction by decision-makers, and thus the picture of individual countries in the region vary greatly. The achievements of indigenous parties in Latin America have also been disappointing. Generally, indigenous politics - that is, politics based on the ethnic or cultural characteristics and living conditions of indigenous peoples - in Latin America is at an entirely different stage of development than the post-materialist identity politics in Western societies. This is because it makes fundamentally different demands, namely for recognition of its own culture and for specific material needs. Despite the differences between the two phenomena, the demands of indigenous

identity politics may well benefit from the successes of identity politics in Western societies.

The Regional Situation

Indigenous political movements in Bolivia and Ecuador in the Andes are especially well organised. The Rafael Correa government came to power in Quito in 2007, also thanks to his promise to the indigenous peoples that he would pursue an inclusive policy commensurate with the intercultural nature of the state. But there were many indications that this rapprochement was merely tactical. Whereas the indigenous facade would soon be abandoned in favour of hard left-wing populist power politics, the illusion of an "indigenous" government lasted much longer in Evo Morales's 14-year term of office in Bolivia (2005 to 2019). In fact, the organisation of the Movimiento al Socialismo (MAS) is more reminiscent of a trade union than a movement based on the political traditions of the dominating Aymara, who, for example, regularly rotate offices - a sore point for many of Morales's early allies.⁵ In Bolivia, 6.2 million people, and hence 62.2 per cent of the population, are considered indigenous.6

The Morales government can boast successes in improved social recognition of the Aymara and Quechua in Bolivia, where structures exhibit high levels of ethnic segregation and are characterised by deeply entrenched racism. In fact, however, the Morales government has been dominated by the interests of the cocoa farmers and other informal unionised Bolivian industries. It was certainly not driven by the cultural or political practices of the Aymara or the Quechua. Even the Morales government's successful international marketing, which reached its first zenith with the naming of Morales as "World Hero of Mother Earth" by the United Nations General Assembly in 2009, cannot disguise that fact. There was certainly no question of fair treatment or respectful interaction, especially of the indigenous groups of the lowlands. Conflicts surrounding the exploitation of rainforest areas (a prime example being the conflict over the TIPNIS national park as of 2009), which



Potential for conflict: A lack of governmental attention can lead to frustration and protests. Source: © Gaston Brito, Reuters.

did not implement the constitutionally guaranteed consultation process, and the government's handling of the 2019 slash-and-burn clearing, highlight the problematic use of the "indigenous" label for the Morales government. That is why the promises of a state that has been officially plurinational since 2009, still cannot be considered fulfilled. The authoritarian power polities, and especially the propagation of racist stereotypes and confrontations by representatives of the MAS, have done a great disservice to the reputation of supposed "indigenous politics" both inside and outside of indigenous groups. For instance, Morales's overblown rhetoric made it easy for his opponents to re-assume a position of segregation or assimilation of indigenous groups into a supposed majority society. This political climate makes it difficult for liberal centrist reformers to advocate for indigenous rights.

Morales left behind an unstable political situation when he relinquished power in November 2019. The degree to which political elites have learned from past discrimination against indigenous peoples will become evident over the medium-term. The Morales government discredited indigenous politics in the eyes of the white population, but belonging to an ethnic group remains a very important factor in Bolivia as regards both identity-formation processes and political mobilisation, especially for highland indigenous peoples.⁷ Anyone failing to respect this cultural variety will have no success in Bolivian politics or will have to endure a high level of social conflict.

A high share of indigenous people in the population does not automatically imply successful representation. Despite its seven million



indigenous people, or 24 per cent of the population, Peru has no significant indigenous movement on a national scale. The economic upswing witnessed over the last few years has resulted in improved state presence in the highland regions, while rural exodus and urbanisation have promoted acculturation processes. By way of contrast, significant indigenous portions of the population of Peru's Amazon drainage basin suffer from insufficient organisational strength and pervasive corruption, to which indigenous umbrella organisations are of course not immune. The social separation into highland and lowland indigenous peoples, which also exists by definition and in the self-image of the people themselves, can be seen in Peru, Ecuador, and Bolivia. In Peru, it is so pronounced that there is colloquial reference to farmers (highland campesinos that belong to the Quechua and Aymara ethnic groups) and indigenous groups (lowland indígenas).8 The peoples of the highland regions are much better integrated into urban centres and the state's decision-making processes and infrastructure. Levels of self-identification as "indigenous" are low in Peru, not least because of the social status associated with indigenous groups.9

The globalised drug business prevents the stabilisation of indigenous politics, especially with respect to education, health, and land rights.

Guatemala impressively demonstrates how an indigenous population does not automatically obtain representation even if it enjoys great cultural homogeneity and makes up a high proportion of the overall population. The urgent problems of indigenous peoples, which number 5.9 million and thus make up 41 per cent of the population, remain unsolved in Guatemala for a number of reasons. Neither the elites, who predominantly identify as "white", nor the traditional parties are aware of the plight of

indigenous peoples, nor is there a coherent Maya movement that could push for a breakthrough in addressing the specific problems of this ethnic group.¹⁰ Indigenous parties are unable to attract the majority of indigenous peoples, let alone non-indigenous voters. There have been no consistent electoral successes at the national level. The candidate for the most important indigenous party, WINAQ, received only 5.22 per cent of the vote in the presidential elections. Widespread violence arising from the drug trade greatly deters potential challengers for political office, even in rural regions. The globalised drug business thus prevents stabilisation of indigenous politics that is especially concerned with the issues of education, health, and legal certainty for land title rights. Here, too, corruption has a disintegrating effect on the political system, since such a system structurally favours corrupt elites and industries networked with the drug trade.

Brazil, the subcontinent's largest country, has yet to give rise to any effective indigenous movement despite its total of 305 indigenous groups. The 900,000 indigenous people in Brazil make up only 0.5 per cent of Brazil's population and, much like the low-country indigenous peoples of the neighbouring Andean countries of Bolivia, Ecuador, and Peru, suffer a much lower degree of organisation, greater marginalisation, and isolation from state decision-making mechanisms.¹¹

The list of countries with effective representation of indigenous peoples at least at the regional level, can be supplemented by Mexico and Panama. In Mexico, the federal states of Oaxaca (primarily because of the high number of indigenous mayors), Yucatán, and Chiapas stand out.12 In many respects, Mexico's federal structure has the potential to better represent indigenous demands than other countries in the region. The principle of subsidiarity governing Mexico's federal states and municipalities allows concepts such as communal property, cultural rights, and land rights to be anchored to an extent which decisively reduces the potential for conflict among the state, businesses, and indigenous peoples. Panama in Central America deserves mention because the



well-organised indigenous population in the relatively small country is growing fast (it currently accounts for 12.3 per cent of the overall population). This significantly reinforces political leverage, and will greatly increase demands for adaptations to or abandonment of the country's upcoming large infrastructure projects. As in other Caribbean and Central American states, the Afro-Panamanian population group views itself as most linked to the developments of Western identity politics. The proximity or, in the case of former British territories, the direct connection to the English-speaking world plays a role in establishing greater reception for post-materialist identity politics than is the case in large parts of Latin America.



Diagnosis and Conclusions

Indigenous politics is a diverse Latin American reality to which the politics of the nation states must find answers. Academic discussions about whether indigenous identity in the 21st century is cultural essentialism will not be discussed further here. A regionally differentiated

No support: Indigenous peoples in Latin America suffer from marginalisation and a lack of inclusion in the political process. Source: © Ueslei Marcelino, Reuters.

assessment reveals that there are specific foundations for, and in some cases, solidified organisational forms of indigenous politics in many Latin America countries. Whether and how these group interests develop in future - as anti-system protests or productive participants in political competition whose goal is to achieve a liberal democracy - greatly depends on the political systems and the course set by current decision-makers. The decisive factor for Latin American politics will be whether they continue to reinforce indigenous people's latent antisystem, strategic essentialism by continuously underestimating and disregarding issues outlined above - with all the risks that entails - or implement suitable measures to allow indigenous peoples to participate and contribute as a productive force within intercultural societies. There is also the question of whether Latin America's very strongly centralised presidential systems, in place everywhere but Mexico, can be reformed enough so that certain autonomy rights, in part already provided for, can be implemented.

Realising improved indigenous participation must follow a number of paths. The Konrad-Adenauer-Stiftung's regional Indigenous Political Participation programme, together with party representatives, scientists, and its indigenous experts, promotes the following points:

- The region's political parties must work harder to integrate indigenous peoples – especially in urban areas – and address their central concerns.
- The state must acknowledge the intercultural reality and recognise the rights of its citizens of indigenous descent by serving as a protective presence and effectively promoting indigenous peoples, even in remote regions.¹³

- The poor capacity of decision-makers in education, politics, business, and the media to conduct an intercultural dialogue and their lack of knowledge regarding the situation in indigenous areas, means that prejudices that have grown over time remain strong. Great efforts in intercultural education and communication will be necessary to change this situation over the medium-term. Such educational efforts can play a key role in reducing the traditionally large number of conflicts in Latin America linked to political, economic, and social forces.
- Opportunities to integrate jurisprudential and decision-making mechanisms into the nation state need to be found, especially for indigenous peoples who live in their original settlement areas. Above all, this will require practical implementation of effective legal pluralism, autonomy rights,¹⁴ and facilitation of party structures for independent indigenous candidacies.
- The effective, free and informed prior consultation undertaken with honest intentions (*buena fé*), is an extremely well-established method of regaining lost trust and successful implementing major policy changes.¹⁵ The state must plan useful consultation processes, use them to disseminate information, and impartially monitor their use by indigenous peoples and the private sector.

Politics characterised by cultural idiosyncrasies and that pursues group interests should not be rejected as negative per se, however its confrontational nature and divisive potential may be greatly mitigated by recognising intercultural societies and civil rights and duties. The history of Latin America shows that ethnic parties are not a successful long-term approach, even if there is a high share of indigenous peoples in the population. Yet, it does seem certain that if the points outlined above are not respected, indigenous identity politics that may have an antisystem character is likely to be strengthened in the long run. Unlike post-materialist identity politics of all shades, indigenous identity politics has a solid basis in the historically-rooted understanding of indigenous minorities as separate peoples or nations. It therefore poses a political and ideological challenge to the stability of Latin American democracies. Politicians are left to determine whether indigenous identity will become socially explosive, move towards re-strengthening politics based on ethnicity,¹⁶ or be able to manifest itself as cultural wealth.

-translated from German-

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Nationalism

National Identity Against External Pressure

Will Belarus Reconcile Its Contradicting Narratives?

Jakob Wöllenstein

Viewed dispassionately, the pro-Russian and pro-European poles of the Belarusian national identity, however much they disagree in questions of content, are both part of Belarus in its modern form. From the identity politics perspective, this realisation represents an opportunity to reconcile internal narratives and resolve internal tensions. This insight can ultimately lead to the heightening of the country's profile at the international level – especially in the West, where Belarus is still often perceived as a mere Russian appendage because of the way it has positioned itself for years.

A Hero's Funeral

22 November 2019 was a cold, windy day in Vilnius, Lithuania. Yet the crowd that had gathered in front of the cathedral welcomed the gusts. They proudly held up their flags and the squared blazed white and red - the most common motif was the old Belarusian flag with its red stripe on a white field. The occasion of the gathering was a historic reburial. In July 2017, during excavations at the legendary Gediminas Hill, workers had discovered human remains from the 19th century, and analysis confirmed that they were the remains of a leader of the 1864 January Uprising and his closest followers who had been executed for their determined but unsuccessful struggle for liberty in the last of three major uprisings against czarist rule. Several countries claim his heritage, as reflected in variations in his name's spelling. The Lithuanians call him "Konstantinas Kalinauskas", the Poles "Konstanty Kalinowski", but, born in what today is Belarus, the revolutionary himself used "Kastuś Kalinoŭski", the Belarusian version. The uprisings shaped the identities of Poland and Lithuania, so it was natural for the presidents of the two countries to take part in the reburial. Belarus was affected equally by the split, and the conflict was even carried out on its territory. However, as an ally of Moscow, the country continues to struggle with honouring an anti-czarist (i.e. anti-Russian) freedom fighter. It was thus all the more remarkable that Belarus was prominently represented by Deputy Prime Minister Ihar Pyatryshenka - but,

demonstratively, not the most senior, since President Aliaksandr Lukashenka was presiding over regional agricultural deliberations at the time.1 His compatriots, meanwhile, had travelled to Vilnius and consciously assembled not under the official red-green national flag, but under the historical flag from the early 1990s, which in turn refers back to the short-lived Belarusian People's Republic (BNR) of 1918 and is de facto outlawed in Belarus today. This snapshot highlights the development of Belarusian national identity: a visible gulf remains between the post-Soviet and neo-Soviet pro-Russian view, on the one hand, and the cultural and linguistic view, emphasising European heritage and a "European" future, on the other. Although the state has been prone to a pro-Russian sentiment, there is currently a careful opening to the "other" side of Belarusian identity. This development can only be understood in the context of the growing tensions between Minsk and Moscow.

When Does Belarus Begin?

The formation of Belarusian identity has been actively impeded, and repeatedly set back over the course of the country's eventful history, which was often characterised by foreign rule. The story of its formation is punctuated by multiple breaks, but there are also important continuities. The terms "Belarusian", "Belarus", and "Belarusians" (and the outdated term "White Russians") did not arise until the mid-19th century, when the country was ruled by the Russian

czars. Previously, many had considered themselves "Lithuanians", a term derived from the early modern Grand Duchy. Its name in English is "Lithuania", but the modern concept of Lithuania as a nation state within its current borders, its (Baltic) population of the same name, and their Baltic language is a narrowing of the term. Medieval Lithuania, whose eponymous territory ("Litva" in Slavic), stretched beyond Minsk to the East, and was home to many peoples, languages, and religions - the majority of them Slavic. Thus, in the 19th century, the country, people, and language of Belarus experienced a change in designation (including as regards their own usage). This makes it difficult to link their history to previous historical quantities that might provide identity and appears to lend plausibility to the argument that Belarusian national identity rests solely on the modern Republic of Belarus as it has existed for 28 years as well as on its Soviet Russian past. In fact, the Belarusian state dates back to the Middle Ages. The Grand Duchy that in the 13th century unified the region's Slavic and Baltic tribes stretched in its heyday from the Baltic to the Black Sea. It lasted for over half a millennium. In 1569, in alliance with Poland, the state formed an aristocratic republic that became a haven of relative tolerance and freedom for about 200 years. However, it served primarily as a common defence against external threats - the country waged war twelve times with the Muscovites alone between the 14th and the 17th centuries.² At the same time, the unification resulted in the Polish domination of political and cultural elites and urban centres.

Unlike in Poland and Lithuania, Belarus' national movement gathered momentum slowly.

After the violent partition of the *Rzeczpospolita* by Prussia, Russia, and Austria at the end of the 18th century, those who did not accept the new status quo were confronted with the question of which country they would support, with arms if necessary: A restoration of the Pole-centric

aristocratic republic or modern nation states (that were to be homogenised)? The idea of the nation state gained momentum, particularly in Poland and present-day Lithuania. Broad swathes of the mostly Catholic, and Polish- or Lithuanian-speaking population started to develop a national consciousness, which ran counter to the Russian-speaking Orthodoxy. The Belarusian national movement, however, grew slowly. Large parts of the aristocracy remained polonised, and others became impoverished or were exiled within Russia after the January uprising. The majority of the Belarusian people lived in rural structures and, while they felt strong ties to their immediate home, were not necessarily conscious of a national "imagined community"3. The czarist administration, on the other hand, pursued a policy of systematic russification in its new "western territories". It cast itself as a liberator from the "Polish yoke", declared the national language - in which Europe's first written constitution had been published - to be a Russian dialect, and destroyed structures reminiscent of the "golden age" of independent statehood, including all of the country's town halls.⁴ The Greek Catholic church, to which most Belarusians belonged, was banned, and the faithful were forced to "return" to the Russian Orthodox Church.⁵ These policies were not without success. Nevertheless, a Belarusian nationalist movement formed, primarily in the area of Vilnius, which had a large Belarusian population, and on 25 March 1918, still under German occupation, the All-Belarusian Congress declared the independence of the Belarusian People's Republic (BNR), which had been formed a short time before. This was the first state to explicitly bear the name "Belarus", but it was not to last long. The very next year, it was forcibly replaced by the Byelorussian Soviet Socialist Republic (BSSR), and the country's west became part of Poland for the next two decades.6

Tabula Rasa?

If, one hundred years later, the people of Belarus are asked what they think the most important events in their country's history are, many of them will consider these events much less



In memoriam: The victory in the "Great Patriotic War" is for many Belarusians one of the most relevant events in their history. Source: © Vasily Fedosenko, Reuters.

important than what happened in the 20th century. In a 2016 survey by the National Academy of Sciences, the victory in the "Great Patriotic War" was first in all age groups, followed by the collapse of the Soviet Union and the Chernobyl disaster.7 The radical upheaval of the bloody 20th century represented formative points in the people's mentality, values, and identity. After initially benefitting from Lenin's nationalities policy, which promoted the languages and cultures of the Soviet Union's peoples, Belarus saw in 1929 the beginning of forced collectivisation, terror, and mass deportations that effectively eradicated the national elites.8 The partitioning of Poland, in accordance with the 1939 Hitler-Stalin Pact, led to the amalgamation of the "Belarusian territories", but shortly thereafter

the German war of extermination and the Holocaust cost one third of the population their lives. At the same time, the remaining anti-Soviet forces - among them many of Stalin's victims discredited themselves by collaborating with the Nazis and were therefore exiled or executed when the war ended. On the other hand, the Second World War became the starting point of the partisan myth, in which some see the "very first expression of a collective Belarusian popular will".9 The victory over Nazi Germany was a new beginning and became a central pillar of the Soviet self-image. In Belarus, this was symbolised by the radical re-design of Minsk as a Soviet ideal city. Reconstruction and industrialisation gave the country an economic boost, expanded education, and provided a relatively

high standard of living. As a result of the murder of the Jews, which in many places had made up about half of the population, along with the expulsion of many Poles, ethnic Belarusians now made up the majority of the population, including in urban centres. Belarus was, however, greatly affected by russification, not least because of the immigration of many Soviet citizens from other republics in the Union.¹⁰ All in all, the Soviet period, especially toward its end, was nevertheless a happy one for many Belarusians.¹¹ In contrast to its neighbouring countries, Belarus had no pronounced anti-Russian sentiment; there were few dissidents, and no strong resistance movement. The country recieved independence in 1991 "without a fight" - as though the dissolution of the USSR had been decided on Belarusian territory.

Aliaksandr Lukashenka remains the only president of the Republic of Belarus, which was founded in 1994.

Restart 1991?

The majority of Belarusians welcomed the independence of their state, and it was initially accompanied by a national renaissance in the 1990s. Parliament received "tons" of enthusiastic letters during its 1990 deliberations about making Belarusian the only official language, and the white-red-white flag of the Belarusian People's Republic became the official national flag.¹² However, the election of the first - and to date only - president of the Republic of Belarus in 1994 took things in a different direction. Aliaksandr Lukashenka, who was born near the Russian border, was less than enthusiastic about national Belarusian thought or the Belarusian language. According to his own account, he was the only representative of the Supreme Soviet of the BSSR to vote against independence and, even in 2020, refers to the former USSR as his "fatherland"13. In a controversial 1995 referendum, he re-introduced Russian as the second (and de

facto first) official language. He halted the privatisation of the economy, pushed for a union with Moscow, and entered into a confrontation with the West in view of his actions relating to democracy and human rights.14 A rehabilitation of the Soviet period followed that was not limited to national symbols, the reinstatement of holidays, the retention of a secret service named KGB, and the names of streets and towns.15 It also encompassed the cultivation of a comprehensive welfare state and historical narratives. Displaying old Belarusian symbols was branded as nationalist, the national flag that had just been re-introduced was placed under a de facto ban, and the Belarusian language was stigmatised as an expression of oppositional attitudes.16 Lukashenka knew that a significant portion of the population supported this course. He also secured important economic support from the Kremlin, to which he regularly emphasised that he had curbed anti-Russian nationalism in his country.

Instead of reviving old traditions, he created his own version of a republican identity whose foundations were oriented not on ethnic nationality, language, or culture, but on the new state and its presidential axis of power. A corresponding state ideology was developed and, since 2004, has been systematically spread via schools, state and youth organisations, companies, and the media.17 The values it defines are the "Great Victory" of 1945, (social) peace, independence, and stability.¹⁸ The spread of the Belarusian language has since greatly decreased. Only about one in ten schools today give instruction in Belarusian, and although surveys show that 86 per cent of Belarusians consider the language as the most important component of their culture, only two per cent speak Belarusian at home.19 This policy is having an effect: to a 2016 survey asking what Belarusians most link to their nationality, 72.5 per cent responded "territory and common place of residence", and 68.8 per cent cited the state.²⁰ But the concept of a state ideology failed to become deeply rooted in the population, and President Lukashenka has, since 2014, repeatedly acknowledged that the approach was a failure.²¹ The timing appeared anything but coincidental.

Ukraine Crisis: The Shift in Foreign Policy Identity

In the area of foreign policy, too, Belarus had for many years cultivated a post-Soviet identity with preferred contacts to Russia and a chilly relationship to the West, where it was decried as Europe's "last dictatorship". The "Crimea moment" not only jolted political elites in the EU awake, but also sounded the alarm in Minsk. Russia, Belarus' central economic and military partner, had violated the Budapest Memorandum, which also guaranteed Belarus its territorial integrity. Minsk refused to recognise the annexation of the peninsula, instead attempting mediation. This became the starting point for the development of a new self-perception of Belarus' foreign policy role - that of "guarantor of regional stability". Lukashenka invited the conflicting parties and European partners to negotiations, and the Belarusian capital became the eponym for the peace plan that remains in place today. Minsk continues to attach great importance to its special relationships to the East; in addition to its membership in the Commonwealth of Independent States and the Collective Security Treaty Organisation, Belarus co-founded the Eurasian Economic Union (EAEU) in 2014. But the declared goal is a "multi-vector" and "situationally neutral" foreign policy with the best possible relations to all sides. The release of political prisoners in 2015 warmed relations to North America and the EU, triggering a rapprochement which has since developed with unprecedented dynamism.²²

Minsk's top priority is preserving national sovereignty, which, today, is challenged more than anything by Russia. From the very beginning, Moscow has been very sceptical of its neighbour's apparent overtures to the West and perceived Minsk's refusal to allow a new Russian airbase on Belarusian territory as an unfriendly act. The then Russian Prime Minister Dmitry Medvedev, presented Minsk with an ultimatum in December 2018, when it was facing the pressure of an ailing economy: under the basis of the almost-forgotten 1999 Union Treaty, Belarus was to commit itself to deeper political integration with Russia if it wished to continue to benefit from the latter's cheap energy supply. This put Belarus into a quandary. Higher oil prices would not only endanger Belarusian export profits from refinery products but cause severe difficulties for the Belarusian welfare state and put Belarusian companies at a severe competitive disadvantage within the EAEU compared to Russian companies. But relinquishing sovereignty was also not an option for Lukashenka, Europe's longest-serving head of state, whose instinct for power is keen. Relations worsened throughout 2019, and despite intensive negotiations, the two sides were unable to come to an agreement on central issues.23 Belarus' economic situation continued to deteriorate in early 2020 because of the collapse of transit revenues and oil prices, the devaluation of its currency, and the COVID-19 pandemic.

Identity Against Outside Pressure?

The pressure from Moscow is not restricted to diplomatic and economic efforts, but also encompasses social networks and the media. Seventy per cent of Belarusians view Russian broadcasts and trust the information they provide.24 Moreover, recent analyses have shown the extent to which Kremlin-friendly networks, such as Russkij Mir (Russian world), are attempting to influence Belarusian public opinion in favour of a union with Russia.²⁵ The Belarusian state took countermeasures in the form of an information security concept and announced the creation of a new television channel.²⁶ At the same time, state representatives recognise that, in face of a self-confident Russia or pro-Russian cultural chauvinism, the existence of the Belarusian nation is confronted not only

The driving factor for Minsk is its interest in maintaining national sovereignty. Today this goal is challenged more than anything by Russia.



On a first name basis: Despite recent differences with the big neighbour, a large part of the Belarusian population favours good neighbourly relations. Source: © Sputnik/Mikhail Klimentyev/Kreml via Reuters.

rhetorically but also and increasingly – given the low profile of the Belarusian identity and language – an existential threat.²⁷

This is how previously unthinkable state concessions to the "other side" of the national identity came about in recent years. A symbolically rich moment was the March 2018 centennial celebrations for the founding of the BNR. Gatherings had previously been subject to severe restrictions on this "opposition anniversary", but in 2018, the state surprisingly allowed a major event within a limited area in the heart of Minsk.²⁸ The opening ceremony of the 2019 European Games, which the Russian Prime Minister attended, became



a state-organised panorama of symbology, personalities, architecture, and art representing the Belarusian state and Belarusian folklore. History policy, meanwhile, remains careful and sometimes contradictory, as the Vilnius case, described at the beginning of this article, illustrates. While a memorial has been erected to honour Kościuszko, the Belarus-born leader of a 1794 uprising, the Academy of Sciences de facto advises against naming streets after him.²⁹ Lukashenka has begun referring to the Grand Duchy of Lithuania as a "Belarusian state", but refrains from recognising its victories as Belarusian victories, relying exclusively on Soviet history for the traditions of today's army.³⁰

A survey shows that most Belarusians are not primarily pro- or anti-Russia.

Popular opinion has been affected by the foreign policy developments and by the reporting on the dispute with Russia. A 2019 sociological study by the Belarusian Analytical Workroom posed the hypothetical question of whether Belarusians would rather live in a union with Russia or be part of the EU. Between January 2018 and August 2019, the proportion favouring Russia fell from 64 to 54 per cent, while that for the EU rose from 20 to 25 per cent. When the question was asked again in December, at the height of the Russian-Belarusian dispute, the rates were almost equal (32 to 40 per cent).³¹ There was a pronounced gap between age groups: Twothirds of those 55 or older favoured Russia, but the EU is the clear winner among those younger than 34, although even in this demographic, it did not reach 50 per cent.

Can the Narratives Be Reconciled?

The data described above give the impression of a geopolitically divided country – but such a conclusion would be inadequate. The same survey shows that most Belarusians are not primarily pro- or anti-Russia, since despite Belarus' recent differences with Russia, three fourths of Belarusians favour good neighbourly relations. The data also show that geopolitical orientation is subject to greater day-to-day political fluctuation than national identity would seem to allow. A look at the qualitative part of the analysis is more informative: those who favoured union with Russia cited, as the most important reasons, a similar mentality, "Slavic values", and the common language and history. Those who favoured the EU were concerned with material issues, visa-free movement, and professional opportunities. Items such as common European values and culture achieved an average value of six on a scale of nine but reached only spots twelve to 14 on the "most important concerns" list. Belarusians agree about one thing, however: more than 95 per cent reject the idea of becoming a Russian province. Whether a person derives his Belarusian identity from Soviet heritage or the BNR, whether he feels greater emotional affinity with Russia or with the EU, does not apparently influence the fact that both sides remain clearly committed to the independence of Belarus.

Belarus combines various historical, cultural, sociological, geographical, and economic elements of East and West.

Thus, both poles of the Belarusian national identity, however much they disagree in questions of content, are part of Belarus in its modern form when the situation is viewed dispassionately. But the post-Soviet-statist variant, long promoted by the Belarusian state as the only acceptable one, is reaching its limits today. Author Maryna Rakhlei cites the fact that most Belarusians simply have little knowledge about their national history and culture and thus know of nothing "to be proud of".³² There is a great deal to be proud of, if one considers pride a desirable sentiment, both in history and in the present, but pride would require anchoring the cultural wealth of the country more firmly in the Belarusian public consciousness and displaying it to the outside world.

In the current situation, in which many questions about the past remain unresolved and old wounds appear to be concealed rather than healed, a comprehensive dialogue process between the state and various social actors would be beneficial. At the moment, NGOs, political parties, and citizens' initiatives are primarily responsible for cultivating language and cultural heritage, while the state tends to tolerate rather than promote such activities.³³ But, at best, such a process could contribute to moving existing narratives closer together. The Soviet experience formed the course of many lives and can therefore not be simply jettisoned; instead, it should be integrated into the historical and cultural identity to the extent possible. Belarus' revival during the Soviet period and its development since the collapse of the USSR, which has been characterised by relative stability, can form inspiring connecting points, despite all the questions that need to be raised with respect to democracy and human rights.

The new foreign policy could even offer an external frame of reference: the country places great importance on not being forced to take sides geopolitically, a situation which is often interpreted as standing "between East and West". From a historical, cultural, sociological, geographical, and economic point of view, a better interpretation would be that the country, which is situated in the geographical centre of Europe, unites elements from both East and West. In terms of identity politics, this view could provide an opportunity not only to reconcile internal narratives, increasing the resilience of Belarusian society, but also to heighten the country's profile at the international level - especially in the West, where Belarus is often perceived as a mere Russian appendage because of the way it has positioned itself for years. Belarus' self-positioning as a bridgebuilder, a "situationally neutral country" that is familiar with "both sides" is an identity that is compatible with the way many Belarusians see their country. According to the study cited above, about half of the population would rather live in partnership with Russia and the EU at the same time, or with neither, than decide between the two. Moreover, such an integrative reconciliatory view would pose scarcely any danger of sliding into nationalism.

The extent to which the Belarusian leadership would be prepared to enter a dialogue beyond the steps described remains to be seen. Political leaders remain engaged in a balancing act, since they are greatly dependent on Russia, which will carefully follow any steps the country takes away from the 'joint narratives' with suspicion.34 That is one reason why the state strives to keep control of political and social processes at all costs - including the sensitive question of national identity. But the state can count on support from the public if it chooses a path of national self-assertion. The immense challenges associated with the coronavirus have demonstrated the great degree of cohesiveness, dedication, and talent for organisation that Belarusians possess. It should encourage the state to involve the public in other decisions, too, and to place greater trust in them.

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Nationalism

Religious Nationalism in South Asia

Building Nations, Breaking Communities?

La Toya Waha

A recent series of violent acts raises the question of a relation between the rise of religious nationalism and communal violence in South Asia. Here, we will shed some light on the roots and development of religious nationalism in South Asia and its impact on social cohesion.

Religious and national identities are considered powerful sources of political engagement. While religions promote unity among all creed-sharing believers, irrespective of their residence, nations claim a unity of those sharing characteristics, such as language and ethnicity, within a particular territory. Although the combination of religion and nationalism appears counterintuitive – one transcending space, the other bound to it – the call for nation-states built upon (and for) a religiously homogenous community in a particular territory, separated from other religious communities, shapes South Asia to this day.

Reports about clashes between Muslims and Hindus in India, Buddhists and Muslims in Sri Lanka, and attacks on religious minorities and secularists in Pakistan and Bangladesh have raised the question of a relation between the rise of religious nationalism and communal violence in South Asia – and of the possibility to create stable nations in religiously diverse societies in general.

This essay seeks to answer the questions of where religious nationalism in South Asia comes from, why it has gained saliency in recent years, and which impact its rise has on communal violence and social cohesion.

The Roots of South Asian Nationalism

Neither nationalism in general nor religious nationalism in particular is new to South Asia. Different streams of nationalism emerged in resistance to British colonial rule¹ already in the late 19th and early 20th century. One of the key institutions, the Indian National Congress (INC), was founded as early as 1885, and essentially shaped the non-violent independence movement in India – while also inspiring others all over the world. On the Indian subcontinent, three major streams of nationalism, represented by INC, All-India Muslim League, and Rashtriya Swayamsevak Sangh (RSS), represented different understandings of how the independent Indian state should look, and mutually reinforced their ideals in delineation to one another.

The INC comprised a variety of ideological, religious, linguistic, and ethnic groups, held together by the shared pursuit of an independent and unified India. Spearheaded by Mahatma Gandhi and later by Jawaharlal Nehru, the Congress sought to overcome caste, class, and religious differences and to bring Indians of all kinds together in a unified Indian state.

The Muslim League built its ideal of a nation based on Islam. Inspired by the ideas outlined in the "Two Nation Theory", the League demanded a separate state for Muslims consisting of Muslim-majoritarian regions and states in British India.²

The third important stream of nationalism was represented by RSS, whose nation-ideal built on the concept of Hindutva. Among others, Hindutva aimed at creating a Hindu state underpinned by Hindu values, culture, and an essentially Hindu nation. While the RSS did not directly engage in anti-British activities throughout the independence struggle, it still promoted Hindutva through social activities. The RSS pushed for Hindutva despite its multiple bans by both colonial and post-colonial governments, and brought it into electoral politics through its associated political parties, first Bharatiya Jana Sangh (BJS) and later Bharatiya Janata Party (BJP). The political manifestation and interplay of these diverging nationalisms divided British India. The horrors of partition – millions of people became refugees, hundreds of thousands were killed, raped, or traumatised – continue to shape the collective memories of people today. The unresolved land dispute around Kashmir has also led India and Pakistan into several wars (1947, 1965 and 1999), and continues to reinforce the politicisation of identities based on religion even decades after independence.³ Religious nationalism has therefore laid the foundation for the political boundaries of the Indian subcontinent as we know it today.

Bangladesh – From Religious Nationalism to Secular Nationalism and Back?

Pakistan, comprising West and East Pakistan, separated from one another by Indian state territory, was built on the idea of Islam as a binding force between the culturally, ethnically, and linguistically diverse Muslims of British India. Religion retained its central role in the Pakistani state's narrative and conception of the nation, although the role of Islam in the state's institutions and governments was subject to variation. It experienced its heyday during General Muhammad Zia ul-Haq's rule from 1977 to 1988, who institutionalised the fusion of Islam and the state and promoted the creation of an "ideal" Islamic society.⁴

This concept of the nation, however, was contested by ethnic and linguistic nationalism, such as that of the Balochis or Bengalis, as well as it is today by the pan-Islamic movement. The demands for separate homelands and secession from Pakistan on ethnic lines fundamentally challenged – and still challenge – the legitimacy of a state and nation built on shared faith, and made defeating such claims a vital interest of Pakistan's political elite.

East Pakistan, predominantly populated by Bengali-speakers, received little recognition, both culturally and politically. While East Pakistan comprised more than half of the population, they were not accordingly represented in state institutions. The unequal access to resources and power promoted the secessionist forces' capacity to mobilise.⁵ In 1971, the violent repression of their claims led East Pakistan into an independence war. The Awami League (AL) spearheaded the struggle, led by a universityeducated elite, staunchly convinced of a secular, culturally, and linguistically based nation-ideal.⁶ The secular, cultural nationalism, which they advocated, enabled them to turn their backs on Pakistan's narrative of Islamic unity.

The idea of a secular nation found its way into the constitution of newly founded Bangladesh.

With the AL, the idea of a secular nation found its way into the constitution of newly founded Bangladesh. Yet, for large parts of the population, the Bengali and Muslim identities were not mutually exclusive.7 The AL's secular political elite had lost its central role following a series of assassinations and the establishment of military rule. Paralleling the Islamisation of state and society in Pakistan, the military regime of General Ziaur Rahman removed the constitution's ideals of secularism and socialism in 1977 - not even a decade after the separation from Pakistan. Instead, there was a promotion of religious politics and the invocation of faith in Allah, with the essence of the understanding of the nation, formerly built on ethnicity and language, having been replaced with Islam. In 1988, Islam became the state religion.8

Following a return to more democratic governance, the Awami League re-emerged as a dominant political force in 2008, rallying support based on secular Bangladeshi nationalism. In the meantime, the Bangladeshi society underwent a transformation. Foreign influences have encouraged identification with the transnational Islamic community, or *umma*, and promoted the Arabisation of Muslim identity. The AL's elite, once the bearer of secular Bangladeshi



In rank and file: Hindu-nationalist groups experience increasing support. Source: © Amit Dave, Reuters.

nationalism, has also adapted to the heightened salience of Islam. While the AL revived its secular outlook in 2008, it made a drastic turn by promoting what has elsewhere been termed "a state-led Islamisation in Bangladesh".⁹

A fundamental shift from secular to religious nationalism due to the growing importance of religious sentiments has swayed Bangladeshi politics, turning the boundaries of the nation into the boundaries of the Bangladeshi community adhering to Islam. Attacks on religious minorities and secular bloggers visibly increased as a result.

India - From Secularism to Hindutva?

In contrast to the Muslim League's religious nationalism, the INC fundamentally opposed

India's partition along religious lines. The Congress leadership had sought to create a sense of unity among the religious communities and promoted the ideals of secularism and socialism to overcome cleavages within society. However, the British rulers gave in to the League's demands, and split India into two independent states. While Muhammad Ali Jinnah became the head of the Muslim state, Pakistan, Jawaharlal Nehru became the Prime Minister of India and the Congress remained a ruling party until 1977.

The INC's principles of secularism and socialism became deeply ingrained in the early independent Indian state, shaping India's political landscape. "The word 'secular' was inserted into the preamble to the constitution in 1976. In Indian usage, it implies both a wall of separation



between the church and state, and an equal status to all religions."¹⁰ Thus, despite building on Indian religious traditions, the nationalism of Congress underpinned the secular Indian state.

Notwithstanding the INC's popular support, expressed in its electoral success until 1977, its narrative of the Indian nation has never convinced everyone. Throughout its independent history, India has faced insurgencies and secessionist movements. These were based on ethnic or linguistic nationalisms, such as Tamil nationalism in the 1960s, or religious nationalism, such as the Sikh's pursuit of Khalistan in the 1970s and 1980s. With its two-pronged strategy of offering accommodation on the one hand, and a hard hand against violent groups on the other, the Indian state has been able to rule in these rebels.¹¹ Religious communities' acceptance of the secular state was incentivised by accommodating measures such as "positive discrimination" or financial support for religious activities, acceptance of religious community laws, or special statuses for certain groups and states. While providing a source of stability in the short term, this only postponed the negotiation about national identities, defining rights and duties of citizenship, and importantly, the question of loyalty. However, the dominance of regional, religious, or ethnic identities defies an overriding Indian identity. Muslim family laws, the state subsidy for the pilgrimage (hajj), and the special status for Kashmir have reinforced religious identities among Muslims and Hindus alike.12 Islamist terrorist attacks reputedly funded by Pakistan, frequent skirmishes with

Pakistan, and tensions and conflicts between Hindus and Muslims, most prominently visible in the conflict surrounding the Ram Temple and Babri Mosque in Ayodhya, challenge the loyalty to the secular state and fellow citizens.

From these unresolved questions and conflicting answers arises the increasing support for RSS and BJP. The rejection of "appeasement" policies,¹³ the status of the Ram Temple, and the special status of Kashmir, have all been part of the 2019 election manifesto.¹⁴ Policies implemented by the current BJP-government refer to the promises made in this manifesto and to resolving issues, most of which have been pending since the partition of India and Pakistan in 1947.

The BJP's growing support hints at India's desire to build the nation and to respond to transnational issues.

There has been widespread criticism of subsequent BJP-governments' (2014 to 2019, since 2019) activities. But not all protests, like those in the course of the implementation of the new Citizenship Amendment Act, rejected radical changes. In Assam many protests have emerged out of a feeling of broken promises, claiming that the BJP-government was not rigorous enough when opposing illegal immigration from Bangladesh, and has left them alone with the threat to their culturally distinct Assamese identity.¹⁵

The reversion of policies considered as "minority appeasement", such as the gradual abolition of the subsidy for Muslims' pilgrimage by 2022, and the rededication of funds saved for minority girls' and women's education,¹⁶ aims to overcome the negative perceptions that the state favours minorities over the Hindu majority.

While individual steps and implemented laws may be questioned, the ever-growing support for the BJP also hints at a desire within India to build the nation and to respond to transnational issues, such as illegal migration, changing identities and loyalties outside India.

The electoral success of the Hindu nationalists not only arises from identity politics. The BJP's ability to mobilise people through social media campaigns, plans to empower women and youth, Narendra Modi's non-elite background, and the provision of a vision for India's future have impacted BJP's long unrivalled electoral victory. Yet, the willingness of Indian citizens to overcome identity politics by securing a state for Hindus and to work on the future of the nation, whose boundaries are clearly delineated, has surely added to the BJP's success.

The BJP's project might be understood as an attempt at turning a *state-nation* into a *nation-state*. The Hindu-nationalist nation-building project is founded on a rejection of the Congress' secularism, in clear opposition to Pakistani Islamic nationalism, at the same time also responding to transnational challenges.

Sri Lanka - Buddhist Nationalism as a Weapon against Islamisation?

Buddhism has played a significant role in the island's politics. While there was no independence struggle of the Indian kind in Ceylon, a Buddhist revivalist movement with anti-British undertones came closest to what could be understood as a popular movement against colonial rule. Similar to the Indian Congress, however, the political elite guided by D.S. Senanayake, which had shaped the transition from British rule to dominion status and the newly self-governed state, rejected the influence of religion on state and politics. The Ceylonese state was a secular one, and Senanayake's United National Party (UNP), as major political party, promoted a clear distinction between the state and the religious institutions¹⁷ - albeit just like the INC, it comprised a variety of diverse factions. One of these factions, willing to give Buddhism a prominent role in state and society, split from the UNP in 1952. Under S.W.R.D. Bandaranaike's leadership, the newly formed Sri Lanka Freedom Party (SLFP) became Ceylon's

second major party.18 Questions of cultural assertion and equal representation of the major ethnic minority, the Sri Lankan Tamils, were a critical aspect of contentious politics prior to independence; however, demands based on Tamil nationalism increased in scope and prominence in the founding years of Ceylon. Faced with Tamil minority's ethno-nationalism, the majority's ethno-religious nationalism gained strength, resulting in the electoral overthrow of the secular UNP elite in 1956 and a constitutional change in 1972. This turned the secular state into one where Buddhism was dominant. Despite the UNP's introduction of a new constitution in 1978, Buddhism retained the "foremost place".19 While the contention between Tamils and Sinhalese escalated into brutal violence and ultimately into a three-decade long civil war between the Liberation Tigers of Tamil Eelam (LTTE) and the Government of Sri Lanka (GoSL), relations between the Buddhist majority and the Muslim minority have been cordial throughout most of Sri Lanka's independent history. Subsequent UNP- and SLFP-led governments had Muslim politicians in prominent cabinet positions. Although Ceylonese Muslims' pan-Islamic identification had resulted in a rift between Tamil nationalist leaders and the Muslim political elite shortly after independence,²⁰ a distinct Sri Lankan Muslim nationalism played no major role in the 20th century.

Despite the participation of Muslims in government, their vital interests were neglected in peace negotiations in Sri Lanka.

This changed with worsening relations between the Muslim political leadership and the Eastern Muslim population during the last decade of the civil war (1999 to 2009). The LTTE had frequently targeted Muslims in territories it considered *Tamil Eelam*, e.g. Tamil homeland, resulting in the entire Muslim population's repulsion from Sri Lanka's northern region in 1990²¹ and the continuous killing of Muslims in the East, where they form the majority population in some areas. The vital interests of these Muslims' were neglected during peace negotiations between the LTTE and the GoSL in the early 2000s, however; and this is despite the participation of Muslim parties in government.

Support from Muslim countries, like Saudi Arabia and Pakistan, for infrastructure and institutions in the island's Muslim-majoritarian areas changed the identities and political aims of Sri Lankan Muslims. These changes were accompanied by lethal attacks on Sufi-Muslims and on Buddhist shrines and statues.²² A popular Islamic movement in the East, which rejected the Muslim political leadership, resulted in a resolution with the declared aim of creating a Muslim state within Sri Lanka called Muslim Thesam, e.g. Muslim homeland. While some of the emerging Islamic groups were supplied with arms, their armament was tolerated, as they challenged the LTTE during the war and due to dependence on the Muslims' vote for majorities in parliament thereafter.

Several groups formed to raise awareness of what was seen as the emerging threat of Islamist terrorism. Some of these merged into a Buddhist monk-led organisation called Bodu Bala Sena (BBS) in 2012. Presented as the promoter of Buddhist nationalism, the group not only protested against what it saw as Islamisation, such as the introduction of halal certification and Arab-styled dresses into Sri Lanka, but also advocated implementing Buddhist values in state and society. The focal point of contention between the BBS and radical Muslim organisations became the change of the Muslim Marriage Law, and the minimum age for Muslim girls' marriage in 2016. While Muslim groups demanded self-determination, the Buddhist nationalists claimed the need for "one law for one people" and the abolition of communityspecific laws for Muslims as a whole.23

In many cases, Buddhist nationalists mobilised by making reference to developments in the Asian neighbourhood, and the expansion of Islam elsewhere. The RSS and BJP in India often served as role model of how to deal with the threat.²⁴ The BBS was not taken seriously even by many members of the Sinhalese society and in 2015, the SLFP-led government coalition, allegedly Buddhist-Sinhalese nationalists, was replaced by a more liberal, minority-accommodating UNP-led coalition.

Arabic versions of Islamic interpretation challenge a more moderate and culturally grounded Islam.

The Islamist attacks in April 2019 fundamentally changed this, and it was his resort to the symbols and demands of Buddhist nationalism that facilitated Gotabaya Rajapaksa's election to presidency.

Clashes between Muslims and members of other religious communities following the Islamist attacks even further emphasise the threat posed by transnational loyalties to social cohesion in Sri Lanka. The support for those representing religious nationalism needs to be viewed in this context.

The Maldivian Path – Religion without Nationalism?

In the archipelago state of the Maldives, widely known for its paradise-like islands, the issue of nationhood or citizenship has not led to popular movements. Despite the more recent democratisation of the former British protectorate, nationalism has not yet evolved. Islam is the tie that binds the mostly homogenous society. All citizens of the Maldives are Muslims by law, only people adhering to Islam can be naturalised. While the dominance of Islam is not contested, its interpretation is. In recent years, foreign influences have had an impact on the Maldivian society. Arabic versions of Islamic interpretation challenge a more moderate and culturally grounded Islam. This was highlighted by a controversial law case in 2013.

The *hudud* punishment practised in the Maldives has led to the conviction of a 15-year-old girl, raped by her stepfather, to one hundred leashes for having premarital sex. The verdict sparked inner-societal dissent about the rigorous *hudud* punishment, polarising society between moderates and fundamentalists.²⁵

Today, the Maldives struggle for support in dealing with the large number of foreign fighters returning home after helping IS in Syria and Iraq.²⁶ The rejection of transnational Muslim identity, induced in the Maldives, sparked a struggle for an own Maldivian Islam. A Maldivian nationalism might emerge as an attempt to protect the *local* Maldivian against the *global* Islamic way of life.

Conclusion

This brief perusal of religious nationalism in South Asia has shown that, while recently gaining in prominence, it is not new to South Asia but has instead shaped the region as we know it today. While religious nationalism acts as a catalyst for intercommunal violence, the sources of conflicts lie in the different political and societal aims, the diversity of which might root in the societies' diversity itself. Serving as a source of collective identity, religion in South Asia provides a basis for values and notions about the ideal state, nation, and society. In the past, the resulting differences in such ideals have promoted societal conflict, war, and separation.

The enormous support for parties and groups representing identity interests in South Asia has shown that mere cohabitation in a shared territory and under a shared administration, even if it is centuries-old, does not suffice to create a broader national solidarity beyond religious and ethnic lines. Looking at the different South Asian states as well as the paths shunned and taken, it seems that the political rise of and return to religious nationalism presents an attempt to build rather than to break social cohesion. The exclusivism accompanying nationalism, might result from the incompatibility of the immense diversity of South Asian populations with the concept of nation itself, which builds on people's shared characteristics and mutual loyalty among fellow citizens and the state. Increasing identification with transnational communities furthermore challenges the very core of the nation-state, its sovereignty, and the social cohesion of its people. In such contexts, for some, religious nationalism might be seen as a tool to safeguard the local cultural and religious particulars. For others, it may represent the beginning of the degeneration to a primordial past. In any case, the current rise in religious nationalism in South Asia harbours the opportunity to solve long-standing societal conflicts, as much as it bears the risk of indescribable agony.



Spiral of violence: Clashes between Muslims and members of other religious communities following the Islamist attacks in April 2019 further emphasise the threat of transnational loyalties to social cohesion in Sri Lanka. Source: © Dinuka Liyanawatte, Reuters.

And yet, these issues of state and nation currently negotiated in South Asia are by no means specific to South Asia. The drive to create a basis for cooperation on a common ground, that is, to create a (religiously or ethnically) homogenous society of those who feel they belong together, has been the very endeavour of nation builders all over the world, both in the past and present. Particularly in a globalised world where migration and increased exchange confront diverse values and ideas about state and society, the onus is on political decision-makers to recognise that a diversification of political and societal ideals is likely to spark conflict and, at times, violent confrontation. The developments in South Asia demonstrate the need for developing plans in order to deal with diversity in a meaningful way.

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Nationalism

"Hypernationalism"?

The Debate on Identity and Nationalism in the Gulf

Fabian Blumberg

Few regions are facing such massive changes to their economic, social, and security situations as the Gulf States. These changes are also leading to the dissolution of factors that previously formed their identity. They are now being replaced by nationalisation projects – attracting accusations that the Gulf States are pursuing an aggressive form of "hypernationalism".

"With your Blood, you Should Protect the Nation"

On 29 November 2018 the Emirati daily The National published a report about how the National Day of the United Arab Emirates (UAE) has changed over the years. The report describes a concert on National Day 2017 featuring the fictional story of a boy who pledges to serve in the military (known as "national service" in the UAE). His mother tells him: "With your blood, you should protect the nation and when it calls upon you, you must answer with your soul before your body."1 This kind of language is as new to the Emirates and the Gulf States as is the current status of the military. Some observers have described it as "hypernationalism"2 - a concept of nationhood that focusses on isolationism and identity-building based solely on separation. However, the debates on creating identity are playing out in a differentiated manner across the Gulf.

In contrast to the founding of states in the Middle East or in Europe, the first states in the Gulf region were neither born out of struggles for national self-determination, nor national chauvinism, nor yet the desire for territorial expansion. The cohesion of the state and the legitimacy of its rulers were guaranteed through religion and by uniting the tribes. This is particularly true of the Kingdom of Saudi Arabia, where religion replaced the idea of the nation. In the mid-18th century, the state's founder Mohammed Ibn Saud entered into an alliance with the religious leader Mohammed Ibn Abd Al-Wahhab. As a result, the political sphere was

dominated by the House of Saud and the religious sphere by the strongly puritanical interpretation of Islam known as Wahhabism. In this way, the Kingdom became a state in which religion provided its legitimacy and the key to its identity. "Religion moulded an overarching identity that also served to legitimise the ruling family. Islam was the identity of the population, strengthened by the importance of Saudi Arabia as the birthplace of the religion and the host of its two most holy sites."3 The House of Saud represented not only the nation's political authority but also its moral and religious authority; the king is known as the Custodian of the Two Holy Mosques - Mecca and Medina - and views himself as the leader of the Islamic world.

Thus, until very recently Saudi Arabia and the Gulf have been perceived as a region dominated by very conservative Islam, a region of veiled women, a region where the Koran and Sunna serve as the constitution, where the legal system is based on Sharia law, where the religious establishment regulates daily life, and where governmental and social systems are extremely resistant to change.

This resistance to liberal changes in their economic and social spheres can be explained by two factors. On the one hand, their above-mentioned pronounced deference to conservative religious authorities explains this, and on the other, the political and social stability of the Gulf States is explained by the rentier state model they employ. This model is an attempt to answer the question of why their governmental and state systems enjoy such strength and stability. The assumption is that an "implicit" contract exists between the people and their rulers – citizens have an obligation to the state because they are dependent upon it. Gulf nationals generally pay no income tax while enjoying free health care, free education, and subsidised electricity and fuel. Largely thanks to its oil revenues, the state is in a position to look after its people – and, in return, the population leaves matters of government in the hands of the state. This results in a consolidated set of intrinsically stable systems, rooted in religious and traditional power, and in the distribution of welfare state benefits. It is the combination of these systems which have formed the basis of the Gulf States' identity.

"I have Twenty Years to Turn the Tide in my Country and Launch it into the Future"

However, this system of state support through oil revenues is now under pressure. A glance at the life expectancy versus oil reserves to production ratio reveals an alarming picture for states whose economic strength and political stability rely on their oil reserves. Kuwait and Qatar are the only countries to still have fairly substantial reserves. The reserves of every other state are set to run out within the lifetime of citizens born today.⁴ Saudi Crown Prince Mohammed bin Salman summarises this development as follows: "In twenty years, the importance of oil goes to zero, and then renewables take over. I have twenty years to turn the tide in my country and launch it into the future."⁵

The Gulf States have a very young population, with particular consequences for the education and health systems.

In addition, there is a high volume of public expenditure at a time of relatively low and unstable oil prices. This makes it difficult to balance national budgets, which are still chronically dependant on high oil prices. The fact that the Gulf States need higher oil prices is shown by the "breakeven oil price" - the price at which the national budget would theoretically be balanced after production costs. For Bahrain, Oman, and Saudi Arabia, this "breakeven oil price" has been well above the actual oil price since 2014. This highlights the growing pressure on national budgets.⁶ However, the pressure on national budgets is also increasing due to the growth and composition of the population, a population, moreover, that is used to a high standard of living. In the Gulf States, the average age of the population is 20 to 24. This youthful population has particular consequences for the education and health systems of the Gulf States. By 2030, some 500,000 people will need to be integrated into the job market each year.7

These challenges lead to uncertainties and questions of self-affirmation. Added to this is the composition of the population: around 50 per cent of the Gulf States' residents are expatriates. At 88.5 per cent of the total population, the UAE has the largest proportion of expatriates, with Qatar close behind at 85.7 per cent. The local population is mainly employed in the public sector, while the private sector is dominated by expatriate workers. This model has led to a dependence on cheap labour - and, across the Gulf, the indigenous population has become a minority that is barely integrated into the wider labour market.8 Other major challenges are the high rate of youth unemployment and the low number of women in the workplace.9

"An Ambitious Nation" - From Rentier State to Reform Programmes

In the last few years, every Gulf State has set out its long-term reform programmes in so-called "Visions". Their aim is to prepare for the postoil age. The programmes focus on key areas, such as the economy, infrastructure, education, and health.¹⁰ In 2016, Saudi Arabia's National Reform Plan, Vision 2030, announced a focus on the following strategic objectives: diversifying the economy (for example by promoting the entertainment industry, tourism and

armaments); privatisation and the creation of sovereign wealth funds; expanding the private sector; increasing the contribution of small and medium-sized enterprises; introducing reforms in education, the labour market, regulation, and governance; introducing value-added tax; increasing the proportion of women in the labour market; and creating 15 million jobs by 2030 (of which eleven million are to be filled by nationals, among them 3.6 million women).¹¹ This reform programme does not limit itself to economic matters but also intervenes in social reality. For example, in April 2018, cinemas opened in Saudi Arabia for the first time in 35 years, the guardianship system for women was weakened, and women were granted the right to drive.12

This attempt to prepare society for the end of the oil-financed rentier state model, in which the state looked after everything, has been accompanied by a change in mentality, expectations, and identity – a shift to less state responsibility and more individual responsibility. "Overall, the leadership has broken from the old social contract by emphasising that Saudi Arabia has now entered a new era in which citizens must contribute to the good of the country, as opposed to simply receiving benefits as their forebears did."¹³

What will this new social contract look like? How will it be possible to preserve people's loyalty to the royal families when the welfare system is under pressure, standards of living start to decline, and people have to work for a living – perhaps even doing the more "menial" jobs that were previously done by migrants?

Of course, religion will continue to play an important role. But the "Visions" published by the various Gulf States suggest that it is now the concept of the nation which is intended to fulfil the functions of legitimacy, identity, and motivation. For example, the UAE Vision 2021 states: "The UAE Vision 2021 National Agenda strives to preserve a cohesive society proud of its identity and sense of belonging. Thus, it promotes an inclusive environment that integrates all segments of society while preserving the UAE's unique culture, heritage, and traditions and reinforces social and family cohesion. Furthermore, the National Agenda aims for the UAE to be among the best in the world in the Human Development Index and to be the happiest of all nations so that its citizens feel proud to belong to the UAE."¹⁴ The Saudi Vision 2030 meanwhile aims to create a "vibrant society with strong roots" that involves "taking pride in our national identity [...] [a]n ambitious nation".¹⁵ The aim is to promote "national values", a sense of national belonging, Islamic, Arab and Saudi "heritage" and to uphold the Arabic language.

Building National Identity

In his 2019 work "Being Young, Male and Saudi. Identity and Politics in a Globalized Kingdom", Mark C. Thompson asks: "What is Saudi?" Thompson is a leading expert on social developments in the Kingdom. His findings are based on focus group interviews that he conducted in Saudi Arabia. When asked what constitutes Saudi identity, the respondents were rather vague, though most of them said a Saudi identity exists. They just seemed to have no clear view of what it was - it seems to be a work in progress.¹⁶ Clearly, one of the key factors is the significance of religion, but even this is changing. It still plays a vital role in society but some of its power has been severely curtailed, such as that wielded by the religious police and leading clerics.¹⁷ Religion has become more personal. Moreover, the legitimacy of the system and people's loyalty to it can no longer be maintained through rentier payments. "Saudi religiosity is changing, undermining the political potency of the clerics who once could reliably rally followers to the flag, [...] With the religious and economic planks weakened, Riyadh has sought to use nationalism as a salve to patch the strained relationship between rulers and ruled."18

How is this new, young nationalism being built? The first element involves reverting to the country's founding myths, history, and culture – which are always interpreted in terms of present and future. For example, the Saudi royal family commemorates Mohammed Bin Salman's



Pulling the trigger: Reform programmes have changed the role of women in the region. Source: © Mohamed AI Hwaity, Reuters.

grandfather, King Abdulaziz, considered to be the founding father of today's Saudi Arabia in an age before oil brought prosperity. According to Mohammed bin Salman, King Abdulaziz united the Kingdom without the help of oil.¹⁹

Recent years have seen a growing number of festivals and museums, which showcase the cultural heritage of the Gulf States, along with modern art and culture. They have been expressly designed to help build a sense of national identity. These include the Qasr al Hosn Festival in Abu Dhabi, the SIKKA Art Fair in Dubai, the opening of the new National Museum of Qatar (inspired by a desert rose, the new national symbol), the planned Zayed National Museum in Abu Dhabi (conceived to look like a falcon's wings, the national symbol, and commemorating the state founder's love of falconry), the National Museum in Muscat, the National Museum in Riyadh, the Jeddah Season, and the Red Sea Film Festival.²⁰

They are also projects which use their architecture to contribute to national self-image and pride ("spectacularisation"²¹ or "mega museums"²²) and, also, to draw international interest.²³ These include the Sharq District in Kuwait, the King Abdullah Financial District in Riyadh, and the Louvre Abu Dhabi, the latter aiming to bring different cultures together so as to shine fresh light on the shared stories of humanity.²⁴ The National Museum of Qatar also stands for diversity and inclusion, according to HE Sheikha Al Mayassa bint Hamad bin Khalifa Al Thani, Chairperson of Qatar Museums. She goes on to explain that the museum is a physical manifestation of Qatar's proud identity, connecting the country's history with its diverse, cosmopolitan and progressive present.²⁵

Appeals are made to national identity, history, and tribal traditions in order to ensure cohesion and legitimacy.

In this way, appeals are made to national identity, history, and tribal traditions in order to ensure cohesion and legitimacy. This is combined with legitimising modernisation through major economic narratives and projects, such as Expo 2020 in Dubai; the 2022 World Cup in Qatar; the construction of an Arab counterpart to Silicon Valley with Knowledge City in Medina/Red Sea; and the construction of Neom, a fully automated desert city in Saudi Arabia.

This recourse to heritage while simultaneously affirming a modern identity can also be seen in sport. Of course, the Gulf States are already well-known for hosting major international sporting events such as Formula 1 races in Bahrain and Abu Dhabi. But now they are supporting or reintroducing sports that have a long history in the Gulf, such as falconry, hunting, and camel racing. Like the camel, the falcon has become a national symbol of the UAE.²⁶ In sport too, clear attempts are being made to combine tradition and modernity, for example, camel races in which the camels are ridden by "robo-jockeys".²⁷

National Holidays and Military Engagement

National holidays are another key element of the Gulf States' nationalisation programmes. Saudi Arabia made its National Day an official holiday in 2005, in order to strengthen national

identity against the competing forces of tribal loyalties and transnational Islamism. In the past, the religious establishment had deemed this kind of celebration un-Islamic.²⁸ But today countries in the Gulf often use their National Days as an opportunity to show off their military strength through military symbols, parades, flags, speeches, and uniforms. The military is also being instrumentalised in other ways, such as through the introduction of compulsory military service in Kuwait, Qatar, and the UAE. Known as "national service" in the Emirates, its declared aim is to forge internal cohesion and a common identity. This is also done by adopting a confrontational position towards foreign opponents, especially Iran. On the one hand, Iran is criticised for meddling in the region, while at the same time there is evidence that some Gulf countries are seeking to ease tensions with the majority Shiite nation, particularly in light of the coronavirus pandemic. In the future, using Iran as a means of forging national identity through demarcation may, therefore, become less pronounced.

The increased use of national service and military rearmament as instruments for nation-building is a recent phenomenon in the Gulf States, leading to accusations of militarised nationalism²⁹ and warnings that this strategy may increase polarisation between the Gulf States, particularly between Qatar and Saudi Arabia and the UAE - at the expense of a shared Gulf identity. Military symbolism is being espoused to different degrees across the Gulf, with Kuwait and Oman being more reticent in this respect. However, Qatar and the UAE have raised the profile of their armed forces and are using it to build national cohesion.30 For example, it is now normal for children to wear military uniforms on the Emirates' National Day and on Commemoration Day, a day for honouring fallen soldiers that was introduced in 2015. Some schools make it compulsory for children to wear military uniforms on National Day and children's uniforms and camouflage gear are now stocked by department stores. Mosques, streets, and public buildings are named after soldiers who died in the service of their country.

This patriotic atmosphere was also evident in the early days of the Yemen intervention led by Saudi Arabia. Citizens were asked to fight for their country or to support the troops (such as via the "send your message to the troops" campaign on social media). The withdrawal of Emirati troops from Yemen and their arrival in the UAE were accompanied by images of a large military parade representing national unity. The troops were received by Mohammad bin Zayed, Crown Prince of Abu Dhabi and Commander-in-Chief of the Emirati Armed Forces.³¹

New uncertainties have led the Gulf States to redefine themselves as nations.

While Saudi Arabia and the UAE were intervening in Yemen's civil war, Oman actively refused to get involved, which in turn helped to rally nationalist sentiment in the country.32 The decision underscored Oman's traditional national narrative of being an independent, peaceful state that acts as a mediator in the region rather than an interventionist force. Oman has existed as a geographical and cultural entity for thousands of years and its citizens have long enjoyed a sense of nationhood. Nevertheless, the need for greater social integration and nation-building was recognised as important from the 1970s onwards, a trend that coincided with the beginning of Sultan Qaboos' reign. Four elements of nation-building can be cited here: the founding of the Sultan's Armed Forces (SAF), which recruited soldiers from all regions, tribes, and social groups and also assumed the role of educator; the founding of Petroleum Development Oman, which, like the SAF, also fulfilled functions of socialisation and education; the establishment of functioning state institutions; and finally, the creation of a cult of identity around the Sultan himself, who serves as a central integrative figure across tribes, religions, and geography.33





Pro-Iranian Houthi rebels: The war in Yemen promoted a patriotic atmosphere in countries in the region. Source: © Khaled Abdullah, Reuters.

Here, as in the UAE, the importance of religious tolerance in connection with nationalisation projects is also evident. Both states are pursuing strategies that aim to avoid politicisation and polarisation through religion. In Oman, for example, this is being done through a Ministry of Religious Affairs (not Islamic Affairs), while the Emirates created a Ministry of Tolerance in 2016, and declared 2019 to be the Year of Tolerance. In addition to rejecting religious polarisation, extremism, and sectarianism, the aim is also to demonstrate the cosmopolitanism of the Emirates, an essential trait for an international hub.

"Hypernationalism" or Cosmopolitan Nations?

With their nationalisation projects, the Gulf States are responding to the challenges posed by the foreseeable end of the rentier state model, demographic developments, and the geostrategic situation. The latter involves uncertainties relating to open borders, the fragmentation of society due to the lack of a unifying identity, and sectarian movements.³⁴

New uncertainties in the face of transnational Islamist networks, which cast doubt on the legitimacy of governments and ways of life in the Gulf, along with concerns about the influence of Iran and sectarian divisions, as well as the extreme pressure to reform, and the speed of these reforms have led the Gulf States to redefine themselves as nations and to place greater emphasis on their history, culture, and visions for the future. The question arises whether this is, in fact, "hypernationalism" or militarised nationalism, which is directed against domestic activists, academics, influencers, and public figures, and poses a threat to neighbouring states. With regard to Saudi Arabia, critics suggest that the dwindling power of religion is leading to the rise of "hypernationalists". They keep watch over the public sphere - and particularly over what can be said on social media, and it is they who are now setting the boundaries.35 An aggressive "with us or against us" mentality is becoming increasingly prevalent.³⁶ The greater

emphasis on military power in the UAE, for example, is attracting criticism for posing the threat of militarised nationalism. At the same time, all the Gulf States' nationalisation projects can be viewed, both rhetorically and factually, as projects that combine history, culture, and successes on the one hand, with reform, modernisation, tolerance, pluralism, and cosmopolitanism on the other. This may be dismissed as lip service or viewed as a necessary prerequisite for the Gulf States' business model. Either way, it counters the argument of pure "hypernationalism" or militarised nationalism. For Western states that favour a free and inclusive basic order, it follows that they are expected to respect the Gulf States' traditions and culture in their dealings with them. At the same time, the combination of nationalisation and cosmopolitanism, coupled with economic and social reforms, offers opportunities for mutual learning and exchange.

-translated from German-

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Other Topics

The Situation in the Sahel

Consequences for International Engagement in the Region

Thomas Schiller

For many years, the Sahel region has been a focus of foreign, security, and development policy in Germany and the EU. Despite significant engagement on the part of the international community in the wake of Operation Serval, France's successful military intervention against terrorist groups in Mali in January 2013, the security situation has continued to deteriorate year-on-year. Not only is this instability caused by jihadist organisations such as GSIM and EIGS¹, but also fuelled by local, often ethnic conflicts, armed militias, and organised crime. What is the background of the worsening situation and what are the consequences for Europe and Germany's support for the Sahel states²?

Background

In the five years from 2014 to 2019, data supplied by ACLED (an NGO specialising in conflict analysis) clearly shows a dramatic increase in political violence in the Sahel. The number of victims in the region doubled to more than 5,360 between 2018 and 2019 alone.3 And these are merely the victims who are known of and confirmed - to the extent this is even possible in the region. After talking to refugees from central Mali and local politicians in the Tillabéri region of Niger, it seems reasonable to assume that the number of direct and indirect victims of violence in the Sahel is likely to be higher still.⁴ Civilians are those most affected by the unstable situation, either directly through attacks on their villages, or indirectly by being forced to leave due to losing their livelihoods. Farmers find they can no longer cultivate their fields, while cattle breeders lose their herds to thieves or are forced to hand over some of their cattle to armed groups as "levies". Indirectly, the insecurity means markets can no longer open or many people can no longer travel to them. Many schools in the affected regions are closed, eroding their already limited capacity to provide education and training.

Yet it is not only the civilian population that is affected in these countries. Above all, the security forces are directly targeted by terrorist groups seeking to create ungoverned spaces and establish their own para-state structures. Many regions have no security forces at all or only a very limited presence at a few isolated posts. The army, gendarmerie and police force suffer a high death toll. For example, in early November 2019 at least 49 soldiers were killed in Mali during an attack on a military camp in northeast Indelimane alone. According to security experts, Mali's army has an extremely high death rate relative to the number of soldiers in the field. The attacks on military camps and police stations in Burkina Faso, Mali, and Niger in 2019 (in In-Atès, Chinegodar, Indelimane, and elsewhere) not only demonstrated the capability of terrorist groups to mount complex and sophisticated attacks but unfortunately also highlighted the inability of the region's armed forces to adequately secure and defend even closely guarded positions. The armed forces of Mali and Burkina Faso are in a particularly lamentable state, and this is in spite of the massive support they have received for several years now, predominantly Mali's security forces.

Large parts of Burkina Faso, Mali, and Niger have long since ceased to be under state control, including northern and central Mali, the north and east of Burkina Faso, and northwest Niger. Terrorist groups have taken hold in these

areas, which have also witnessed the emergence of self-defence militias (often ethnic-based). These militias, such as Koglweogo in Burkina Faso, often have strong local roots and replace the state. These self-defence groups have either been set up to counter the terrorist threat or, as is the case with Koglweogo, have spent many years trying to uphold law and order in regions where state governance is either absent or impotent. This development is exemplified by Dan Na Ambassagou, an ethnic Dogon militia in central Mali. It is accused of perpetrating attacks against members of the Peul⁵ community while seeing itself as the Dogon people's protector against terrorist groups and other bandits. Following the massacre in the central Malian village of Ogossagou, a government order for this Dogon militia to disband proved ineffective because the government had neither the means nor - as some observers believe - the will to enforce it.⁶

The escalation in the region has also been fuelled by the increased proliferation of weapons, the lack of prospects, and the breaking up of traditional leadership structures.

Against this backdrop, local and ethnic conflicts have been escalating for many years, further complicating the situation. Many of these local conflicts are longstanding, with some simmering under the surface while others are clearly visible. Local authorities have often been incapable of containing them, however, the current escalation ensued due to these conflicts being instrumentalised by armed groups - not only terrorists - and to some extent by the state. It has also been fuelled by the increased proliferation of weapons, the effects of demographic growth with its associated lack of prospects for young people, and the breaking up of traditional leadership structures. Precisely the latter has been a significant factor in the current rise in violence. Traditional local authorities such

as village chiefs and religious leaders are either no longer accepted or are the targets of terrorist groups, leading many areas to experience the demise of another stabilising factor.

The involvement of members of the Peul ethnic group in numerous terrorist groups poses an extremely complex and highly dangerous problem. This ethnic group is scattered throughout West Africa, from Guinea and Senegal to Nigeria and Chad. Many Peul are traditional cattle breeders, who continue to drive their herds thousands of kilometres across West Africa. The most prominent Peul is probably Amadou Koufa, the founder of Katiba Macina in central Mali.7 Amadou Koufa is now one of the main leaders of GSIM, a group affiliated to Al-Qaeda. This is why many people in the region consider the Peul to be allied with terrorists. This is a dangerous amalgam, as it means an entire ethnic group is under suspicion as terrorist sympathisers, which could further stoke ethnic conflict given that they are located throughout the whole of West Africa. Unfortunately, this generalisation about the Peul finds resonance in Europe, too.8

We cannot overestimate the significance of local conflicts in terms of the scale of the region's instability. Many terrorist groups cleverly exploit these conflicts, taking advantage of the government's absence or poor reputation to portray themselves as the trusted guardians of order (as do other militia groups). However, in many regions the state's absence is not a new phenomenon. Since gaining independence, most of the Sahel countries have as yet failed to exercise full control over their territory and to consolidate their state presence in every corner. This is hardly surprising in view of the vast distances involved, poor infrastructure and limited resources. This loss of control has been worsening especially since the near-collapse of Mali in 2012/2013, and the fall of Burkina Faso's longtime President Blaise Compaoré in 2014.

Therefore, the causes of the current crisis in the Sahel have their origins in the distant past, and are closely linked to the fragility of the states in this region. The precarious security situation is



not solely a consequence of the activities of terrorist groups. Nevertheless, it should be noted that most of the original leaders of the jihadist groups came from the north, moving into northern Mali from civil war-torn Algeria. The collapse of Libya after the fall of longstanding dictator Gaddafi in 2011, also played a key role in building up and arming the number of armed groups in northern Mali during 2012. This combination of external and internal factors ignited the powder keg that is the Sahel.

The international community has been heavily involved in the region since at least 2013. After terrorist groups had sidelined the separatist militias of certain Tuareg groups and established their rule in northern Mali, Timbuktu and Gao, the army staged a coup in the capital, Bamako. This led to even greater chaos in this already weak state. French President Francois Hollande decided to deploy troops to prevent terrorist groups in the north of Mali advancing on the south. This ultimately successful deployment began in January 2013 under the name Operation Serval. Subsequently, the international community sought a diplomatic resolution to the crisis - which was considered to be an internal North-South conflict in Mali - by means of the Algiers Accord signed in 2015. At the same time, France continued the fight against terrorist groups by launching Operation Barkhane, a UN Mission to stabilise Mali, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), was established and training and advisory missions to strengthen local security forces (EUTM Mali, EUCAP Sahel Mali and EUCAP Sahel Niger) were set up. In parallel, development cooperation for the Sahel was expanded. Germany participated considerably - for the first time in West Africa - in both EUTM and MINUSMA.

The focus of the international community was clearly and almost exclusively directed towards Mali. Only France's anti-terror Operation Barkhane took a Sahel-wide approach. The German public also continues to perceive the conflict in the Sahel as an operation in Mali.



While this is understandable in view of the Bundeswehr's involvement in the EUTM and MINUSMA missions, which are limited to Mali, it does not reflect the reality in a region where borders have little significance.

This narrow focus on Mali is all the more surprising in view of the fact that Burkina Faso, Mali, Mauritania, Niger, and Chad came together to form the G5 Sahel alliance back in 2014. Its declared aim is to strengthen the bond between economic development and security in the region. In 2015, in the wake of the refugee crisis and images of illegal migrants on the beaches of the Mediterranean in Libya, Niger came to the fore as the hub of the "Central Mediterranean route", including in Germany. However, until recently, and particularly in Germany, engagement in Mali and Niger was considered to be virtually separate, with stabilisation and anti-terror operations occurring in one place while the development and management of illegal flows of migrants happened elsewhere. Whereas those who know the region have long understood that

Fragile states, underdevelopment, vast space: Many experts have long understood that instability affects the whole Sahel region. Source: © Yves Herman, Reuters.

instability affects the whole Sahel region in light of its fragile states, underdevelopment and the vast areas involved. Today, it is above all the three states of the central Sahel – Burkina Faso, Mali, and Niger – that stare disaster in the face.

What Conclusions Can Be Drawn from This?

The international community's focus on terror and terrorist groups thus only tackles one element of the problem of instability in the region. To some extent, it focuses more on one of many symptoms rather than on the cause of the problem. French expert Mathieu Pellerin sums up the current situation with regard to jihadist groups as follows: jihadism in the Sahel is predominantly glocal and should not primarily be understood "[...] as a uniform movement of a religious nature, but rather as an agglomeration of local insurgent hotspots fuelled by social, political and economic divisions, some of which go back many years".⁹

Therefore, conflicts in the Sahel region cannot be reduced to a simple fight against terrorism. In resolving this problem, the deradicalization of terrorists and their sympathisers can thus only represent a minor part of the solution - to mention just one element of the traditional strategy for tackling religiously motivated terrorism. This is because experts largely agree that religion is not a significant factor behind the growth of terrorist groups in the Sahel. Islamic extremism may play a role among some recruits, particularly in the leadership cadres, but its role is negligible among the mass of GSIM and EIGS members.¹⁰ The complexity of motivations is often overlooked, in terms of both terrorist recruitment and the causes of local conflicts, which are often oversimplified. For example, the much-described conflict between crop farmers and herders - and its Cain and Abel

type portrayal - does not correspond to reality. To cite just one example, in the North West of Niger, two traditional herder populations, Tuareg and Peul, are in conflict. And this also is an oversimplification. Moreover, the potential for conflict arising from land grabbing (from the point of view of those affected) by wealthy Malians or Nigeriens using the land laws of the modern state is often underestimated. In many regions of Burkina Faso, the officials of Eaux et Forets, the water and forestry commissions, attract hatred for handing out punishments to traditional hunters. They are considered to be the corrupt representatives of a national environmental protection system that is incomprehensible to the rural population.¹¹

Even today, there seems to be little appreciation of the complexity of the situation. It is true that the main security threat is currently from terrorist groups, but the greatest threat to stability in the region remains fragile state structures combined with poverty and lack of prospects for an extremely young and growing population.

The absence or fragility of state structures has consequences that call into question the governmental and social cohesion of these states.

In view of this, the international community's military and political engagement tends to focus on combating the symptoms of terrorism or on trying to fill the void left by the state in many key functions. Notwithstanding, Operation Barkhane cannot be a long-term replacement for national security forces, nor can international actors such as MINUSMA permanently assume the functions that should be carried out above all by governments in the region. When international engagement began in 2013, the hope was that governments of the region would be able to gradually assume their core functions, supported and protected by the international

community. Unfortunately, this hope has turned out to be illusory. France's Chief of Defence Staff François Lecointre hit the nail on the head when, speaking of Mali, he said: "Our optimism has been dashed and Barkhane has not been accompanied by a return of the state apparatus or by an effective overhaul of the armed forces, particularly in Mali. Furthermore, the concrete implementation of the peace and reconciliation agreement has remained stalled, with chaos persisting in areas such as Azawad or Liptako, where the presence of the state, if maintained, was not accepted and was even contested."¹²

There is almost unanimous agreement among experts that the main problem lies in the region's state structures, that is to say, their fragility or complete absence, along with their reputation for inefficiency and corruption. The consequences of this extend far beyond the problematic security situation and call into question the overall governmental and social cohesion of these states. Even in relatively safe and stable regions such as western Mali, the state wields little authority. For example, a Malian prefect reported that he received scant respect from the local people during his work in the Kayes region. This was partly because the limited amount of government resources that he was able to mobilise was so small compared to the money that expatriate Malians sent back to their villages. It meant that nobody even imagined they could get something from the Malian government.13

More of the Same, or a New Start for International Engagement?

To date, the international community has largely relied on three approaches: military counterterrorism, training local security forces, and classic development cooperation. The rationale behind its engagement so far can be summarised as follows: international troops involved in actions such as Barkhane and MINUSMA should give countries of the region the time they need to build up their own forces. To this end, they are provided with training and material support by missions such as EUTM. In parallel, the provision of non-military development assistance aims to build social cohesion and create economic opportunities.

Unfortunately, this three-pronged approach of stabilisation by international troops, training and material aid, and development cooperation has produced no lasting effect analogous to the efforts in Afghanistan. On the contrary, particularly in Mali, the country's ruling elites have shown little interest in actively pursuing this approach by improving their security capabilities. They are instead happy to rely on the likes of MINUSMA to provide security for national elections or transport Malian politicians safely from A to B. Meanwhile, popular support for international engagement is dwindling. Throughout the Sahel, mainly France but also MINUSMA are coming under fire. Even among elite circles, there is a growing feeling of hostility towards the country's former colonial rulers. Conspiracy theorists accuse France of pursuing its own interests by keeping terrorist groups in the region alive – otherwise wouldn't the French army have wiped them out long ago?¹⁴

But what is the alternative? In principle, the international community's substantial commitment to development and security is certainly the right one. But it lacks a clear focus on the key factors that are vital for stabilising the region. These particularly relate to the core functions of the region's governments. Therefore, establishing a new direction for international engagement primarily



What's next? In principle, the international community's substantial commitment is certainly the right one – but it lacks a clear focus. Source: © Sylvain Liechti, Reuters.

entails setting clearer priorities, demanding greater commitment from partners, and increasing the efficiency of military support measures.

- 1. Many experts believe that efforts undertaken by the international community should predominantly focus on the core functions of the state.15 Not only should this involve improved support for the region's armed and security forces, but also for all its core functions, such as the legal system, education, territorial administration, health care, and central government institutions. Even with the best will in the world and making optimum use of their resources, there is no way that the Sahel states can increase expenditure on their security apparatus while at the same time providing the investment in education and administration that is so desperately needed. These are some of the poorest countries in the world. Here too, the international community has to step in. On top of these deficiencies in basic governmental functions comes the aforementioned inadequate infrastructure and the vast geographical areas involved. Any effective control of state territory can only be achieved through improved infrastructure (especially roads). The international community can provide support with this too. Yet, a resounding success is unlikely to be attained if the considerable resources announced by the international community are not adequately concentrated, but rather scattered amongst several equally important priorities.16
- 2. This should be accompanied by more targeted support for the countries, with clearly formulated objectives in line with the principle known in Germany as *Fördern und Fordern* providing support but making demands. For example, despite the international community's repeated demands, the Malian armed forces still have no personnel management system worthy of the name. This should no longer be tolerated. As it stands, nobody can say with any great certainty how many Malian soldiers are actually in Bamako, who is serving in what units, and where. How can

training programmes for the Malian armed forces be expected to produce effective results under these conditions? States should also be held accountable in terms of revenue. The chairman of Mali's National Employer's Council recently had strong words to say about the country's extremely low customs revenues, saying it was an example of an import economy plagued by corruption, nepotism and the power of the Malian state to increase its own revenues.¹⁷

3. There is also the potential for improvement in current approaches to military support. For instance, training could certainly be improved if there were greater continuity with regard to EUTM leadership and trainers. Even the EUTM leadership is currently on a six-month rotation. In terms of time alone, this makes it impossible to build strong relationships, learn about the country, and consolidate projects. However, the German training initiative provides a positive model. It entails working with local partners in the armed forces to identify needs and define projects. This creates a relationship of mutual trust as it allows the stakeholders to get to know each other.

The severity of the current situation in the Sahel means international involvement in the region is vital. However, the international community cannot substitute the region's governments over the long run. National governments at least need to assume the majority of their core functions, and the sooner the better. The aim must, therefore, be to support governments in fulfilling their core functions and provide aid for developing infrastructure. This should not only be done through supporting priority areas such as security and administration, but also – in light of the known governance problems – through conditioning.

-translated from German-

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- GSIM (Groupe de Soutien à l'islam et aux musulmans) is an Al-Qaeda-related association of several terrorist groups. EIGS stands for Etat Islamique dans le Grand Sahara, a terrorist group that claims to be part of the so-called Islamic state.
- 2 In this article, the geographical name Sahel refers to the countries of the G5 Sahel group: Burkina Faso, Mali, Mauritania, Niger, and Chad. The focus of this article is on development in the three states of the central Sahel: Burkina Faso, Mali, and Niger. The equally dramatic situation in the Lake Chad region where Cameroon, Niger, Nigeria, and Chad meet is not dealt with here.
- 3 ACLED 2020: Ten Conflicts to Worry About in 2020, 23 Jan 2020, in: https://bit.ly/2L2ipu3[4 May 2020].
- 4 Interviews conducted by the author in Bamako and Niamey 2019 and 2020.
- 5 Peul is the French name for Fulani or Fulbe.
- 6 The Ogossagou massacre of March 2019 led to the deaths of more than 130 people but remains unresolved.
- 7 Roger, Benjamin 2018: Mali: Amadou Koufa, le visage peul d'Al-Qaida, jeuneafrique, 20 Nov 2018, in: https://bit.ly/3dgjNp1 [4 May 2020].
- 8 In December 2019 the prominent French intellectual Bernard-Henri Lévy claimed in Paris Match magazine that a "pre-genocidal situation" existed in Nigeria against the country's Christians, driven by the Peul ethnic group to which the current Nigerian president belongs. Lévy, Bernard-Henri 2019,
 - "Au Nigeria, on massacre les chréstiens", le SOS de Bernard-Henri Lévy, Paris Match, 5 Dec 2019, in: https://bit.ly/3b1v6jb [4 May 2020]; Roussy, Caroline 2020: "BHL au Nigeria: le spectacle contre l'info" (interview with Vincent Foucher), IRIS, 24 Jan 2020, in: https://bit.ly/35D31hk [4 May 2020].
- 9 Mathieu Pellerin 2019: Les violences armées au Sahara. Du Djihadisme aux insurrections? Etudes de l'IFRI, IFRI; Nov 2019, p.11, in: https://bit.ly/ 2SzSi1G [5 May 2020].
- 10 For example, Malian sociologist Ely Dicko, a prominent expert on the conflict situation, is one of many experts who rightly points out this complexity. See i. a. Topona, Eric 2020: Iyad Ag Ghaly et Amadou Koufa, portraits de deux chefs djihadistes, Deutsche Welle, 12 Feb 2020, in: https://p.dw.com/ p/3XggV [4 May 2020].
- 11 The following provides a valuable overview: Assanvo, William / Dakono, Baba / Théroux-Bénoni, Lori-Anne / Maïga, Ibrahim 2019: Violent extremism, organised crime and local conflicts in Liptako-Gourma, Institute for Security Studies (ISS), 10 Dec 2019, in: https://bit.ly/2WsKDTX [4 May 2020].
- 12 Lagneau, Laurent 2020: Général Lecointre: Au Sahel, la capacité de régénération des terroristes est 'forte', Zone Militaire, 7 Mar 2020, in: https://bit.ly/2SGtipH [4 May 2020].
- 13 Interview with the author in Sikasso 2018.

- 14 This widespread criticism of France is also reflected in the work of Salif Keita, a musician who is also wellknown in Germany. Monier-Reyes, Lucie / Duhamel, Sébastien 2019: Au Mali, Salif Keita accuse la France de financer les djihadistes, TV5MONDE, 16 Nov 2019, in: https://bit.ly/2W5NiUH [4 May 2020].
- 15 Serge Michailof is one of the advocates of an increased focus on the core government functions. Publications at: Fondation pour les études et recherches sur le développement international (Ferdi), in: https://ferdi.fr/ en/biographies/serge-michailof [6 May 2020].
- 16 The Sahel Alliance coordinates the development assistance provided by key donors to G5 Sahel states. The Sahel Alliance website provides information on a variety of projects in six sectors, from agriculture to internal security. There is no evidence of a real focus. Alliance Sahel, in: https://alliance-sahel.org [6 May 2020].
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Other Topics

Coronavirus in Latin America

Opportunity or Threat for the Rule of Law?

Marie-Christine Fuchs

In Latin America, the impact of the coronavirus on the rule of law will largely depend on how governments in the region exercise their power in this time of crisis. If Latin America's rulers abuse their authority in order to consolidate power, the future looks bleak for the rule of law in Latin America. Whereas, if they exercise their power with moderation and demonstrate good leadership in bringing their countries out of the crisis, they may be able to win back the trust that was thought to be lost forever. One thing we know for sure is that the coronavirus will change the rules of the political game.

Introduction

By the end of March 2020, COVID-19 had reached every country in Latin America. This was later than in Europe and the number of cases initially was at a manageable level. Yet, if the situation worsens, many governments fear their national health systems would find it even harder to cope than their counterparts in Europe. That is why most governments in the region wasted no time in imposing drastic restrictions to contain the spread of the virus. Some declared a state of emergency, and almost all imposed temporary curfews. Even though these measures may be justified, there is still a danger that power will be concentrated in the hands of populist or even authoritarian rulers who could deliberately exploit the crisis in unfettered pursuit of their political aims at the expense of democracy and rule-of-law institutions. Many constitutional states in Latin America are already quite fragile. Will the coronavirus pandemic place them at even greater risk? Or could it provide an opportunity to restore trust in the rule of law?

Before the Pandemic: Deficits in the Rule of Law and the Welfare State

Let us take a look at the situation before the outbreak of the pandemic. Even then, rule of law in Latin America was facing many challenges. Ever since the colonial era, the continent has been characterised by a yawning gap between rich and poor. In some states and regions, corrupt elites, parapolitics, and violent organised crime, often linked to drug trafficking, can have a greater impact on people's lives than the parliamentary laws that apply to everyone in equal measure. People are unlikely to obey the law if the state itself ignores or fails to enforce it. This is exacerbated by inadequate pensions and healthcare, in many cases weak or nonexistent social security systems, the lack of educational opportunities and infrastructure, and an astonishing degree of impunity. So it was hardly surprising to see citizens taking to the streets to vent their anger en masse at the end of 2019. In Chile, Ecuador, and Colombia some of these protests resulted in vandalism, looting, and deaths. The reasons behind the protests in the region cannot all be lumped together, but they were certainly fuelled by the systemic and endemic shortcomings of social policies and the rule of law in Latin America.

It is true that the virus is "fair" in that it infects everybody equally, but it is the region's poor who are most badly affected.¹ Countries like Venezuela were already in the grip of a "complex humanitarian emergency" long before the outbreak of coronavirus. 87 per cent of the country's population live in poverty or extreme poverty and health care is virtually nonexistent.² How can a country that was already in dire straits suddenly cope with the challenges posed by the coronavirus? Even Latin American nations on a somewhat stronger footing had reason to fear that their health systems would collapse under COVID-19, not to mention the economic consequences. The first gruesome pictures of such a collapse have already reached us in April 2020 from the city of Guayaquil in Ecuador, where hundreds of corpses were pilled up in the streets. The funeral parlours were completely overwhelmed.³ We should also remember that more than half of Latin America's working population toil in the informal economy, meaning they have no access to social welfare systems. Over the last months, even employees in the formal economy have been sent on unpaid leave – including in the public sector – or simply been laid off. The state aid promised in many places got off to a slow



No escape: People accept that they might catch the virus as they squeeze onto their megacity's overcrowded public transport system. Source: © Amanda Perobelli, Reuters.



start, and the need for ventilators increased. In mid-May, the metropolitan region of Santiago de Chile reported an occupancy rate of 95 per cent of its intensive care beds. Yet health care in Latin America is not all bad - if you can pay, you get excellent treatment. The well-equipped private clinics in wealthy urban districts stand in stark contrast to the precarious and sparse health facilities that exist in rural areas. Accordingly, with the outbreak of the corona-crisis, fears arose that the region's few intensive care beds will not be allocated according to age or underlying medical conditions, but according to the patient's bank balance and their residence. In Brazil, the country with the highest number of infected people in Latin America⁴, this is already reality. More than half of all corona-virus testing is carried out by private laboratories, but only against payment.5

When it comes to the coronavirus, this basic inequality runs deeper still. The slum-dwellers of Latin America often have inadequate access to drinking water and sanitary facilities. The coronavirus means "luxuries" like face masks and sanitisers are hard to come by. For people who have nothing, governments telling them to remain with their whole family in cramped homes, often with no daylight and unbearable daytime temperatures, is a travesty. Instead, they accept that they might catch the virus as they squeeze onto their megacity's overcrowded public transport system in an attempt to at least earn enough money to feed their families. In other words, it is society's poorest who have a higher risk of infection, while also having less access to medical treatment. The situation in Latin American prisons is particularly concerning. High numbers of prisoners are packed into the most confined spaces, often in inhumane conditions. The first prison riots have already broken out.6 The Colombian government has responded by releasing petty criminals from prison.7 Even the indirect consequences of the coronavirus, such as recession and price increases, are likely to hit the poor much harder in the coming months or even years and could cost more lives than the virus itself. Social unrest seems to be inevitable.8

Emergency Measures and Restrictions on Liberal Freedoms

The global pandemic and the social realities of Latin America as outlined above – particularly the deficiencies in health care – explain why many governments on the continent imposed drastic restrictions on basic freedoms, even while infection rates remain low. Virtually all Latin American countries ordered border closures, bans on public events and meetings, and total lockdowns and other restrictions on movement. At least ten countries declared a state of emergency.⁹

Restrictions on the freedom of movement entail other violations of fundamental rights, such as the de facto suspension of the freedom of assembly and association.

In order to effectively respond to emergency situations - which in the past mainly constituted wars, military coups, or terrorist attacks - and their consequences, constitutions normally provide for the expansion of governmental powers. This may involve temporarily suspending laws and the ability to pass decrees with legal force without the involvement of parliament - but of course only for a limited period in order to manage the crisis. Many countries' constitutions permit deploying the military within their national borders to implement the emergency measures. When properly and responsibly applied, the purpose of such emergency clauses is to protect or even strengthen democracy in situations of extreme crisis.

Anyone attempting to downplay the situation, whether left-wing populists like Mexican President López Obrador or Nicaragua's authoritarian President Daniel Ortega, or those in the right-wing populist camp, such as Brazil's President Jair Bolsonaro or, initially, US President Donald Trump, seems to ignore science or fails to recognise the extent of the crisis. For example, Jair Bolsonaro has dismissed the virus as "flu" and thus failed to put in place any far-reaching measures to protect the health of his people, even in view of rapidly increasing case numbers; he justified his decision by citing the need to protect the economy. Of course, it is necessary to ensure that such measures are proportionate, but this lack of action simply cannot be reconciled with the state's duty to protect the life and health of its citizens and the principles of a constitutional state.

On the other hand, the substantive legal consequences of the extreme emergency measures led to unprecedented restrictions in civil liberties. These included measures that would be unacceptable in normal times, such as the wide-ranging restrictions on the right to freedom of movement and circulation in particular.10 Restrictions on freedom of movement entail other violations of fundamental rights, such as the de facto suspension of the freedom of assembly and association. What is more, many Latin American countries were already reporting a spike in domestic violence, particularly against women and children, during the first few days of quarantine.¹¹ Then there is the right to work, as enshrined in so many of the region's constitutions. This was suspended for anyone whose work was not covered by one of the exceptions, or who could not switch to teleworking due to the nature of their job. The closure of all non-essential businesses and public institutions also means that the legal protection of fundamental rights is until now difficult or even impossible to achieve in many countries throughout the region.¹² On top of this, we should not underestimate the psychological impact that being alone and totally isolated for months on end can have especially on the elderly and vulnerable members of society.

Many of the adopted measures were and still are necessary¹³ to prevent things from getting even worse. However, in Latin America, too, it is important to take a close look at whether the measures imposed are proportionate and examine their legal basis.¹⁴ Unfortunately, most of the region's heads of government seemed to Isolated during times of crisis: We should not underestimate → the psychological impact that being alone and totally isolated for months on end can have especially on the elderly. Source: © Manaure Quintero, Reuters.

have little interest in doing so. For example, their sole justification for the extreme measures was that the restrictions were "necessary and cannot be delayed". Why should Colombians not be allowed to return to their country because of strict border closures, when Germans can generally do so? Why are Peruvians not allowed to walk alone in the park so long as they respect a safe distance of two metres? How are children in remote rural villages supposed to switch to online schooling when neither they nor their teachers have access to the internet or computers? Every constitutional state faces the challenge of finding a balance between protecting their citizens' health and upholding individual freedoms in a way that is proportionate and generally perceived as "fair",¹⁵ but the "basic right to health" anchored in the constitutions of many Latin American states does not mean that other basic rights can be restricted without constraints. After all, the principle of legality still applies in times of crisis - perhaps even more so.

Emergency Measures as a Cover for the Consolidation and Expansion of Power

With fragile states, weak institutions, and presidential systems that generally allow power to be monopolised by caudillos16 more readily than is the case in Europe's parliamentary or semi-presidential systems, Latin America is also at greater risk than Western nations of witnessing the unlawful exploitation of these emergency measures. For instance, long before the coronavirus pandemic, American political scientists Steven Levitsky and Daniel Ziblatt warned in their book "How Democracies Die" against "would-be autocrats" who use economic crises, natural disasters and security threats to justify their anti-democratic policies. One of the great ironies of how democracies die is that the very defense of democracy is often used as a pretext for its subversion.¹⁷



Once Pandora's box has been opened and parliament legally excluded, expanded and unfettered presidential authority in the wrong hands offers endless opportunities for consolidating power or implementing measures that parliament would never have approved of in normal times. Perhaps there are some who have been waiting for just such a crisis to push through their pre-formulated laws as quickly and painlessly as possible. This allows decisions on life and death to be entrusted to leaders with no parliamentary scrutiny.18 It is not without reason that human rights experts at the United Nations have issued strong warnings about abuses of power in the context of COVID-19.19 In the worst-case scenario, states of emergency give carte blanche to tyrants and unjust regimes. For Latin America, the term "emergency legislation" does not generally evoke positive memories. During the military dictatorships or authoritarian regimes that dominated Brazil, Argentina, Chile, and Uruguay in the 1970s and 1980s and Peru in the 1990s, illegal repressive measures were often issued by emergency decree, for example, to counter "terrorist threats" from left-wing guerrilla groups or members of the opposition.²⁰

Thus, the beginning of the corona-crisis encouraged Latin America's demagogues to bring themselves into position, especially in Venezuela. The country has been sliding towards dictatorship for some time, but particularly since the judicial system was forced to toe the line and parliament suspended. Venezuelan president Nicolás Maduro has sealed the country's borders, supposedly in response to the coronavirus, but it is a deliberate means of consolidating his power and persecuting his opponents still further. He also ramped up military deployment, ostensibly to protect public health.²¹ Journalists and doctors who pointed out the Venezuelan health system's complete dysfunctionality with regard to the COVID-19 crisis, were faced with systematic threats and persecution. The government has a monopoly on information about the crisis, which it conveys to its people in a fragmented and manipulated fashion since the beginning of the crisis. State aid is only granted

to those who have a Homeland card (*carnet de la patria*), thus demonstrating their loyalty to the party line.

The militarisation of public safety²² along with a kind of "penal populism" can be observed in other parts of Latin America, too. Soldiers have been deployed to fight the pandemic and secure the borders, and this even includes reserve units. As with the police and other security agencies, many countries have made the military responsible for monitoring compliance with quarantine measures and granted them extensive powers to question and arrest anyone breaking the rules. Although this may be a psychological burden for those who feel reminded of past military dictatorships, the presence of the military is not, in itself, an immediate cause for concern. On the contrary, it is necessary to maintain public order and safety, and many of the region's constitutions explicitly provide for this in the event of an emergency.

For it is precisely when military power is coupled with demagogy that the rule of law is at risk.

The extended powers become questionable, however, when the military and police confuse the pandemic with a state of war and use their powers disproportionately against their own people. Incidents of this kind had already occurred during the mass protests in Chile, Colombia, and Ecuador in late 2019 to early 2020. It seems likely this will only continue in light of the fact that security personnel are often poorly trained and underpaid.23 Peru, for example, amended its penal laws to make its military and national police force totally exempt from criminal responsibility for killings and bodily injuries, insofar as these are carried out in the context of fighting the coronavirus and in order to fulfil their constitutional mandate. The Inter-American Commission on Human Rights has tweeted that this is a violation of human rights. In addition, intimidating people with

threats of high fines or even prison sentences for violating mandatory quarantine measures appears to have become a populist instrument of power. According to media reports, at the end of March 2020 in excess of 25,000 people in Peru were under temporary arrest for disregarding the mandatory lockdown.²⁴ By early April 2020, this had risen to over 50,000 people. In El Salvador, too, there have been similar mass arrests. This looks like a case of using a sledgehammer to crack a walnut. The arrests seem to be a disproportionate response and are counterproductive if the aim is to prevent people from coming into close contact. After all, there are unlikely to be enough single cells to house these 50,000 temporary prisoners in jail. The region's presidents would be well advised to trust in the civil obedience of their citizens rather than immediately resorting to wielding the iron fist. For it is precisely when military power is coupled with demagogy that the rule of law is at risk.

Another source of irritation for autocrats and populists is the press. This is because freedom of opinion and information also includes the duty of the state to provide transparent, objective information. The coronavirus provides the perfect opportunity to further restrict these rights with impunity. For example, the Human Rights Ombudsman in El Salvador, José Apolonio, warned that the military and police in this Central American country are destroying journalists' information materials relating to the coronavirus by forcing them to delete photos and videos.²⁵ We recall how, only shortly before, President Navib Bukele allowed the military to occupy parliament so as to persuade parliamentarians to agree to a loan. He also tweeted that he did not recognise three rulings by the Constitutional Chamber of the Supreme Court in April 2020, which qualified the above-mentioned detentions for failure to comply with quarantine measures as human rights violations.²⁶ Even in a relatively stable constitutional state like Colombia, it was recently alleged that the press has itself ended up in intensive care because of the coronavirus.27 Several reporters who criticised the government were summarily dismissed in early April 2020. The quarantine measures mean that many

journalists are unable to conduct their own independent research and reporting for months, so they have to rely on government information. To some extent, the de facto exclusion of the press has been and is still being instrumentalised to conceal the true state of the crisis. Moreover, some Asian countries, notably China, have shown how the pandemic can be exploited to make the public provide information via digital media and apps, for example about their health. Governments can then use this for other purposes, such as election campaigns or other forms of surveillance or manipulation of their own population.²⁸ When there is a health emergency, freedom of opinion and a transparent information policy are essential for saving lives. If China's government had not systematically suppressed the warning voices of some Chinese doctors who cautioned against the repercussions of the coronavirus in Wuhan back in December 2019, the world might have been spared a great deal of suffering.29

Even in democracies, some politicians are using the coronavirus to delay events that may be politically undesirable.

In other, less drastic cases - sometimes even in robust democracies - the pandemic is a rather convenient way of delaying events that may be politically undesirable. In Chile, where the government declared a "state of disaster" at an early stage, the constitutional referendum planned for 26 April 2020 was postponed until 25 October 2020. Further mass protests failed to materialise due to guarantine measures that were imposed. Bolivia's Supreme Electoral Tribunal too has postponed the elections scheduled for 3 May 2020, without naming a new date. This benefits interim president, Jeanine Áñez, who can consolidate her recently announced presidential candidacy. In the past, we have seen how wars and terrorist attacks tend to



make the public rally around the flag,³⁰ and government approval rates soar. Why shouldn't this also be the case for an interim president during the coronavirus pandemic?

Consequences for the Rule of Law in Latin America

The reasons behind the imposition of emergency measures in the case of COVID-19 may be different from measures taken during times of war or to (allegedly) counter terrorist threats, however extreme caution is still required. Of course, extraordinary times call for extraordinary measures, but they should still be subject to democratic legitimacy as well as checks and balances.

It is, therefore, important to pay particular attention to ensuring that regulatory bodies can continue to do their work, particularly the constitutional courts, and encourage a critical, watchful spirit on the part of the civilian population.³¹ It is precisely in times of crisis that



Once governments have escaped unpunished or even been politically lauded for their courageous actions, there is a danger that they will continue to order unbridled and substantial interventions in civil liberties, especially freedom of movement, in times of less serious crisis. That is why it is essential to conduct a legal reappraisal of what has happened.32 We should welcome the fact that Brazil's Constitutional Court has declared one of President Jair Bolsonaro's decrees to be unconstitutional. It aimed to restrict access to public information during the coronavirus pandemic. It is also a positive sign that Colombia's Constitutional Court, one of the most prestigious and significant in the region, is reviewing whether the emergency measures enacted by President Iván Duque were constitutionally sound. At the end of May, the Court found constitutional the president's decree on social and economic emergency. Further presidential decrees adopted under the state of emergency are still under revision by the Constitutional Court.33

The greatest danger for the rule of law in Latin America is that the emergency measures will not be reversed once the crisis has passed.

democracy pays twice for any mistakes. Many measures are being rushed through that might have taken years to approve in normal times. Some parliaments are in a state of temporary paralysis. The population is distracted, preoccupied with protecting themselves, and alleviating the personal consequences of the crisis. As a result, the legality of the measures is rarely a subject of public debate. Approval rates for the emergency measures are (still) – with the exception of Brazil – generally high. So why worry about their proportionality? However, the greatest danger for the rule of law in Latin America is that the emergency measures will not be reversed once the crisis has passed. Because if they are not quickly rescinded, they become the status quo. Therefore, new autocrats in the region could soon become too fond of their new powers and be reluctant to give them up.³⁴ The past has shown that emergency laws often remain in place for many years after a crisis has ended. Emergency anti-terrorism laws passed in the US and France, but also in Colombia, Chile and Peru, are still in force today. The state of emergency becomes the new normal. Thus, if power falls into the wrong hands, governments may not only restrict individual freedoms, but also bring civic life, politics and the economy under their sole control for years to come.

In Latin America, the legal and political consequences of the coronavirus pandemic will largely depend on how the governments of the region exercise their power in this time of crisis. If Latin America's rulers abuse their authority in order to consolidate their power and further their personal ambitions, the future looks bleak for the rule of law in Latin America. Faith in democracy and the rule of law will decline even further. Inequalities will persist or even increase, and the wave of protest that has been temporarily suppressed will resume with renewed vigour.

However, if governments exercise their power with moderation and demonstrate good leadership in bringing their countries out of the crisis, not only will they win votes but may also be able to restore the trust of their citizens in state institutions - a trust that seemed lost forever. In particular, this should involve conducting a judicial review of the emergency measures taken and ensuring that health care systems are well equipped to face future crises. Perhaps the crisis also affords an opportunity for constitutional states in Latin America to focus more strongly on democracy, solidarity, and the welfare of their citizens. Because one thing we know for sure is that the coronavirus will change the rules of the political game. It is now up to Latin American governments to decide what direction they will take.

-translated from German-

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